

## **Missing the Point – Flaw in the system. ...Are we done with representative government and majority rule?**

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The Capitol Building in Washington. (Superimposed Shutterstock images.)

One of the first things I remember learning, going way back to elementary school, was that we have – in Washington and state capitals around the country – a representative government based on the principle of majority rule. These are noble concepts, the foundation on which our Constitution was written and which define us. Without these principles, which we take for granted, there would be no personal freedom and the great American economy would not exist. Democracy is the air that capitalism breathes.

Lately, however, I have come to the conclusion that our governments, national and local, are not as representative as they were intended to be. More and more, it seems as if only a few of us are telling the most of us what we can do. And that the majority no longer rules. Gradually, over generations and at an accelerated pace in my lifetime, it has become apparent that a relatively small number of officials control our government, less and less compelled and motivated by what we, the people of the United States, think. To put it dramatically, what I'll call "a sloppy coup d'état" is well underway.

To make my point, I'll offer only a single example, the national debate over whether women should have the right to terminate a pregnancy. [Polling](#) tells us that 61% of adult Americans are "pro-choice" and that only 37% believe that abortion should be

illegal. Whatever the specific number, a clear if not overwhelming majority of us favor allowing women to decide whether or not a fertilized egg growing inside them should be nurtured to fruition. It's a weighty issue, to be sure. That's why I picked it as my example.

For the record, because it's only fair that you know, I am pro-choice even though I'm not sure, were I a woman, that I could ever abort my own pregnancy. I respect those of us who, as a result of their commitment to life and not just for political reasons, view this matter differently. On their behalf, I can appreciate that academic conversations about majority rule are difficult to take.

All that said, however momentous the issue and profound the implications for so many of us, we either believe in majority rule or we don't. There's no having it both ways, not on this difficult matter or any other.

So how is it possible that a solid majority of voting age Americans favor the pro-choice perspective, but our governments – including their judicial branches – may not? Even worse, it's not a minority consisting of millions of Americans that I'm talking about. Turns out, relevant national law is being changed by just a literal handful of people – a few Governors here, some Congressional leaders in Washington and a number of politically-appointed Judges at various levels of our government acting on behalf of the pro-life minority. The obvious and I think correct conclusion is that our government is not, in fact, representative of “We the People” as it was originally intended to be.

There are several reasons why this last statement I've made is true. The [first Congress of the United States](#) of America was convened on March 4, 1789. As of the Congressional [elections held in 1790-1791](#), there were only 67 elected members of the House of Representatives. [The first Census](#), which was conducted in 1790, counted only 3,929,214 people, including women and slaves, in 16 states. In the beginning, there was, in simple mathematical terms, one representative in Congress for every 58,645 people.

Today, we have [436 Members of the House](#) representing a population of approximately 332 million. That's one representative in Congress for every 761,468 people.

*“Uh, oh.”*

Yes, our democracy is stuck between a rock and hard place. Population growth has forced us to dramatically increase the average number of people that each of our elected Members of Congress represents. For administrative reasons, we've allowed this growth in Congressional district population to keep the size of Congress down to an already unmanageable 436 Members. But at what cost?

Do you seriously think for a moment that your Congressman or woman – elected at the culmination of a lengthy and complex political process that few of us understand, let

alone in which we participate – has a clue what we’re thinking? Or cares or has the time to find out? Of course not. We choose, from those who are running, the one we like most or dislike the least, based on what *they* tell us *they’re* thinking. What *we’re* thinking hardly figures into the calculation, particularly between elections when no one is running for office.

And do you really believe that there is any consensus building among constituents in a Congressional district averaging over 760,000 people? On issues as profound as abortion, gun control and so many others? In a world where you seldom have more than a passing relationship with more than a handful of your closest neighbors?

So why don’t we reduce district size to increase consensus building and improve communications with our elected officials? For two reasons. One is that, had we kept average people per Member of Congress down to, let’s say, 60,000, we’d have a Congress with 5,533 Members. Doing what all day? What their Congressional leadership tells them to do and think? When they’re supposed to be speaking for the people – you and me – who elected them?

And the smaller the district, the easier it is to gerrymander its boundaries. The smaller and the greater the number of election districts, the easier it is to game the system.

Proof... As of [polling in 2021](#), only 27% of adult Americans identify as being Republicans, and yet they control the House of Representatives and almost half of the Senate – and 28 of our 50 [state legislatures](#). ...It’s interesting to note that the same polling indicated that only 29% of Americans identify as Democrats, while 42% identify as being Independents *of which there are **zero** Representatives in the House*. Party affiliation in the House of Representatives *does not reflect* either voter identification or registration in the population at large. No doubt, the same can be said of many state legislatures. The House is largely a political party mechanism and not the representative body it should be.

Add to these problems the resultant politicalization of our courts, is it any wonder that a minority pro-life public opinion is taking charge and over-taking the will of the majority of Americans who are pro-choice?

Could it be that democracy, at least as it was envisioned by our founders, works best in small venues? And is breaking under the pressure of a population much larger than the operational rules and guidelines in our Constitution can support?

*“So, what do we do about it?”*

Well, we need to think and talk about it, a lot. That’s for sure. Otherwise, I don’t know, except that technology will certainly be part of any solution. And the longer we wait to figure it out, to fix the flaw in the design of our democracy to accommodate our much larger population and preserve representative government by majority rule, the farther

down the rabbit hole we're going find ourselves, and the harder it will be to climb our way out.

-Les Cohen

Les Cohen is a long-term Marylander, having grown up in Annapolis. Professionally, he writes and edits materials for business and political clients from his base of operations in Columbia, Maryland. He has a Ph.D. in Urban and Regional Economics. Leave a comment or feel free to send him an email to [Les@Writeaway.us](mailto:Les@Writeaway.us).

