

How Democratic Is the American Constitution? by Robert A. Dahl

reviewed by [Franklin I. Gamwell](#) in the [May 8, 2002](#) issue

We need to "change . . . the way we think about" the American Constitution, says Robert Dahl. Though it is now widely revered among us as a "sacred text," its worth depends solely on its service to democracy. The democratic ideal is full political equality, the equal right of all adult citizens "to participate, directly or indirectly through their elected representatives, in making the . . . decisions that citizens are expected (or required) to obey." By this standard, our system remains flawed. Dahl, perhaps our preeminent democratic thinker, seeks here "to invigorate . . . the critical examination of the Constitution and its shortcomings."

To aid critical distance, Dahl reviews the grave political inequalities authorized by the Constitution of 1787, from some of which we have been freed by subsequent democratizing struggles, including a ruinous civil war. Toward the same end, he unmasks the illusion "that our Constitution has been a model for the rest of the democratic world."

After comparing the U.S. with the 21 other countries where "political rights above the basic threshold for democracy" have persisted for at least 50 years, Dahl concludes that our system "is not just unusual. It is unique."

Only six of the others are federal systems; most others have provided for "proportional representation," typically meaning that multiple political parties share in the national legislature relative to the votes cast for them; and only one other repeats our presidential office, the rest having "some variation of a parliamentary system." Dahl holds that proportional representation is more equal, and he doubts that our presidential office, which combines the chief executive with the ceremonial head of state, "is appropriate for a modern democratic country." Sometimes defended as singularly responsive to the people, our system is in fact "among the most opaque, complex and confusing," and when ranked "on such matters as the rate of incarceration, the ratio of poor to rich, economic growth, social expenditures"

and the like, its performance is "mediocre at best."

Briefly but circumspectly Dahl questions the power granted or permitted to the Supreme Court. He emphatically faults the unequal representation in the Senate. Surveying arguments in its defense, Dahl finds no plausible justification for this "inequality in the worth of the suffrage." Far from protecting the least privileged minorities, it "has sometimes served to protect the interests of the most privileged minorities." Another inimical feature is the electoral college, in which "the inequality of representation in the Senate reproduces itself," even if in a "somewhat weakened" form, and which allows election with a minority of popular votes or even against the vote or the preference of a popular majority.

His examination of our political system leads Dahl to "measured pessimism about the prospects for greater democratization of the American Constitution." He believes that most of its barriers to political equality are also entrenched in our political culture. The case of the Senate (and probably, therefore, that of the electoral college) is virtually beyond remedy, because Article V of the Constitution stipulates: "No State, without its Consent, shall be deprived of its equal suffrage in the Senate." Thinking critically about the Constitution is nonetheless important for the longer run, and because it supports pursuit of "greater political equality within the limits" set by our present structure.

We need above all "to reduce the vast inequalities in . . . political resources." Our Constitution "tacitly assumes that citizens themselves will somehow possess the opportunities and resources necessary for them to act on their rights." At least in our time, however, improving the conditions for equal participation, economic and social as well as political, requires the commitment of all democrats. Dahl does not say whether or in what measure this democratic advance should itself be effected through constitutional change.

This thoughtful and accessible book does not discuss religious freedom as a democratic right. Thus, when Dahl grounds political equality itself in "a moral and even a religious standard" of "equal intrinsic worth" he does not raise the troubling question of whether the Constitution stipulates a religious conviction. Still, he elsewhere implies an answer: Democracy, he writes, means government that the people adopt and maintain "with their rational consent." Seen in this light, political equality unites people by way of reason and persuasion, a political process in which all moral and religious standards may be contested, given only that the truth is not, in the words of Jefferson, "deprived of her natural weapon, free argument and

debate."