

Lessons from history: The 2000 elections and the new “irrepressible conflict”

David North
25 September 2020

The following lecture, “Lessons from history: The 2000 elections and the new ‘irrepressible conflict,’” was given by David North, chairman of the World Socialist Web Site International Editorial Board and national chairman of the Socialist Equality Party (US), at a public meeting of the Socialist Equality Party of Australia on December 3, 2000 in Sydney.

It was delivered one month after the November 2000 election and just nine days before the US Supreme Court’s infamous ruling, in a five-four split decision, halting the recount of the presidential vote in the state of Florida, questioning the right of the American people to elect the president, and handing the White House to Republican candidate George W. Bush, who had lost the popular vote.

As North warned in his lecture: “What the decision of this court will reveal is how far the American ruling class is prepared to go in breaking with traditional bourgeois-democratic and constitutional norms. Is it prepared to sanction ballot fraud and the suppression of votes and install in the White House a candidate who has attained that office through blatantly illegal and anti-democratic methods?”

The answer, as we now know, was yes. The high court’s decision marked a turning point in US history, constituting a fundamental and irrevocable break with democracy and the traditional forms of bourgeois legality.

The lecture explains the “irrepressible conflict” that led to the American Civil War and the abolition of slavery at the cost of some 600,000 lives. It draws out the parallels to a new “irrepressible conflict” between capital and labor. It is this conflict that underlay the repudiation of bourgeois democratic forms of rule in the US election 20 years ago, and today, at a much sharper stage of its development, the present attempts by President Donald Trump to turn the 2020 election into a coup d’état.

* * *

As you know, the original plan of this meeting was to commemorate the sixtieth anniversary of Trotsky’s assassination. The decision to change the subject was not made lightly. I had intended to utilise this occasion to not only insist on the enduring significance of Trotsky’s theoretical and political legacy, but to argue that history will ultimately judge Trotsky as the greatest revolutionary leader and thinker of the twentieth century.

The change of topic is not intended, in any way, to suggest a lessening of the emphasis placed by the International Committee of the Fourth International on the centrality of the historical foundations of our movement—above all, on the essential significance of its ongoing and unrelenting struggle to clarify the great strategic lessons of the century that is now completing its final month.

But what I had intended to say about Trotsky’s life and legacy can be deferred. The events now occurring in the United States are of such immense international political significance that it would be, in our opinion, a serious error to miss the opportunity provided by this meeting to discuss the crisis that has arisen out of the election of November 7, 2000. I think that Trotsky himself would have approved. An essential characteristic of his work was to identify and concentrate the attention of

Marxists and politically advanced sections of the working class on those events in which the contradictions of world capitalism found their most advanced expression.

In November 1931, Trotsky defined events in Germany—where the struggle between the working class and the advancing forces of fascism was entering its climactic stage—as “The key to the international situation.” He wrote: “On the direction in which the solution of the German crisis will develop, will depend the fate not only of Germany herself but the fate of Europe, the fate of the entire world for many years to come.”

Without in any way suggesting a simple analogy between the conditions that existed in the Germany of 1931 and those that exist currently in the United States, it is necessary to introduce into the political consciousness of the international working class the vast significance of the American crisis. After all, there is no other country in the world where there exist greater illusions in the stability and might of capitalism.

The illusions that exist within the United States about the permanence of the system are mirrored throughout the world. No country is seen as a greater exemplar of the power of the market and the power of capital. It is still, in the minds of millions of people, the land of democracy, the land of unlimited opportunity. And even among those who consider themselves critics of American imperialism, how many of them truly believe that there could ever arise in this bastion of world capitalism a crisis that would seriously call into question the stability of the entire system?

No disrespect is intended, but if I would have suggested to you several months ago that the United States would be hurled into a political crisis so immense, so fundamental, that it would call into question the whole governmental structure, how many of you, even those who are most generous in their appraisal of the work of the ICFI, would have been prepared to subscribe to that viewpoint?

And yet here we are, one month after an election unlike any that has taken place in the US in the twentieth century, and it is no longer unthinkable that the political system in the United States could undergo a dramatic and entirely unexpected transformation.

The beginning of a revolutionary crisis in the very bastion of world capitalism—and that is the essential significance of the present developments—has introduced into the world situation a factor of extraordinary and almost incalculable magnitude. Overnight, the political strategists and economic theorists of the ruling classes of every country, including Australia, are suddenly confronted with a fact that they would have considered unimaginable only four weeks ago: the political destabilisation and possible collapse of the governmental structures of the United States—known throughout the world as “The World’s Last Superpower.”

Perhaps one of the most distinguishing features of a genuine crisis is that its arrival is generally unexpected and assumes a form that could hardly have been predicted. This does not mean that a crisis was altogether unforeseen. There was at least one organ of political analysis that had

been insisting that the political structure in the United States was approaching a state of profound dysfunction—that was the *World Socialist Web Site*.

As far back as December 1998, as the Clinton impeachment struggle approached its climax, the WSWS warned that the savage struggle between the Congress and the White House was a portent of approaching civil war. But at that time the WSWS was a voice in the wilderness and received complaining letters from even a number of our supporters protesting against our tendency, they thought, towards hyperbole or exaggeration.

The election crisis

On November 7, 2000 approximately 100 million Americans—about half the potential electorate—went to the polls at the conclusion of what was, even by American standards, a more or less uneventful campaign. It had been anticipated during the final weeks that the outcome would be close, but no one was prepared for what actually took place.

Most commentators had predicted that Bush would win, but in the first hours after the polls closed it became clear that Gore and the Democrats were doing far better than expected in virtually all the major industrial states. States that had been defined as “battleground states” that would indicate a decisive shift in one direction or the other were going largely to the Democrats. Pennsylvania and Michigan, which had been projected to be extremely close, went to the Democrats by substantial margins.

But the biggest surprise of all came when the networks fairly early in the evening announced that Al Gore had carried the state of Florida. By 9 p.m. it appeared that the vice president was going to win the presidency.

Then began a very strange series of events. There are certain traditions that exist in American politics. One is that on election night the presidential candidates are not heard from, except to either declare victory or concede defeat. And yet, after the networks had announced—based on exit polls that tend to be extremely accurate—that the state of Florida was being given to Gore, an impromptu press conference was called in the mansion of Texas Governor Bush. He quite calmly and confidently declared that, notwithstanding predictions by the networks, ultimately he was going to win the state of Florida.

Bush’s appearance and comments produced a very strange impression. As I said, the press conference was a break with the traditional protocol of election night. Moreover, not only was Bush making a premature and impromptu appearance to contest the networks’ appraisal of the Florida exit polls, it was also reported that senior Bush campaign operatives were subjecting the networks to intense pressure, demanding that they change their call and take Florida out of the Gore column.

Why this was important would be revealed later. The political advantage that Bush would have in the days that followed was based almost entirely on the fact that ultimately the networks called the state of Florida for Bush and created a public conception that he had won the election, regardless of the contest that was to follow.

At any rate, an announcement was made shortly after Bush’s press conference that Florida was being taken out of Gore’s column. Several hours later it was announced that Florida was being placed in Bush’s column, and at about 2:00 or 2:30 a.m., Gore, having received the network projections, decided to concede the election.

Gore called Bush on the telephone, wished him well and said he would make his way to a public auditorium to deliver a concession speech. Extraordinary things then happened. Even as Gore was making his way to the auditorium, the differences in the vote margins between Bush and Gore in Florida, which had been narrowing, began to drop rapidly.

Desperate aides to the vice president contacted Gore’s motorcade via cell phone to inform him of this fact and to urge him to withdraw his concession. Apparently arguments followed between the motorcade and the campaign headquarters. Gore was finally prevailed upon and he instructed his driver to turn around and go back to his hotel room. He then called Bush and informed him that he was withdrawing his concession. Such things had never happened. By the dawn of November 8, the only thing that was clear was that no one really knew who had won the election.

That evening marked the beginning of a chain of events that is without precedent in the history of the United States. While Bush clung to a lead of several hundred votes, out of a total of six million cast in Florida and out of 100 million cast in the US—overall Gore enjoyed a majority in the popular vote—more and more reports began to emerge about irregularities in the Florida election. Somehow, it turned out, thousands of Jews in Palm Beach had voted for the notorious anti-Semite Pat Buchanan. One political wag said that this was probably because they had been thrilled by Buchanan’s recent book praising Hitler. Reports emerged of African-American voters being harassed by state police on their way to the polling places and thousands of ballots in predominantly Democratic precincts failing to register a vote for the office of president.

This set the stage for an ongoing and lengthy struggle over the counting of ballots. This struggle has been consumed by an increasingly bitter political struggle—much of which has unfolded within courtrooms, culminating in Friday’s hearing before the US Supreme Court.

But while the courts have been the major venue of the struggle, the conflict has also involved the use of mobs to intimidate election officials—mobs hired by the Republican Party—and open appeals by the Republicans for the support of the military. It has even been reported that one military official had to inform officers that they were bound by the military code to remain aloof from politics.

It has become increasingly obvious, and I do not think anyone would seriously contest this, that a full and accurate count of all the ballots cast in Florida would have given the state, and therefore the national election, to Vice President Gore. The efforts of the Republican Party—supported by most of the media—have been centered on preventing such a count from taking place.

As we meet, all eyes are focussed on the US Supreme Court, which is expected to rule on Bush’s appeal of a ruling by the Florida Supreme Court that rejected the initial certification of Bush’s dubious victory by the Florida Secretary of State, Katherine Harris. She is a Republican official and was a campaign co-chairman for Bush in Florida.

Even as it became clear that there were still thousands of votes to be counted and many issues remained unsettled, Harris insisted on certifying Bush’s election victory. This has been taken to the Florida Supreme Court, which at the last minute enjoined Harris against ratifying the victory of Bush.

The legal issue was as follows. There are two statutes on the books in Florida. One of them says that the vote must be ratified by a certain day. Another statute says that there is a right of recount. Neither statute is written all that well, as often happens in legislative procedures, and one of the tasks of the court is to determine how it can reconcile conflicting legislative instructions.

The Secretary of State is mandated by law to utilise discretion in observing the deadline—to consider all factors before blindly adhering to a date set in the statute. This issue was taken to the Florida Supreme Court, which overruled the Secretary of State, declaring that the technical issue of a deadline was overridden by fundamental questions of democratic rights raised by the election.

The Florida Supreme Court invoked the Florida Constitution’s Declaration of Rights, which proclaims that the people have rights which cannot be infringed upon by the state. The Supreme Court Justices of

Florida asserted that “The right of suffrage is the pre-eminent right contained in the Declaration of Rights, for without this basic freedom all others would be diminished.” The refusal of Harris to delay certification to permit a proper count of disputed ballots represented, according to the court, an arbitrary misuse of her discretion as a state official and, therefore, a violation of the Florida Constitution.

This is the ruling that is being currently reviewed by the US Supreme Court. While a ruling for Gore, upholding the Florida Supreme Court, will not necessarily result in his election, a ruling against him would almost certainly bring the process to a conclusion and guarantee the ascension of Bush.

What the decision of this court will reveal is how far the American ruling class is prepared to go in breaking with traditional bourgeois-democratic and constitutional norms. Is it prepared to sanction ballot fraud and the suppression of votes and install in the White House a candidate who has attained that office through blatantly illegal and anti-democratic methods?

A substantial section of the bourgeoisie, and perhaps even a majority of the US Supreme Court, is prepared to do just that. There has been a dramatic erosion of support within the ruling elites for the traditional forms of bourgeois democracy in the United States.

One columnist summed up all the cynicism toward democracy that prevails in the ruling circles: “Yes,” he wrote, “Gore probably got more votes, but who cares? Gore was mugged in Florida, but the local cops don’t care.”

What is the nature of the crisis?

Notwithstanding the unprecedented nature of the events of the last three weeks, both political leaders and the media continue to insist—in direct contradiction to their actions and words—that the United States is not in the midst of a major constitutional crisis. In other words, the situation in America, the public is led to believe, is perhaps desperate, but not serious. The sowing of political complacency serves the interests of the ruling elite, which seeks to implement its political agenda as much as possible behind the backs of the people.

This complacency is echoed not only in what remains of the politically flaccid liberal press, but also among the varied representatives of middle class radicalism. For example, Ralph Nader has had virtually nothing to say about the post-election crisis, commenting in the most unserious manner that the dispute between Bush and Gore should be decided by the flip of a coin. Alexander Cockburn, the well-known left cynic, has announced himself pleased with the election result. Nothing more serious, he says, than several years of political gridlock in Washington. “First a word about gridlock,” he wrote last week. “We like it.”

Then there is the comment in the pages of *Spartacist*. I’ve just been privileged to receive a copy of one of their newspapers. Their position is summed up in the following line: “The Gore-Bush feud at this point is more like a tempest in a tea pot than a political crisis of the bourgeoisie.”

And then one has the wisdom of a political tendency in the United States called the Workers World Party, which writes: “There is no social or economic crisis underlying the present election debacle.”

If this is the case, the events in America are completely inexplicable.

For the first time in the twentieth century in the United States it has been impossible to determine the winner of a presidential election. The vote has revealed a completely polarised electorate. The virtual tie between Gore and Bush is mirrored in the composition of the Senate and the House of Representatives, and the election map resembles that of the division of North and South during the Civil war.

It has proved impossible to achieve a genuinely democratic adjudication of the post-election conflicts within the framework of the existing constitutional structures. And yet—we are assured by these people, who are the firmest believers in the stability of American capitalism—that none of this is related to a social or economic crisis! Such an assessment is the product of a combination of historical ignorance and political blindness.

Lessons from history

From a formal standpoint, the only election that bears any resemblance to the present situation is that of 1876, when there was a division between the popular vote and the Electoral College. The Democratic candidate Samuel Tilden had more popular votes. He probably had won more states and electoral votes, but in a protracted political battle the Republicans claimed the White House in exchange for making drastic political concessions to the old slavocracy in the South. This was the means by which Reconstruction was brought to an end.

But this analogy is inadequate to explain the significance of the present crisis. Let me repeat the argument of liberals and the middle class left, who assure us that nothing of any great significance has happened in America. They say it cannot be all that important because there is no fundamental social and economic crisis in America. People are in bad temper, they are fighting to get into office, everyone wants to win, but it is not all that important.

If they felt compelled to answer the WWS, I suspect they would dismiss as absurd the claim that there exists within the United States the type of social and economic contradictions that could produce major political struggle, let alone a civil war. After all, prior to the 1860s there was the irrepressible conflict between slavery and free labour. What possible social conflict exists within the United States today, they would argue, that could be compared to the events of that time?

I will try to provide an answer to that question, but I would like to take the opportunity to review, if only briefly, the way in which the political conflicts of the 1850s led ultimately to civil war.

It is interesting that during the past decade there has been a revival of interest in the American Civil War. Movies have been made and books written, some of them excellent, on this extraordinary chapter in American and world history.

The American Civil War was among the most important events of the nineteenth century. It had a profound impact on the development of the working class. It was in every respect one of the most heroic chapters in human history.

What a study of that period reveals is how the intensification of social contradictions—generated by the irrepressible conflict between the peculiar and archaic form of capitalism based on slave labour that prevailed in the American South and the modern and dynamic form of capitalism based on wage labour in the Northern states—led to a complete breakdown of the political system.

For the first 70 years of the history of the American Republic, this antagonism between two systems of labour, one slave and one free, constituted the ominous fault line beneath the entire political, social, economic and legal structure of the United States. Numerous attempts were made to find some means of containing the political antagonisms generated by the social conflict within the existing constitutional structure set up by the Founding Fathers. There was a profound desire, notwithstanding this deep social contradiction, to preserve the union. And yet events—social, economic and political—continuously conspired to intensify the underlying social contradiction and make impossible any political settlement without the resort to violence.

For example, the balance between the slave and the free states was disrupted by the consequences of the Louisiana Purchase of 1803, which added vast new tracts of land to the new republic. The early leaders of the United States had tried to deal with this through the Missouri Compromise of 1820, which set the Mason-Dixon Line as the boundary separating slave and free states. This held for nearly 30 years. But the further expansion of the United States, especially as a result of the Mexican War, instigated by the South, threatened to destabilise the balance of power between free states and slave states.

A Congressman from Pennsylvania by the name of David Wilmot introduced into the Congress in 1846 a proviso, which demanded that no territory acquired by the US as a result of the Mexican War could be open to slavery. The South opposed this vehemently. One of the supporters of the Wilmot Proviso was a little-known congressman by the name of Abraham Lincoln, who cast, I believe, five votes in support of it in the course of his relatively brief congressional career. But Congress, which was dominated by the slave states, never accepted the proviso.

A huge battle then erupted over whether California would be admitted into the Union as a slave or free state. Ultimately a compromise was hammered out and California became a free state. However, major political compromises were made to the slave owners, one of them being the Fugitive Slave Act, which demanded that all slaves escaping to the North be returned to their masters. Historian James McPherson gives a very stirring account of the anger produced in the North by the sight of federal marshals going into cities like Boston, which had strong Abolitionist sentiment, grabbing ex-slaves and returning them to their former owners in the South.

There was a sense in the 1850s that the entire political structure was becoming destabilised by these conflicts. Nevertheless, for those who opposed slavery and opposed the growing power of the South, it was a very grim period. After one term in Congress, Abraham Lincoln left politics to devote himself exclusively to his career as a lawyer. He became quite successful and was, for all intents and purposes, out of politics.

Then came an event that was to lead to the radicalisation of American political life: the Kansas-Nebraska Act of 1854. The Kansas-Nebraska Act opened up the possibility for an expansion of slavery into new territories north of the Mason-Dixon Line, profoundly altering the character of the American Republic. This not only undermined the position of free labour from an economic standpoint, but also called into question America's commitment to the democratic ideals that had been advanced in the Revolution of 1776. The Kansas-Nebraska Act declared that the nature of new territories admitted into the Union would be determined by a popular vote of the settlers. That is, Kansas settlers would vote on whether the new constitution would be free or slave, and that would determine how that state was admitted into the Union.

The father of the concept of popular sovereignty was a man by the name of Stephen Douglas, a Democratic Party leader. Douglas tried to reassure the North that even with this Act, given the nature of the climate and the geography of the North, there was little chance that the slave system, based on cotton, could expand northwards. And yet there was a sense that the Act had opened up the floodgates for an expansion of slavery beyond the Mason-Dixon Line. Indeed, the behaviour of the Southern sympathisers who flooded into Kansas began to confirm the worst for those fearing an expansion of slavery.

People known as Border Ruffians began to flood the state. They attacked free settlers and used terror to intimidate those opposed to slavery. The political climate in the North became increasingly strained. All attempts to constrain political discourse within the norms of parliamentary politeness began to break down. An incident, which terrified the North, occurred in May 1856 when a respected Abolitionist, Senator Charles Sumner, seated in the Senate, was approached by a Southern congressman who proceeded to beat him with a cane to a bloody

pulp, nearly killing Sumner on the floor of the Senate. The South hailed this act, and the congressman who carried out the outrage was sent complimentary canes from supporters in the South. The North viewed this as another manifestation of the barbarism of the slave states.

Then in 1857 another event took place that was to have the most profound implications. An essential premise of the Missouri Compromise of 1820 had been that Congress had the right to restrict the expansion of slavery. In 1857, after winding through the courts for more than 10 years, a lawsuit brought by a slave by the name of Dred Scott finally came before the US Supreme Court.

Dred Scott had been taken north by his master and had lived in Illinois and Wisconsin, both free states. He travelled back with his owner to Missouri, which was a slave state. At that point Dred Scott sued, insisting that because he had been taken into a non-slave state he could no longer be considered a slave. This suit began in the 1840s, but it was not until 1857 that it finally came before the Supreme Court.

What the Supreme Court did had a fundamental effect on American political life and more or less made civil war inevitable. The Supreme Court had a number of options open to it. It could have said that Dred Scott is a slave; he is not a citizen, and therefore has no standing to bring a suit against his owner. The Supreme Court did that. This was bad enough, but it did not stop there. It went on to say that the fact that Dred Scott had been in a Northern state had no effect on his status as a slave—once a slave, always a slave.

The Supreme Court could have stopped there too, but it chose not to. It proceeded to declare, and this is what revolutionised the United States, that an individual who is a slave is a piece of property, which can be taken by its owner to any part of the United States and remain a piece of property.

What did this mean? Aside from the horrifying moral implications—that slaves were not really human, but property—the Supreme Court effectively nullified the Missouri Compromise. It threw out what had been an operative constitutional premise: that Congress had a right to restrict the expansion of slavery. It now proclaimed that there existed no constitutional restrictions on the expansion of slavery anywhere in the United States. There could not be restrictions on property, and on this basis the Supreme Court satisfied the aspirations and aims of the most aggressive and reactionary sections of the Southern slavocracy.

This decision came as a thunderbolt to Northern public opinion. The Supreme Court was discredited for decades to come, a not unimportant fact in the subsequent civil war, when Lincoln routinely ignored Supreme Court rulings. This decision changed the entire face of American politics. Lincoln, who by this time had been brought back into politics by Kansas-Nebraska, became one of the trenchant critics of Douglas's theory of popular sovereignty. His following grew as did the new Republican Party, itself a product of the reaction against Kansas-Nebraska and the Dred Scott decision.

Examining this event, one sees a characteristic of ruling classes which sense that the tide of history is moving against them. From the standpoint of the South, the growing industrial and economic power of the North seemed a real threat. History was moving against the slave owners, and the more they sensed this, the more determined they were not only to protect slavery in those areas where it existed, but to have slavery proclaimed a positive moral good and to remove all restrictions on its expansion. In direct response to the growing social and economic weakness of the South, the political aggressiveness of that ruling class increased.

Another major event took place in the aftermath of the Dred Scott decision: the controversy over the Lecompton Constitution. This was a constitution devised by an unrepresentative section of slave settlers who were in a minority in Kansas. They gerrymandered something called the Lecompton Constitution, which was essentially a slave constitution, and

attempted to force it on the population of Kansas. There was a bitter controversy over this because after having written it, they knew damn well that the Lecompton Constitution could never be passed by a majority of voters in Kansas. So they conspired to find a way to prevent it being sent for ratification by the people of Kansas.

A huge battle then erupted. The people of Kansas had the right to vote on this constitution, yet if they did they would vote it down. Various tricks and manoeuvres were used to find some means of ramming this thing down the throats of the free settlers of Kansas. To make matters even worse, a Democratic president, Buchanan, gave his political support to these reactionary efforts. It was only because of opposition in the House of Representatives that the Lecompton Constitution ultimately failed. Several years later Kansas was integrated into the Union as a free state.

All these events made it increasingly clear that there existed no constitutional framework within which the differences between the North and the South could be peacefully adjudicated. By 1860 it had become overwhelmingly clear to the North that the South would not accept any restrictions on slavery. It controlled the Congress and the Judiciary, and it would not accept the loss of the presidency.

The election of 1860 revealed a completely polarised United States. Lincoln, the Republican candidate, did not receive a single vote for his candidacy in 10 Southern states. His victory was based on overwhelming support in the free states. His election in November 1860 was immediately answered by a declaration of secession, first by South Carolina and then a whole host of other Southern states. As he took office, much of the South was already in rebellion. By 1861, to borrow a phrase from James McPherson, Americans were shooting as they had voted in the election of 1860. What could no longer be adjudicated within the framework of the existing constitutional structure was settled on the battlefield. At a cost of some 600,000 lives, the slave system was destroyed and the United States was reconstituted on the basis of bourgeois democracy—the abolition of slavery and the extension of citizenship to the entire population.

The United States in 2000

Can any analogy be drawn between the crisis of pre-Civil War America and that which exists today? Is there any social antagonism that is comparable to that which underlay the “irrepressible conflict” that led to the Civil War?

Frankly, it is a testimony to the extraordinary decline in the level of political thought, including among those who call themselves Marxists, that the existence of such a social contradiction is not detected. But the fact is that the United States today is the most socially polarised of the advanced capitalist countries. The lack of politically articulate forms of social struggle does not signify the absence of class struggle. Marx refers to “the class struggle, now open, now concealed”. It has been concealed in the United States, but it rages beneath the surface.

Indeed, within the context of the extremes of social inequality that exist in the United States, the absence of politically conscious class struggle testifies above all to the intensity of the social oppression of the working class. All the vast resources of corporate America are directed toward the political and ideological stultification of the broad masses. The present attack on the right to vote is only the inevitable political manifestation of the underlying tendency to systematically exclude the working class from any form of independent participation in political life.

It is important to examine the transcript of the Supreme Court discussion that occurred yesterday, and particularly the positions of Antonin Scalia, a disreputable and thuggish personality who argues with all the integrity of a mob lawyer. When questioning counsel for Gore, Laurence Tribe, Scalia

elaborated a thoroughly cynical justification for overruling the Florida Supreme Court.

Some of the arguments are complex, but I will try and explain the issue that arose. Let me give you an idea of the thinking of Scalia, which was shared by Chief Justice William Rehnquist, and certainly by Associate Justice Clarence Thomas—that is, by three out of the nine judges.

The issue is: does the Florida Supreme Court have the right to overrule an action by the Secretary of State? The Republicans are arguing that the deadline is inviolable, that the Supreme Court in Florida has no right to change the rules. The argument of the Florida Supreme Court is that voting is a core democratic right that cannot be subordinated to administrative technicalities such as a filing deadline.

Scalia made the following argument. He said, what is at issue in Florida is the selection of electors. That is, electors who will, in accordance with the procedures of the Electoral College, vote for one of the presidential candidates.

Many of you have heard about the Electoral College, but let me explain it. Americans do not vote directly for the president of the United States. The presidential election is actually the sum total of 51 local elections—50 state elections and one election in the District of Columbia. The candidate who wins the majority in each state generally is awarded the electoral votes of that state. And the electoral votes are proportional, although not strictly based, on population. The larger states have more electoral votes than the smaller states. As it turns out, the smaller states are unduly represented because they automatically get an electoral vote for each of their two US senators. In Wyoming, 250,000 voters get one electoral vote while in New York there are around 500,000 voters per electoral vote.

Why has the anomaly of the Electoral College persisted? It was part of the federal arrangements, in the establishment of the framework for bringing the United States together, to assure the smaller states that their voices would be heard. The Electoral College guarantees to the states a certain sovereign voice in the selection of the president. This was an important part of the Federal constitutional set-up—a complex division of power between the federal government and the states.

There was another argument behind the Electoral College, one that was not quite so noble. The Founding Fathers reasoned that there was always a possibility that the people might vote incorrectly, that they would choose a candidate of whom the ruling elites did not approve. There was an undercurrent in the writing of the Constitution that was profoundly anti-democratic, reflecting the outlook of representatives of the highly privileged strata of society. The Electoral College was an ultimate failsafe, a means for overruling the people should they vote the wrong way.

In actual fact, that never happened, and the Electoral College persisted as a quaint anachronism. It was never challenged because the candidate who won a state election was entitled to send his slate of electors to the Electoral College.

Let me return to the issues raised at the Supreme Court. Scalia begins musing that what is really involved in a presidential election is the selection of electors. Then he says that there is no right of suffrage in the selection of electors, that the people do not select electors, they are selected by the state legislature. Therefore matters relating to the election of the president have nothing to do with the people, and it is totally inappropriate for the Supreme Court to begin invoking a declaration of rights to overrule a statute passed by the legislature. In the final analysis, he argued, there is no right of suffrage in the election of a president.

Why does this raise the spectre of Dred Scott? As in 1857, Scalia is seizing the opportunity provided by Bush’s appeal of the Florida Supreme Court’s ruling to legitimise the most reactionary reading of the US Constitution. As Supreme Court Justice Roger Taney found in the Dred Scott case an opportunity to legitimise slavery throughout the United States, Scalia has used this case to deal a body blow against the most basic of democratic rights, the right to vote. He is introducing and legitimising a

profoundly anti-democratic interpretation of the American Constitution.

To be sure, the people do not vote directly for the president. But the Electoral College has persisted because the composition of its delegates corresponds to the popular vote within the states. The Electoral College would never have survived as a quaint anachronism of the American political system if its actions overturned the will of the people.

This is not just a speculative issue. Scalia, the political provocateur that he is, was actually urging the Florida legislature to select pro-Bush electors, regardless of the outcome of the Florida vote. At the same time he is elaborating an authoritarian, indeed, oligarchic conception of American democracy—or anti-democracy—that corresponds to what is acceptable to the most reactionary sections of the American ruling elite.

The question must be asked, what accounts for these extraordinary developments? Is Scalia just spinning theories? Or is there a social foundation for the contradictions that are now manifesting themselves in the political life of the United States?

To answer that question, I want to cite a passage from the election statement of our party published in the latest issue of the *World Socialist Web Site Review*.

“At the top of American society is a possessing class richer, in terms both of wealth and income, than any in history. The richest one percent of American households have amassed more than \$10 trillion in wealth—10 million million dollars—about 40 percent of the total national wealth. The combined net worth of these multimillionaires is greater than the total wealth of the bottom 95 percent of the population.

“Since the mid-1970s, the top one percent has doubled its share of the national wealth, from under 20 percent to 38.9 percent, the highest figure since 1929, the year of the stock market crash that ushered in the Great Depression. According to another study the richest one percent of households owns half of all outstanding shares of stock, two thirds of all financial securities and over two thirds of business assets.

“The inequality in income is just as stark as the inequality in ownership. In 1999 the richest one percent of the population received as much after-tax income as the bottom 38 percent combined. That is, the 2.7 million Americans with the largest incomes received as much after-tax income as the 100 million Americans with the lowest incomes. The average after-tax annual income of the top one percent has soared by 370 percent since 1977, from \$234,700 to \$868,000.”

It continues: “During the entire period of 1983 to 1995, these two elite layers, the rich and the super-rich, who make up the top 5 percent of the population, were the only households to experience an increase in financial net worth. This is a statistic worth reiterating: for 12 years straight, including part or all of the presidencies of Reagan, Bush and Clinton, the ‘magic of the marketplace’ resulted in a net loss for 95 percent of the American population, while only the top 5 percent gained ground.

“Throughout the 1990s a virtual mania for unearned income has gripped the ruling class, which has felt itself freed of any effective restraint on profit accumulation. The naked drive for personal wealth exceeds that in any previous ‘Gilded Age.’ CEO compensation rose a staggering 535 percent during the Clinton-Gore administration. The typical corporate boss makes 475 times the income of the average worker, and 728 times the income of a worker on the minimum wage. If wages had risen in the 1990s as fast as the salaries, bonuses and stock options enjoyed by CEOs, the average worker would have annual earnings of \$114,000 a year, and the minimum wage would be \$24 an hour.”

This is a staggering picture of social inequality. To believe that democratic forms can be preserved in the midst of such extraordinary levels of social polarisation is to simply ignore all the lessons of history. The relationship between political forms and the class structure of society is of a complex dialectical character. But in the long run, there comes a point at which the social tensions produced by rampant social inequality

cannot be contained within traditional democratic forms. American society has reached that point.

The two-party system in the United States

One of the peculiar features of American political life is the institutionalisation of a two-party system that has persisted for nearly 135 years. The great weakness of the American workers movement historically has been its inability to establish an independent political party. Political life has remained under the hegemony of the two bourgeois parties through which the political interests of the capitalist class have been controlled and contained for more than a century—the Democrats and Republicans.

Of course, these parties have themselves undergone significant changes during their long history. The Republican Party of today bears little resemblance to that which existed in the days of Eisenhower in the 1950s, let alone to that which existed under the leadership of Lincoln. Similarly, the Democratic Party has undertaken numerous makeovers—most significantly, when it forged an alliance, under the leadership of Franklin Delano Roosevelt, with the labor bureaucracy of the newly formed Congress of Industrial Organizations (CIO) and assumed a more explicit social-liberal character, at least in the North.

To trace the historical evolution of both parties is beyond the scope of this report. It must be said, and it is fairly obvious, that the center of gravity of American politics has moved drastically to the right. Social liberalism, the dominant tendency in American bourgeois politics for more than a half-century, has virtually ceased to exist. This must be explained ultimately from the standpoint of objective causes. Notwithstanding all the ballyhoo surrounding the strength of American capitalism, it has become ever less capable of accommodating the demand for social reform by the working class. The last significant piece of social legislation was put into effect about 30 years ago.

Yet, without offering anything in the way of substantial social reforms, the Democratic Party continues to present itself as the champion of the interests of working Americans. The Republican Party, on the other hand, has become, ever more openly, an organization of the extreme right. The unbridled rapacity of the most ruthless sections of the ruling elite, including those elements whose wealth is a product of the market boom of the 1980s and 1990s, finds its most direct expression in the Republican Party.

If one were to attempt to sum up, in one sentence, the program of the Republican Party, it would be: “The Republicans seek the removal of all restraints—economic, political, social and moral—on the exploitation of labor, the realization of corporate profits and the accumulation of personal wealth.”

This is their program and it was presented rather nakedly throughout the election campaign. Notwithstanding various proclamations of “compassionate conservatism”, Bush himself has presided over 135 executions in the state of Texas. He once said that making a decision on the death penalty was the most important question put before him. It has since been substantiated that it is one to which he devotes no more than 15 minutes.

Underlying all the issues raised in the election was the basic issue of the distribution of social wealth.

In the United States there is no working class mass party. All political debate is funneled through two bourgeois and essentially reactionary parties. Yet the two parties that occupy this position cannot avoid becoming the focus of all the social questions that exist in the United States.

As socialists, we do not advocate a vote for any bourgeois party. We do not practice the politics of “lesser-evilism.” Yet, we do not justify our opposition to the Democratic Party by claiming that it is merely the mirror image of the Republican Party. The strategic and programmatic conflicts within the ruling elite are fought out through these parties.

In the 2000 election campaign, the Democratic Party attempted—hypocritically, to be sure—to present itself as a party of the people. Gore would say, “I fight for the people, not the powerful.” However inconsistently and disingenuously, Gore claimed to speak on behalf of the working people, and the issues that he raised—taxes, Social Security, medical care, education—were pitched to their interests. Implicit in these questions was the central question of the distribution and allocation of social wealth.

The campaign of Bush centered on two demands: the lowering of personal income taxes and the abolition of the inheritance tax. Bush was rather shameless about this. In one debate he repeated again and again that his tax would overwhelmingly benefit the richest one percent of American society. “Why shouldn’t it?” he argued, “they pay most of the taxes.” Bush’s policy centered on an acceleration of the ongoing and massive transfer of wealth to the richest sections of society.

Significant sections of the working class did not necessarily perceive anything positive in the program of Gore, but they certainly recognized in Bush a threat to their social and democratic rights. There was in Florida and in the industrial states a massive turnout of black workers, far beyond what was expected.

The electoral map clearly demonstrates the social divisions in the United States. The Democratic vote was concentrated in the major industrial areas, and the big cities. All the states that play a decisive role in the economic life of the US—California, New York, Pennsylvania, Michigan—went for the Democrats. The Republican vote was concentrated in the South, the former bastion of the slavocracy, and in the upper-Midwest—generally speaking, the most backward parts of the United States.

The response of the Republican Party to the election and to the conflict that followed betrays an extraordinary aggressiveness and ruthlessness, which many commentators have found difficult to explain. Here again, it is valuable to draw attention to the outlook of this section of the bourgeoisie.

Let me refer to an article written by a right-wing commentator who was a member of the Reagan administration in 1980—a man by the name of Paul Craig Roberts. He is apoplectic about the ongoing dispute over the election.

He says the following: “Our country is being stolen. Geographically speaking, Gore carried only one-sixth of the country. Five-sixths of the United States rejected him and his corrupt party. Because of the population density of urban areas, maps showing election results by state greatly exaggerate Gore’s geographical support.

“A map of the vote by county shows a tiny Gore presence. Gore’s vote is confined to Hispanic counties in the Southwest, the California coastal counties, Portland Oregon counties, the counties bordering Puget Sound in Washington, Minnesota and urban areas of Great Lakes states, Jewish counties in Florida, heavily black counties in the Southeast and heavily urbanized areas of the Northeast (Philadelphia, New York City, Connecticut, Massachusetts, Rhode Island), Vermont and parts of Maine.

“Geographically, the map shows a country controlled by a few high-density urban counties where new immigrants and racial minorities constitute a high percentage of the population.... The Democratic Party is a party of well-to-do white liberals, university faculties and the media, single women and racial minorities. It is a revolutionary party, committed to overthrowing the ‘hegemonic power’ of traditional American morality, principles, institutions and people.”

He then goes on to say: “Republicans will never get this hardened bloc

vote. Blacks voted 90 to 93 percent for Gore, and Hispanics gave Gore between two-thirds and three-fourths of their vote. The longer the borders stay open, the sooner the country will be lost.”

The Republicans see a country, demographically and socially, that is moving, in objective terms, against them. These forces are becoming increasingly desperate and determined to use any means to gain the White House and utilize their control of the judiciary and Congress to beat back what they perceive as the growing threat of the masses.

World developments and the American crisis

In considering the significance of this situation, and in response to those who claim that there is no social or economic foundation for a major constitutional crisis, let me point out another similarity between the pre-Civil War decade and today.

Behind the political contradictions of that era were economic changes of the most colossal character. It was a period of extraordinary economic transformation in the United States—the emergence of industries, railroads, and telegraphs—the first signs of a modern industrial America.

Let me quote from a well-known historian, Bruce Catton: “The economic trend was unmistakable: every technological advance, the railroad, steamship, the telegraph, the new machines for farm and factory, pointed in a single direction, towards national unity and a complex industrial society and close integration with world economy. Rural self-sufficiency and isolation, except in detached pockets, had given way to commercial production for distant markets both national and international. A war in the Crimea or a panic on the Paris Bourse or a drop in interest rates by the Bank of England now touched off seismic shocks that rippled into the Monongahela textile mills and Pittsburgh iron foundries.”

Like the 1850s, the 1980s and 1990s have seen the extraordinary transformation of the United States, beneath the impact of revolutionary new technologies that have accelerated the process of globalization. The changes in social structure, the decline in the position of the traditional middle class, the vast proletarianization of American society, are all bound up with these fundamental changes in the economic base of society. It is these processes that provide the most powerful impulse to the crisis now unfolding in the United States.

In the early 1990s, as the crisis of the Soviet Union unfolded, the ICFI stressed that underlying the breakdown of the USSR and the Stalinist regimes of Eastern Europe was not a failure of socialism, in as much as socialism never existed in these countries. These autarchic national economies, the weakest national economies in the world, were breaking down under the pressure of global economic forces. Rather than representing a new stage in the flowering of world capitalism, the collapse of the Soviet Union and the other Stalinist regimes in Eastern Europe was the product of global tendencies of economic development and crisis that would eventually shake the foundations the advanced centers of world imperialism.

It took some time. There was the inevitable period of triumphalism, proclamations of the victory of world capitalism. And yet, according to the phrase, the wheels of history grind slowly, but they grind exceedingly fine. The economic processes of globalization, which swept across the Soviet Union, blowing up the seemingly unchangeable institutions of Stalinist rule almost overnight, are now making their presence felt in the advanced sections of world capitalism, even in the United States itself.

This is why, in the final analysis, the American crisis is a world crisis. In the political destabilization of American capitalism, accompanied by extreme economic dislocation, political events are intensifying the process of a serious economic downturn. Who can doubt that these events will

have reverberations on an international scale?

Let me repeat a point I made at the beginning of my remarks. The basic article of faith of all those who have doubted or denied the viability of Marxism, the great land mass against which all hopes of social revolution have been dashed, has been the United States.

Ultimately, no matter what problems capitalism gets itself into in any part of the world, there has always been Uncle Sam to bail it out. The Federal Reserve has only to open up the spigots and the money will flow. Mexico can go bankrupt and money will be sent there. Asia can go under, but something will be done to fix it up.

But what happens if Uncle Sam has a stroke? Who will bail him out? Who will save him? That is a question no one has had to ask or trouble themselves with in the twentieth century. Now, as we enter the twenty-first century, this is a serious issue.

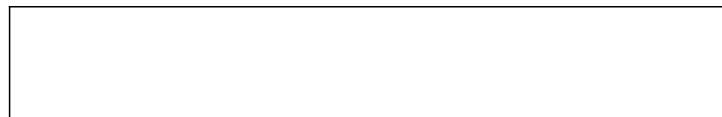
Whether it is Howard in Australia or Blair in England, they all know this is not a good thing for world capitalism. It is not a good time to ask Uncle Sam for money, let alone political advice. Who, in the aftermath of the Florida debacle, will want to hear from Jimmy Carter on how to run a democratic election?

These events not only have vast economic consequences. They will also change the social psychology that plays an important role in the evolution of a revolutionary situation. In the end, the conscious factor assumes massive dimensions in the development of a revolution.

Trotsky explained this so well. There is an objective component of a revolutionary crisis. When the forms of production come into conflict with existing social relations, a revolutionary epoch arises. But these objective contradictions must find their way into the consciousness of masses of people. People have to begin thinking about revolution. They have to want revolution and believe that revolution is a viable option. They have to believe in not only the need, but also the possibility of fundamental social change. In the final analysis, it is not the power of the capitalist state alone that blocks revolution. At a more profound and historically essential level, it is the lack of political confidence and consciousness within the broad masses of their ability to intervene and reconstruct society from top to bottom. The present crisis will provide an impulse for significant and progressive shifts in social consciousness.

The events now taking place in America signify the end of that long period where the affairs of world capitalism could rest securely under the leadership of US imperialism. The United States will no longer be able to play that role. The crisis in the United States has called into question the viability of the capitalist system and it certainly opens up the opportunity for the intervention of the working class as a decisive historical force. This is what is coming next. It has not yet developed openly to that point, but the American working class will make its presence felt. People now have something to say about how this crisis is settled. If not in the next week or next month, six months or even a year, the time cannot be long off before we begin to see a movement by that enormously powerful social force, the American proletariat.

What does it mean for us? We must expand our readership of the *World Socialist Web Site*. We must respond to the growing flood of inquiries and questions and develop the means to bring together those who are responding to our analysis in a broad and powerful international movement of revolutionary Marxists. Out of this developing movement we must build the Socialist Equality Party in the United States as a section of the International Committee of the Fourth International. This is our perspective. We have entered a new historical period that will be characterized by an immense development in the forces of international Marxism.





To contact the WSWs and the
Socialist Equality Party visit:

wsws.org/contact