

**Opinions**

# Democrats are now forbidden by law from controlling more than one half of one branch of government

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By [Tom Toles](#)

It's just the way it is! You have to follow the rules, you know, and now the rules say the Democrats lose before the game starts. Oh well!

Let's begin with the U.S. Senate. This august body, designed to be the even-tempered deliberative one except when Republicans need to hustle their people onto the Supreme Court, is now off-limits to Democrats. Giving far more representation to conservatives because of what states they live in is just the way things are [and will now be forevermore](#). And we must not talk about that as a massive distortion of the popular will. It's just the rules!

Now let's turn to the presidency. Because of the same sort of structural distortions, now the Democrats don't get to control the presidency even when they receive more votes. No, instead, a president like Donald Trump is sworn into office, and is analyzed and marveled at for his political skill, for losing the actual vote count. Yet there he is, thrashing around the Oval Office as though he's an actual representative of the people.

And lest you think this was some fluke never to be repeated, it in fact WAS a repetition. In fact EVERY Republican president of this century entered office with fewer votes than his Democratic opponent. (And once with an extra boost provided by a partisan Supreme Court). Rules, you know!

And speaking of the Supreme Court! Now Democrats are not allowed to name justices to that body anymore. Why not? Because the rules are the Senate gets the final say, and the rules also say that the Democrats can never control the Senate anymore, because. And so a minority-elected Republican president gets to make the picks, and a massively distorted Senate gets to ramrod them in. Those are the rules! And you know who gets to write a lot of the election rules? That's right! The Republican Supreme Court! And bring on that also-unrepresentative big-corporate money! The rules say that's okay!

Let's see, have we forgotten anything? Ah, yes, the lowly House of Representatives — the people's house. The rules currently still allow the Democrats to win this half of one branch of government, but not for lack of Republicans trying to stop them. From preposterously twisted gerrymandering to new voter-suppression rules (rules, you know!) to rivers of corporate-and rich-people money (new rules!) even when there is a clear, massive wave of voter revulsion at what their government is doing, it is still unclear

whether they will be able to capture even this one little corner of the government, to begin even a modest process of actual oversight and accountability.

The Republicans have used and/or created this massively unrepresentative set of rules to maximally unrepresentative ends. And they are fighting tooth and nail to keep their misallocated power. And the media coverage of government rarely if ever emphasizes how completely unrepresentative of the people this government actually is. It's just the rules, you know! Where is the headline "Critical flaws threaten US democracy!"? Instead we get breathless odes to Mitch McConnell's brilliant vandalism. As with climate, the media have not remotely caught up with the reality that the status quo is profoundly and dangerously out of balance.

Where does this leave us? Fighting, desperately fighting, for that one last scrap of actual power. There is no earthly reason that a democracy that was keeping up with voters' actual interests should have a midterm election with this level of voter anxiety and desperation. It is a symptom that Republicans ignore and mock as a crazed mob at their peril. And our nation's. If our democracy somehow fails to reflect the voters' expressed wishes in 2018, too, what we are looking at is not a flawed democracy. It is no longer a democracy at all.

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Tom Toles is the Pulitzer Prize-winning editorial cartoonist for The Post and writes the Tom Toles blog. His latest book is "The Madhouse Effect," a book about climate and climate-change denial co-authored with climate scientist Michael Mann. [Follow](#)

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