

How Capitalism Stole the Constitution

Erin Coltharp

College Park High School

### Abstract

The Constitution is accepted as being a document representative of the democratic ideals proudly displayed by the United States. However, in reality the United States government is not nearly as democratic as its citizens believe it to be. The wealthy minority continue to dominate policy just as they did over two centuries ago when the Constitution was written. This paper defines three theories regarding the intended purposes of the Constitution and how the realities of the Constitution detract from democracy and nourish capitalistic interests. Major reform would be necessary for the average citizen to truly have an influence on America's government in the present. Evidence used in this paper has been collected from websites, articles, and books.

*Keywords:* elite class theory, hyperpluralism, pluralism, minority, capitalism

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### **Introduction**

The Constitution in all its glory is not necessarily all it is portrayed to be by the present government or the history textbooks. America today is dominated by the elite class of wealthy corporations that have the money and thus have the power. They have a power over politicians that seem to be a forgotten component of the Constitution and this lack of regard towards the topic seems like an unlikely mistake. Those who wrote the Constitution were made up of the wealthy plantation owners, lawyers, and scholars unscathed by manual labor unlike the majority of Americans at the time. Though they were educated, how could such a specific group of men foresee the issues that the average American may come to face? Wealthy people stay wealthy for a reason as they protect their interests and give themselves all the advantages they can and today, that has taken the form of funding political campaigns and thus ensuring legislation that corresponds with what big business wants. The idyllic image of men dreaming of freedom and liberty for all back in 1787 may be a bit of a stretch in reality.

The preamble sets some pretty clear goals for what the Founders intended the Constitution to cover as it describes a broad range of less than being easy to attain goals. They intend to form and support a functional military when they wrote “provide for the common defense” and by saying “secure the Blessings of Liberty to ourselves and our Posterity”, they hoped to ensure liberty for all present and future citizens. The preamble, however, was merely the introduction for all of the articles and amendments that would establish the law and not a piece of legislation in itself. This does not discredit its importance for it sums up all that was discussed and argued all throughout the

Constitutional Convention and can serve as a small, yet concise window into the thinking of the Founders and all that they hoped the Constitution would mean for the United States (The Heritage Guide..., n.d.).

The next part of the Constitution is the seven articles which sum up the major roles the government will perform for the country. The first three articles define the three different branches of government that form the checks and balances system. Next it explains the process necessary for amending the Constitution and describes the power states hold and their relationship to the federal government. Further, it illustrates the process of ratifying the Constitution and makes it abundantly clear that all state and federal governments must abide by the Constitution as it is the supreme law (The Heritage Guide, n.d.). The first three articles are by far the longest of the seven as they define all of the incredibly specific powers that the legislative, executive, and judicial branches hold. Each branch has limited yet precise powers that prevent any single branch from becoming too powerful.

The last component of the Constitution are the amendments, which are changes made to the Constitution by either altering already existing text or adding text that therefore changes or adds a new law to the Constitution. The process of amending the Constitution is quite lengthy as approval has to come from multiple branches of the government. For an amendment to even be considered, Congress has to approve it with a two-thirds majority vote in both Congress and the House of Representatives, however, a constitutional convention demanded by two-thirds of the State legislatures can also be done, although, this has never been done for any of the twenty-seven amendments in the Constitution today. Once an amendment has been proposed by one of those two ways,

three-fourths of the States must ratify in order for it to become part of the Constitution (The Constitutional Amendment Process, n.d.). The ability to amend the Constitution is a very important aspect as times change and laws need to be adjusted in order to best benefit society.

The first theory regarding the Constitution is known as pluralism and is the basic, democratic theory taught by the history textbooks. “The basic theory of classical pluralism is that politics or public policy is in great part the result of conflict and accommodation of various interest groups.” Essentially, pluralism believes that people in a society will form groups based on common interests and ideals. These said groups will then pressure politicians into favoring their ideals by reflecting a special interest group’s desires in their position of governmental power. This idea seems like it would be successful, however, major components of American society hinder its ability to be effective. There are two major factors that the success of pluralism relies on, the first being that “though resources are not equally distributed, they are sufficiently available to enable any interest group with strong preferences to pressure government officials.” In short, although funds are spread unequally at times, special interest groups have equal opportunity to affect policy. This statement is unfortunately far from being true in the United States, as certain special interest groups are able to sway politicians more effectively with private funds coming from large and powerful corporations. The second factor necessary for the success of pluralism is “that the pressure system is sufficiently open to welcome a diversity of interests and capable of handling multiple interests” (Charles, n.d.). Again, this is an appealing idea, although America is far from attaining such a state of equality. An example of diversity of ideas not being accepted is in the

energy realm, where fossil fuels are the dominant special interests group. Renewable energy special interest groups are far from welcome and as a result receive far few government subsidies and public support because of the power that the fossil fuel industries wield. Pluralism being the basis for how citizens can participate in a democracy is far from functional in the United States as special interest groups lack the equality necessary for equal appearance of public opinion in governmental policy.

Another theory pertaining to the Constitution is hyperpluralism which some could refer to as “pluralism gone sour.” This theory claims that in an effort to maximize the amount of special interest group’s policy makers please, government is forced into a stalemate of sorts. The result is policy that either holds little to no power or is merely for show, or policy that is completely contradictory and confusing in nature. The hyperpluralist theory directly relates to another phrase used known as interest group liberalism. Interest group liberalism refers “to the government’s excessive deference to groups” (Matzke, 2002), meaning all special interest groups are treated as though they should be acknowledged and incorporated into the policy of the United States. It’s impossible for a government to advance all special interests especially when many of them are blatant contradictions of one another, however, the government feels pressure to satisfy all groups, especially those that contribute funds to past and potentially future political campaigns. This being said, hyperpluralism is, on the surface, a stalemate resulting from contradictory special interest groups being considered equally by government as it is seen as being their duty, although a large component that contributes to this inability to function are the big businesses that devote funds to campaigns and then force their agendas onto policy makers making it seem as though they deserve to have

their special interests acknowledged. This entitlement demonstrated by these big businesses relates directly to the elite class theory. Hyperpluralism being the failure of pluralism demonstrates how truly easy it is for governments to lose sight of their ideals, as supposedly laid out by the Founding Fathers in the Constitution, however, just as the wealthiest of Americans manipulate the government today, it's hard to imagine that they did not do the same all throughout the history of how the United States came to be.

Elite class theory is another way to interpret how the American government truly functions. It “maintains that the majority of political power and influence is held by a small number of individuals, groups, and industries” (Theories, 2006). This may seem ordinary as the United States does function under a capitalistic economy, however, the government is supposed to be a democracy where all citizens and groups should be considered equal and this is unfortunately not the case. The group of people who compose the elite class in America could be called the “power elite.” The power elite are “a small group of people who control a disproportionate amount of wealth, privilege, and access to decision-making of global consequence” (Verma, n.d.). Though not all of these people hold government positions, their opinions are still being represented by the officials they supported through funding political campaigns (Interest, 2015). Politicians depend on big business in order to obtain the funds they need to support their large-scale campaigns and by receiving exceptionally large sums of money from these companies, they more times than not feel obligated to represent the interests of these companies through the influence they gain once they become elected. This detracts from the true reason why we elect officials as their true purpose is to represent the people rather than that one CEO who made their campaign possible let alone successful. The elite class

theory is by far the most realistic of the three theories as capitalistic America has seemed to have lost sight of what democracy is truly about.

When examining who participated in the Constitutional Convention back in 1787, the demographic of men is far from diverse. Most of these men were wealthy plantation owners, merchants, scholars, lawyers, politicians (Lloyd, n.d.), namely the minority of the American population at the time. In 1787, 90% of American men were farmers usually owning their own farm producing only enough to support their own family with little left over to sell for a profit (Life in 1787, n.d.). This being said, those fifty-five men who essentially had the fate of America within their hands were in no way a part of the majority who spent their days laboring in the fields. With such a limited amount of knowledge of what the average American's life was truly like, it is hard to believe that the Founding Fathers could construct a constitution that benefitted the majority back in 1787, let alone in the present. Rather, what would motivate them to satisfy the needs of the majority when they had the power to please the minority for centuries to come?

Not to say that all of the motives behind the construction of the Constitution were tarnished by the tempting opportunities to make even more money, there was most definitely some desire for equality and liberty to be a reality for Americans as that was the goal of the Revolution. Plain oblivion could be a legitimate enough of an excuse as many could argue that "they were motivated by a concern for nation building that went beyond their particular class interests" (Parenti, 1996). This may have been the case for a select few, however, with only white men being able to vote and only the richest of those retaining the ability to hold office, having those same men build a government around equality and freedom is incredibly hypocritical. Although it is no longer necessary to be a

white, property-owning man in order to run for office, wealth is still a factor that cannot be ignored. Political campaigns are incredibly expensive, especially if they are successful, meaning the average American would most likely not be able to afford to fund such a crusade. That's when the corporations step in with agendas they need fulfilled and money they can offer, of course with the implication that the politician they support will support their agenda may it be the President or a member of the Senate. Money was requirement in 1787 and it indirectly still is for any person with an interest in becoming a politician.

One specific feature of the Constitution that seems far from democratic is the Electoral College. The Electoral College is responsible for electing the president every four years, however, not necessarily by representing the popular vote. The Constitution does not state that the Electoral College must vote the same way as the popular vote which essentially discredits the popular vote. Members of the Electoral College are chosen at state conventions for each party. There are no real qualifications for a member of the Electoral College, except not having committed treason in the past, so party leaders can choose whoever they want, and more often than not it is a person of wealth or high stature, not your average Joe. The members of the electoral college that end up voting are the ones chosen by the victorious party in that state, chosen by the popular vote. This, however, does not mean that they must cast their vote for that candidate, unless the state has changed the law to ensure that fact (U.S. Electoral College, n.d.). The Electoral College is merely another way for the wealthy to keep their economic interests a priority in governmental policy.

Although, the hyperpluralist theory does have some valid criticisms of the American Constitution and government as a whole, the elite class theory is a much broader description of the corruption featured all throughout the history of American government. Wealthy business owners have been influencing government under the guise that the all citizens have their voices heard for centuries, and will most likely continue to do so for as long as they are able. The people making the decisions for this country have hardly changed since 1787 and are most definitely being influenced more by economic incentives than a desire to please and support the citizens of the United States. This being said, evidence demonstrates that the Constitution may have a multitude of great ideas, however, they were created to benefit the wealthy minority rather than provide liberty for all.

## References

- Charles, G. E. (n.d.). Duke Law Scholarship Repository. Retrieved March 15, 2016, from [http://scholarship.law.duke.edu/faculty\\_scholarship/3027/](http://scholarship.law.duke.edu/faculty_scholarship/3027/)
- Interest group and elite theory. (2015, June 26). Retrieved March 16, 2016, from <https://www.utoledo.edu/lss/pspa/faculty/DAVIS/IGelite.htm>
- Life in 1787 - americanhistoryrules.com. (n.d.). Retrieved March 16, 2016, from <http://americanhistoryrules.com/wp-content/uploads/2014/09/Life-in-1787.pdf>
- Lloyd, G. (n.d.). Individual biographies of the delegates to the Constitutional Convention. Teaching American History. Retrieved March 16, 2016, from <http://teachingamericanhistory.org/convention/delegates/>
- Matzke, C. S. (2002). Study guide to accompany Edwards, Wattenberg, Lineberry, *Government in America: People, politics, and policy, Tenth edition*. New York: Longman.
- Parenti, M. (1996). *Democracy for the few* (6th ed.). Bedford, MA: St. Martin's.
- The Constitutional Amendment Process. (n.d.). Retrieved March 14, 2016, from <https://www.archives.gov/federal-register/constitution/>
- The Heritage Guide to the Constitution. (n.d.). Retrieved March 14, 2016, from <http://www.heritage.org/constitution#!/articles/0/essays/1/preamble>
- Theories of democracy. (2006). Retrieved March 16, 2016, from [http://www.hippocampus.org/homework-help/American-Government/Constitutional-Beginnings\\_Theories\\_of\\_Democracy.html](http://www.hippocampus.org/homework-help/American-Government/Constitutional-Beginnings_Theories_of_Democracy.html)

U. S. Electoral College: Who are the Electors? How do they vote? (n.d.). Retrieved March 17, 2016, from <http://www.archives.gov/federal-register/electoral-college/electors.html>

Verma, A. (n.d.). Elite theory of democracy. Retrieved March 16, 2016, from [http://www.academia.edu/9157619/Elite\\_theory\\_of\\_democracy](http://www.academia.edu/9157619/Elite_theory_of_democracy)