

A Fraction of Democracy

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Anyone who's taken fractions in school knows that $5/3$ is greater than $3/5$. This is true in mathematics. It's also true in democracy.

On Friday, September 9, the Camp Casey bus tour came to Cleveland, Ohio. The bus tour is an outgrowth of the encampment of Cindy Sheehan, mother of a killed US soldier in the Iraq war, who attempted to meet personally with President George Bush at his ranch in Crawford, Texas in August.

Composed of family members of killed and current US troops in Iraq, among others, the Bring Them Home Now bus tour is making its way across the country calling attention to the human costs of the war and occupation. At every stop, they try to share their stories and perspectives with US Representatives or Senators. If they can't, then with their aides. That was the case in Cleveland.

On September 9 a delegation of tour participants, along with local peace and anti-war activists, planned to meet with an aide to Ohio Senator George Voinovich. They would follow this visit with leaving material at the office (all aides were to be away for part of the afternoon) of Ohio Senator Mike DeWine.

Following a hour-long meeting in the Federal Building in downtown Cleveland with an aide to Senator Voinovich, the group of 12 tour participants, local activists and others marched to the office of Senator DeWine. His office, curiously, isn't in the Federal Building. It's in the $5/3^{\text{rd}}$ Bank corporation building five blocks away

As the combined delegation of 10-12 tour participants and local citizens entered the $5/3^{\text{rd}}$ Bank corporation building, we were immediately stopped by the $5/3^{\text{rd}}$ Bank corporation security guards dressed in flashy red blazers with walkie-talkies. One asked where we were going. When we said to Senator DeWine's office to deliver a packet of material, we were told, "You can't go."

"Why not?" I asked.

"Because you can't." After scanning the group, the guard asserted, "Only one of you can go up."

I immediately blurted, "And who are you to tell citizens they can't drop off information to a public official that they have elected? You have no authority!"

Silly me. I had forgotten for a moment where I was. We don't live in a democracy or even a democratic republic. The $5/3^{\text{rd}}$ Bank corporation, after all, has a whole bunch of constitutionally protected "personhood" rights that trump the rights of you and me: First Amendment rights of free speech, Fourth Amendment rights against search and seizure, Fifth Amendment rights against takings, Sixth and Seventh Amendment rights to a jury trial. These so-called corporate "rights" come from the Bill of Rights, originally included in the Constitution to protect We the People from government. Over the last century, these human rights (as well as the Fourteenth Amendment granting due process and equal protection rights to freed slaves) have been legally co-opted to protect corporations from citizens.

But it's not just co-optation of good provisions of the Constitution that's the problem. Original provisions of the Constitution anoint property with rights that prevent true self-governance. The Commerce clause (Article I, Section 8) says nothing shall interfere with trade between states. Some call this "Baby NAFTA" where local rules and laws defining worker rights or environmental protection were defined as trade barriers. The Contracts clause (Article I, Section 10) says nothing shall impair the obligation of contracts. Some believe this opened the Constitutional door to defining the corporate charter as a contract among equals rather than a democratic tool used by the people to dictate the conditions for corporate business.

Other provisions created a firewall between the public exercising "too much democracy" and the propertied few. The appointment of elite judges for life to the Supreme Court and the Electoral

College as the mechanism to elect the President are but two examples.

The current disparity of rights and powers between corporations and people, leading to a myriad of problems, abuses, scandals, and further take over of public policy, is not very

different from the disparity between different groups of persons which existing the very moment the US Constitution was ratified. Remember them from school?

Men were bestowed with 100% of the rights and privileges spelled out in the Constitution – white, propertied men that is. Women couldn't vote and lacked many other social and economic rights but were considered 100% persons for purposes of determining how many Representatives should be assigned to each state. The same was true for white indentured servants (people who were working to pay off their debts in exchange for travel from Europe). Slaves were considered 3/5ths of a person. Native people, Indians as they were called, who didn't pay taxes (not part of the US economy) were total non-persons.

With the Constitution set up to favor white, male, property owners (100% persons), it's no wonder they benefited the most from its laws and rules. Slaves, 3/5ths persons, didn't have a chance. It took a social movement to drive the rights of African-Americans into the Constitution. Even then, it took another Civil Rights movement. The rights of women to vote didn't happen until a women's movement lasting 70 years finally resulted in the 19th Amendment.

Today, the rights of people to govern themselves are further threatened like never before. More public information is being hidden, more public realms are deemed "private" (i.e. corporate) beyond public reach, more ultimate decisions are shifted from legislative and executive bodies to the courts that have supreme authority.

Attempts to address corporate harms are funneled through or shielded by regulatory agencies that fundamentally change nothing, even if people "win" in the short term. Politicians often use regulatory agencies as their own shield to divert angry and/or organized constituents. "It's out of my hands. You need to contact the Federal _____ Agency," they say.

On September 9, it was the 5/3rd Bank corporation that was doing the shielding of the public official named Senator Mike DeWine. We the People couldn't simply walk up the steps or take the elevator to his office since we were on private property. We had to first receive permission from the 5/3rd corporate "person." Sort of like the 3/5ths slave "person" asking his master for a cup of water. Aren't we today little more than slaves to corporations and those few people of privilege who rule? No real voice? No real choice? No real self-governing power?

With fewer rights (who knows what exact fraction it is: 3/5ths, 1/4th, 2/7ths or something else) than those of corporations and those of immense property, how can we realistically expect to be successful educating or organizing against wars, toxic dumps, and genetically modified foods or for higher minimum wages, universal health care, or sustainable energy? The ground rules are stacked against us and, therefore, must be changed.

Back in Cleveland, another 5/3rd Bank corporation security guard, sensing conflict, went upstairs to notify an aide to DeWine's office (who was there afterall) that we were downstairs. Before long, she appeared, deemed that we were OK to talk to, and took the group upstairs for a chat.

I couldn't go. I wouldn't go. It seemed futile.

We can meet all the aides we want, even all the Representatives or Senators we want, but to what avail? Until we the people once more create a grassroots movement, this time for the fundamental right to self-governance, and remove the legal and constitutional barriers along the way, we will never have anything approaching a real democracy. A small fraction of a democracy but little more.

Why? Because a 5/3rds person does not equal a 3/5ths person. Not in mathematics. N o t i n d e m o c r a c y .