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Modern American Political
Strategies; Why Compromise?

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What is Compromise

- Compromise is the resolution of conflict between two or more parties in order to achieve a result under which parties to the controversy can abide. Typically these conflicts revolve around moral or spiritual issues that the parties feel are fundamental to their world view

- In the Judeo-Christian tradition, the Torah and Bible forbid pragmatic resolutions of conflicts that involve a basic tenet of the faith. For instance, we should never agree that murder in any context is acceptable.

- Likewise, compromise is forbidden in the Muslim faith for similar reasons related to the tenets and principles found in the Qu 'ran.

Compromise vs. Consensus

- Typically a “Compromise” requires each side of a dispute to “give up” an essential principle in order to achieve the desired result
- A “Consensus” does not require that a principle be “given up” or ignored. It only requires, in a totally utilitarian manner, that the principle be forgotten about long enough to achieve the goals of the desired result

- No one has to admit their principles are “wrong” in a consensus.
- Most of the ideas that we label as a “compromise” were, in fact, a consensus.

U.S. Political History of Compromise

- Declaration of Independence and Slavery
- Disagreement between the framers about a “Bill of Rights”
- Jefferson v. Hamilton
- Constitution as a “Compromise”
- The “Great Compromise” or “Connecticut Compromise”
- “3/5 Compromise”

Post Civil War Constitutional Amendments

- 13th Amendment – Abolished Slavery
- 14th Amendment – Equal Protection and Due Process
- 15th Amendment – Gave Black Males the Right to Vote

14th Amendment Text

- No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Post Civil War Politics

- The Southern Strategy – The War was “Rigged”
- Reconstruction
- Jim Crow
- Deliberate Southern Legislatures

Specific Insubordination

- Segregation
 - Schools
 - Churches
 - Medical Facilities
 - Restaurants
 - Retail Shopping
 - Overnight Accommodations

- Gerrymandering
- Poll Tests
- Other Impediments to Voting
- Refusal to Allow Equal Rights to Women

More Insubordination

- Mask Mandates, COVID and Public Health
- Public Safety and My Assault Rifle
- School Safety
- Immigration

Role of the U.S. Supreme Court

- The 14th Amendment was meant to be a safeguard of the first 10 amendments to the U.S. Constitution (The Bill of Rights). Specifically, the “Southern Strategy” was to pass state legislation prohibiting freedoms that were referred to in the Bill of Rights. The belief by the architects of the strategy, including John C. Calhoun and Andrew Jackson, was that the Bill of Rights were constraints only on the federal government

- At issue was the enforcement mechanism to protect the Bill of Rights found in two clauses in the 14th Amendment
- The “due process clause”; nor shall any State deprive any person of life, liberty, or property, without due process of law;
- The “equal protection clause”; nor deny to any person within its jurisdiction the equal protection of the laws

- Most of the cases construing the meaning of the due process clause have centered upon the single word “liberty”. Liberty has been interpreted in the last 70 years to mean:
 - You can marry whom you choose
 - You can own a gun
 - You can buy contraceptive devices regardless of your age
 - Right to Counsel in Criminal Proceedings

- You can dine where you please
- You can seek public accommodation such as motels and hotels where you please
- You can make decisions about your own body as you please
- You can make decisions about pregnancy as you please (up to a certain point)
- You can't be coerced into prayer

- Virtually every one of these decisions has been assailed by the proponents of “strict construction” of the constitution and the Bill of Rights, essentially claiming that if the words are not literally in the documents the court cannot add to or define their meaning

Dobbs vs. Jackson Women's Health Organization

- It is clear from the 2023 decision overturning Roe vs. Wade that SCOTUS has retreated from defining the word liberty. Roe vs. Wade was incorrectly decided because the word “abortion” is not found in the Constitution or Bill of Rights, and the Court was therefore wrong when it construed “liberty” to mean the right to make a decision about termination of a non-viable pregnancy

- Arguably, the referee for meaningful resolution regarding conflicts about the meaning of the Constitution and its Amendments has left the building
- Since there is no longer an enforcement mechanism, all faith and belief in an orderly society should be seriously questioned

Current Turmoil

- Rise of Evangelical Nationalism
- Moral Majority
- Liberals
- Evangelical Republicans
 - Abortion
 - School Funding
 - School Choice
 - Restriction of Medical Procedures
 - Restriction on Prescription Drugs
 - Restriction on Public Funds being used to support private entities

What Prohibits Agreements Based on Differing Ideas Today

- Political value of Disagreement
- Voter Desire for Their View to Prevail
- It's a right vs. wrong society
- We are becoming a nation of anarchists who want to destroy the current Federal and State Government and replace it with their own view of "We the People"
- There is no value in Consensus for most voters
- We are a nation of ideological hypocrites

- So, why compromise?