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The recent defeat of gun buyers' background check legislation in the Senate—legislation backed by an almost unimaginable 90% of the American public—has been taken as a somber day in the history of American democracy. We've been having a lot of such somber days of late. In fact, one can well argue we've not only reached the point where not only does the will of the American people has almost no bearing on governance, but most of our opinion-makers see little reason why it should have.

No one can deny there is an increasing disparity between what the American public says it wants, and what the political class feel they should even have to talk about. At the height of the health reform debate in 2009, polls suggested that as many as two thirds of Americans would have preferred a Canadian style single-payer health plan, which could have been achieved fairly simply by expanding existing programs like Medicare. In Washington, and in the national media, it was not even seen as worthy of debate. On

the other side, overwhelming majorities even of Republicans, let alone Democrats, make clear the last thing we should be talking about is cutting social security benefits, yet we have a President and political class that—despite the lack of any immediate crisis — seem almost obsessively determined to figure out an excuse to do so.

On one level we all know why this happens. Lobbyists for powerful moneyed interests control the terms of debate. Any proposal would be strongly opposed by, say, the Gun Lobby, or the Health Insurance Lobby, is simply not considered serious, no matter how much popular support it has. But what's really startling is the indifference with which this situation is greeted by America's talking classes, even those who represent themselves as (and in many cases at least, actually do sincerely see themselves to be) the guardians of America's democratic traditions. Each new outrage is greeted with at best a minor flurry of concern, usually followed by some wistful complaints about the "dysfunctional culture" in Washington—complaints which, if they lead to anything, lead only to pleas for politicians to stop fighting and build a "pragmatic," "centrist" consensus—that is, to effectively do away with any remaining difference between the two parties and eliminate popular input into politics entirely.

Even fundamental structural issues are shrugged away. Politicians and journalists who regularly hold out American democracy as a beacon to the world never seem to reflect on what the world is supposed to make of the fact that, say, 2/3 of the American public who don't happen to live in swing states effectively have no say in who gets to be the President, or that we can have House elections, as we did in 2012, where a majority of voters can choose candidates from one party and watch the other party win the election anyway.

One can only conclude that for most of our official opinion-makers, the word "democracy" no longer has anything, really, to do with popular will. It refers to a structure of authority. "Democracy" for them means that elaborate architecture of checks

and balances created by the Framers of the Constitution, the fact that elections, appointments, congressional votes and judicial and executive decisions take place according to established laws, bylaws, traditions, and procedures. It means following the rules laid down by the Founding Fathers and their later, duly authorized, interpreters. Hence in the event of a crisis, the press feels that it's first loyalty is not to what the public wants, or even really to the facts, but above all, to maintaining public faith in the legitimacy of what they consider "democratic institutions." This came out very clearly during the dispute over the Bush-Gore election of 2000. No one contested that Gore was the choice of the majority of American voters. It was not at all clear that Bush was the choice of the majority of Florida voters (and as it later turned out, he was not.) But after a Supreme Court decision in which a majority of justices barely disguised the fact that they were intervening to stop the ballot-counting on the basis of their own personal political preferences, the media instantly declared the issue over—many openly admitting that they felt pointing out that the Court had effectively engaged in a judicial coup would be irresponsible, since it would undermine popular faith in the integrity of "democratic institutions."

II:

DEMOCRACY WAS NEVER A GIFT: WE TOOK IT

All nations, all societies, have their founding myths. Back in the 18th century, Enlightenment thinkers tended to assume that nations were originally created by great lawgivers, men like Solon or Lycurgus, who created their constitutions, and thus, that the "spirit of the laws" shaped what kind of people their inhabitants were ultimately to become. John Adams, James Madison, and Thomas Jefferson were raised on such ideas. It seems unlikely that there's anywhere this really happened. But here in the United States, they tried to put theory into practice; and so we still insist that "democracy" was something given us by great lawgivers, that we are "a nation of laws and not of men," and that this institutional struc-

ture has been the basis of our democratic spirit, and our rights and freedoms, ever since.

But there's a basic problem here. Nowhere in the Declaration of Independence or Constitution does it say anything about the United States being a democracy. In fact, men like Adams, Madison, and even Jefferson were staunchly opposed to democracy, which they defined as "the powers of government exercised by the people"—whether directly through popular assemblies, or by extension, through the direct election of representatives closely bound to the popular will. Most were also quite explicit about their reasons. How could we possibly have majority rule, wrote John Adams, in a country where only one or two million people own any significant amount of property, and 9 million do not? It could only led to the cancellation of debts and expropriation of the wealthy. One need only glance at the opening remarks of the Constitutional Convention of 1789, delivered by George Washington protégé Edmund Randolph, then Governor of Virginia, to get a sense of why they felt that system of checks and balances needed to be created:

Our chief danger arises from the democratic parts of our constitutions. It is a maxim which I hold incontrovertible, that the powers of government exercised by the people swallows up the other branches. None of the constitutions have provided sufficient checks against the democracy. The feeble Senate of Virginia is a phantom. Maryland has a more powerful senate, but the late distractions in that State, have discovered that it is not powerful enough. The check established in the constitution of New York and Massachusetts is yet a stronger barrier against democracy, but they all seem insufficient.

Instead of the democracy of ancient Athens, the new state was to be a Republic, modeled on Rome, which, the founders (being good classical scholars) argued had the perfect balance between monarchy (the President was to be an elected monarch), the oligarchic (the Senate, which was to be composed of wealthy landholders),

structure which frames one's existence —the government, schools, police, even financial industry—are, or at least ought to be, there for one's benefit, then it's hardly surprising that, for the first time in living memory, a majority of Americans are telling pollsters that they no longer consider themselves middle class. But it leaves the honest observer wondering in what sense, precisely, the United States can still be called a democratic society.

climate" in Washington—as if what was really important to the average working class single mother of two, desperate to ensure her children have access to regular medical check-ups, is whether politicians in Washington are being nice to one another. Only to someone who spent their entire careers surrounded by elite professionals would be blind to the obvious: that most humans in such a situation would not have cared less if Obama had personally kneecapped Joe Lieberman and couple Republican senators to boot, if it had meant even a 40% cut to their deductible. Hence widespread working class disgust at those who woo their votes on economic grounds. At least Republicans are goal-oriented—even if the goals are not their own.

Such sensibilities dominate the media, as well, if for no other reason than that journalists are themselves highly paid professionals. Thus while the content of US News might be skewed sharply Republican (Republican talking heads are twice as likely to be interviewed on CNN than Democrats), its forms and sensibilities are those of the procedure-obsessed center-left. In such a world, it makes perfect sense to see "democracy" as the gift of enlightened lawyers, popular participation as problematic or unimportant, and almost any form of corruption as acceptable if worked out through proper legal channels: which is why it has been possible to turn the US political system into one of institutionalized bribery by simply relabeling bribes as "fund-raising" and "lobbying" and then making most of them formally legal, without significant complaint. Similarly it makes it possible to suppress attempts to create old-style social movements objecting to such corruption using militarized force with barely a peep from the liberal establishment. After all, such people aren't playing by the rules.

Most Americans are cut out of the system entirely. The fact that their views on policy issues have been rendered largely irrelevant is just the tip of the iceberg. Many are becoming increasingly alienated from even the most basic institutions of society. If being middle-class means above all having a sense that the institutional

and a Congress with carefully limited democratic powers—largely, on the principle of "no taxation without representation" to handle finance. True power, they argued, would be held by a "natural aristocracy" of educated lawyers, drawn from the propertied classes, with the wealth and leisure to separate themselves from the battling interests of the masses and think about the greater good.

At that time, in fact, the word "democracy" was used—by politicians, at least—largely as a term of abuse, in fact almost interchangeably with "anarchy" or "mob rule." A few radicals did sometimes call themselves "democrats," but mainly for shock value, in much the same later radicals would call themselves "anarchists" or "queers." But over time more and more did. By the 1830s, Andrew Jackson started calling himself a "democrat" when running for office, and won, and before the decade was out, everyone was using the term. The Republican structure that was created to prevent what Washington once called "the horrors of democracy" was itself relabeled "democracy" and we have been calling the system that ever since.

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The obvious question is: Why did a one-time term of abuse like "democracy" had such appeal to American farmers and mechanics that eventually, even politicians eventually had to start using it? And what did it mean to them? The entire story has yet to be told. But clearly, it had something to do with that "democratic spirit" later celebrated by Tocqueville and Whitman, an ideal of individual equality, freedom, and at least the aspiration for forms popular self-governance that was rarely fully realized, or even, completely articulated. It was the driving force behind the revolution itself, with its great popular assemblies and mobilizations, and it led to an endless series of popular movements—in the early days of the republic, even outright uprisings—that frequently forced the political classes' hand.

Insofar as we have democratic elements in our system—and these do exist—they can almost invariably be traced to here. Nor-

mally, when we think of the Constitution as the embodiment of democratic freedoms, we think above all of the Bill of Rights. But the framers never had any intention of placing such a list in the text of the constitution; it was just that, faced with the simultaneous mobilization of anti-Federalist politicians and radicals demanding debt relief, they were finally realized they would never be able to ratify the document without it. Rights to freedom of the press, speech, and assembly were won through those very means (with a fear of outright insurrection lingering in the background.) At the time, it's pretty clear probably a majority of those that signed the document didn't have the slightest intention of honoring those commitments (nine years later, most of the same men signed the Alien & Sedition Acts of 1798, rendering "false, scandalous and malicious" criticisms of the new government punishable by law), but gradually, popular embrace of those principles forced the politicians to act as they were the very basis of the American ideal.

The story was to repeat time after time, every time democratic freedoms expanded: whether with the expansion of the franchise, suffrage, abolition, civil rights… None were granted by the benevolence of law-givers. They were won, usually against fierce opposition from the political establishment, usually beginning with the vision of stubborn groups of idealists acting in conscious defiance of the law (the phrase "civil disobedience," after all, was first coined in America), gradually winning broad popular support or moral consensus and finally forcing the politicians, however reluctantly, to incorporate those new moral understandings into the constitutional order—at least to some extent.

For most of American history, one could make a case that as a result, even if democracy remained an aspiration, there was a broad movement in its direction. The beginnings of the Cold War marked a major push-back in the other direction and after the '60s, progress basically ground to a halt.

III:

THE CURSE OF THE PROFESSIONAL-MANAGERIAL CLASS

President Obama likes to evoke the language and gestures of popular mobilization. But it's all hollow theater. In reality, the very fact that he can do so marks the completion of the work begun by Clinton of purging the Democratic Party from any remaining remnants of movement politics: the languages and gestures have now been so thoroughly severed from the movement politics that first created them, that they can simply be deployed as a marketing tool. Meanwhile, his style of government is almost completely technocratic, with politics, insofar as it appears at all in non-election years, reduced to closed-door negotiations between powerful interest groups. The battles over health care is the perfect illustration. There were no appeals to lofty principles, no grassroots mobilization; in fact, the only broad popular mobilization was by the other side. In fact, this seems to be a regular pattern now. It is the Right who still speak of matters of absolute principle, or who encourage their supporters to take to the streets.

I don't think this is simply a matter of changing attitudes. It represents a change in the social base of the Democratic party. At this point, both parties really just represent different fractions of the 1%; Wall Street funds both, but where the Republicans are supported largely by business, especially the extractive industries, the Democratic Party has become that of the upper echelons of the professional and managerial classes: of university administrators, museum board directors, doctors, lawyers, designers and marketing consultants. Their sensibilities are profoundly anti-democratic. Most assume ordinary Americans are not particularly bright, and that matters of governance are best left to professionals such as themselves. But they are obsessed with form. Rules, procedures, etiquette, respect for institutional norms, and the maintenance of at least the external show of civility, are everything to such people; divisive ("unprofessional") behavior anathema even if it gets results. That too came through quite clearly in the battle over health care reform. Again and again we heard politicians like Obama declaring that what Americans really want was a change in the "divisive