

Pointing Fingers Over Trump's Victory

After Donald Trump's victory, Democrats and progressives have traded accusations as to what was at fault, the Establishment's insistence on Hillary Clinton or the insurgent challenges from Bernie Sanders and Jill Stein, reports Nat Parry.

By Nat Parry

As the reality of Donald J. Trump's victory in the Nov. 8 presidential election sets in, Democrats and progressives have been trading accusations over who – or what – may have led to this historic electoral defeat.

For progressives who backed Vermont's independent Sen. Bernie Sanders in the primaries, the culprit is clearly the Democratic Party establishment, led by the likes of former Democratic National Committee chairwoman Debbie Wasserman-Shultz and current interim DNC chair Donna Brazile, who they blame for stacking the deck against their candidate and ensuring Hillary Clinton's nomination – despite her considerable baggage heading into the election.

These progressives point to Clinton's [historically low](#) favorability ratings in national polls, and the fact that in a hypothetical one-one-one match-up between Trump and Sanders, polling data [showed](#) early on that Sanders would have likely defeated Trump easily. Trump himself seemed to understand the advantage Sanders had over him in a possible general election contest, [tweeting](#) in May 2016 that he “would rather run against Crooked Hillary Clinton than Bernie Sanders and that will happen because the books are cooked against Bernie!”

Among Democrats and Democratic-leaning independents, Sanders was clearly more liked, even as Clinton wrapped up the nomination last summer. Gallup polling found in June 2016 that Sanders held 70 percent favorable and 18 percent unfavorable ratings among Democratic voters, while Clinton was seen favorably by 67 percent and unfavorably by 28 percent. In the aftermath of Trump's victory – assisted by the [lowest voter turnout](#) in 20 years – some have argued that enthusiasm for Sanders could have pushed the Democrats to victory in key swing states that ultimately went to Trump.

To back up these claims, the progressive website *USUncut* [pointed out](#) on Nov. 10 that in five states that Sanders won in the primaries – Indiana, Michigan, Oklahoma, West Virginia, and Wisconsin – the exit polling data indicated that the demographic groups that helped Trump reach 270 electoral college votes were also Sanders's key demographics.

“Assuming that Sanders won white, rural rust belt voters in the traditionally blue states that Hillary Clinton lost,” Sanders would have won the Electoral

College [with a 303-235 advantage](#), according to this analysis.

Yet, while progressives blame the Democratic establishment for pushing an unpopular nominee – who was saddled by a federal investigation into her use of a private email server while Secretary of State, questions related to the ethics of her collecting sizable speaking fees from Wall Street firms, and suspicions over the Clinton Foundation’s dealings with foreign governments – establishment Democrats have been largely placing the blame on progressives for failing to unite behind Clinton.

Some commentators have pointed fingers at voters who decided to buck the two-party system and cast a ballot for the Green Party’s Jill Stein or the Libertarian Party’s Gary Johnson while others have assigned blame to Sanders for daring to mount a primary challenge against Clinton in the first place.

This was the argument of Prof. Gil Troy, who [wrote](#) at *Time Magazine* on Nov. 14 that “Senator Bernie Sanders earned the 2016 ‘Ralph Nader Award’ for the Leftist Most Responsible for Helping Republicans Win the Presidency.”

While acknowledging that Trump “cleverly exploited voters’ frustrations” and that “Clinton’s campaign in 2016 was as rigid and empty as it was when she lost in 2008,” Troy nevertheless argues that Sanders’ insurgent primary campaign “pushed her too far left to prevent an effective re-centering in the fall.”

Troy offers few facts or polling data to back up these claims, instead making broad-based assertions such as “just as Ralph Nader siphoned tens of thousands of votes on Election Day 2000 in Florida from Al Gore, causing the deadlock and George W. Bush’s victory, Bernie Sanders’ similar vampire effect enfeebled Hillary Clinton.”

According to this view, even running a progressive primary election challenge – much less a third-party campaign – is dangerously unacceptable, creating a so-called “vampire effect” that “siphons votes” that rightfully belong to someone else.

The Spoiler Effect

While Sanders remains the target of some criticism for costing the Democrats the election, the real vitriol is leveled at third parties and their supporters.

Typical was the reaction of *Newsweek* senior writer Kurt Eichenwald, who [published](#) an account of an encounter he had with a fan in the Philadelphia International Airport following the election. The individual had approached Eichenwald to praise his work but nearly ended up the victim of a physical assault.

According to Eichenwald, the man, who had recognized the pundit from his television appearances, thanked him for his reporting on Trump and expressed disgust that Trump had won. Eichenwald then asked the fan who he had voted for. The man stated that he voted for Green Party nominee Jill Stein, to which Eichenwald replied: "You're lucky it's illegal for me to punch you in the face." According to his account of the interaction, Eichenwald then told his fan to go "have sex with himself."

As anyone who has ever voted for a party other than the Democrats or Republicans can attest, this is a pretty familiar reaction. In the United States' winner-take-all electoral system, a vote for anyone outside of the two main parties is seen as a "wasted vote" that could "spoil" the election, and those who make this decision risk professional and social ostracism.

In this system, third-party voters are vilified to an extent not seen for any other voting demographic – including nonvoters who in fact account for a far greater share of the electorate, and therefore have a much bigger effect in swinging the election.

Yet, this has not stopped many pundits and social media users from piling blame onto supporters of Stein or Johnson, who are deemed reckless and irresponsible for so frivolously casting a ballot for candidates who had no chance of winning – or worse yet, as personally culpable for Trump's victory and all the disastrous policies that might follow.

"If you vote for somebody who can't win for president, it means that you don't care who wins for president," [opined](#) MSNBC's Rachel Maddow on Election Night. She later elaborated on this wasted-vote theory, tweeting about a [fanciful](#) scenario in which every Stein vote and half of Johnson's votes would have gone to Clinton, who might have then claimed enough states from Trump to eke out an Electoral College win, a story repeated by [CNN](#).

In a similar vein, columnist Paul Krugman weighed in by [tweeting](#) in the early morning hours of Nov. 9 that "Jill Stein has managed to play Ralph Nader," referring to the "spoiler effect" that the 2000 Green Party nominee allegedly had on the election 16 years ago. "Without her Florida might have been saved."

Flawed Analysis

Setting aside rehashed arguments from 2000, when it comes to Election 2016 independent evaluations of third-party voting have concluded that the effect of this voting bloc was statistically negligible, and cannot seriously be attributed to Clinton's defeat.

A *Wall Street Journal* analysis, for example, [found](#) that Clinton would have

needed to win 70 percent of the vote share that went to both the Libertarian and Green parties across eight swing states to claim victory – a highly unlikely scenario considering that the Libertarian Party champions a brand of fiscal conservatism and limited government that traditionally appeals to right-leaning, Republican voters. (Indeed, the 2016 Libertarian Party ticket was headed by two former Republican governors: Gary Johnson of New Mexico and Bill Weld of Massachusetts.)

In another analysis, the *Washington Post* [concluded](#) that in the [five states](#) Trump won by a margin smaller than the combined Johnson/Stein vote, some of them could have been flipped if the entire Stein vote was added to Clinton's total. In this scenario, the *Post* notes, the outcome might have changed in Michigan and Wisconsin, still however leaving her short of an Electoral College victory.

The paper pointed out however that “this projection rests on the unrealistic assumption that all Stein voters would have voted for Clinton,” conceding that it is impossible to “know how Johnson and Stein backers would have voted if forced to choose between Clinton, Trump and staying home.” More realistically, many would have “skipped the presidential race or [voted for another candidate](#).”

Besides the lack of hard statistical data to back up the wasted vote/spoiler effect claims, they also rest on a flawed assumption that anyone's votes – whether Clinton's, Trump's, Johnson's or Stein's – actually belong to anyone else. In fact, many third-party voters are simply fed up with the system itself, and hope that by voting for other options, it might be possible to someday build up viable alternatives to the two-party system.

This was especially the case this year, in which the numbers of disaffected voters reached historic proportions. By the time the primaries had been decided last summer, in fact, the two front-runners were the most unpopular candidates seen in a generation, which should have been seen as a warning sign to Democrats who traditionally rely on high voter turnout for electoral success.

According to [a Quinnipiac poll](#) released in June, Clinton had a 57 percent unfavorability rating, while Trump received a 59 percent unfavorability rating. Moreover, according to a [survey](#) by Data Targeting, 55 percent of Americans favored having an independent or third-party presidential candidate to consider. Among millennials – a key demographic for Barack Obama's victories in 2008 and 2012 – 91 percent expressed support for additional choices this year.

Another poll, [released](#) in September just before the Trump-Clinton debates began, found that 76 percent of Americans favored Johnson and Stein sharing the stage with the two main party candidates in the debates. This, of course, did not happen, with the Commission on Presidential Debates sticking to its strict

criteria that independents and third parties need to reach 15 percent in national polling before they are allowed into the debates.

This is perhaps one reason why Americans remained largely ignorant of Stein's and Johnson's campaigns, with Gallup [finding](#) that 63 percent were unfamiliar with Johnson heading into the general election, and 68 percent were unfamiliar with Stein.

Voter Boycotts and Voter Suppression

Regardless of the impacts of third-party alternatives – which only ended up receiving a total of 4 percent of the popular vote – the deep disaffection among American voters that was seen in earlier polling seemed to manifest itself in other voting trends on Election Day. This disaffection can be seen in the high number of down-ballot voters who opted not to cast a ballot for president this year.

One telling analysis [found](#) that in 14 states, down-ballot candidates received more votes than presidential candidates.

In North Carolina, for instance, about 30,000 more people cast ballots for incumbent Gov. Pat McCrory and Roy Cooper than for any of the presidential nominees. In Vermont, about 314,000 voters cast ballots in the governor's race, and 313,000 for the Senate, while just 291,000 voted for president – a difference of almost 8 percent.

In Oregon, where Democrats Sen. Ron Wyden and Gov. Kate Brown easily won re-election, their races drew about 75,000 more votes than the presidential contest. Other states in which down-ballot voters essentially boycotted the presidential election included Indiana, Missouri, North Dakota, Wisconsin, and West Virginia.

Besides nonvoters, another factor that should be receiving at least as much attention as third-party "spoilers" are the would-be voters who could not cast a ballot due to systematic disenfranchisement, possible voter suppression or other all-too-familiar problems at polling places. As the Brennan Center for Justice [noted](#) on Nov. 14, "too many voters had to contend with long lines, malfunctioning voting machines, confusion over voting restrictions, voter intimidation, [and] voter registration problems."

The nonpartisan law and policy institute, which has been documenting flaws in U.S. election administration for years, notes that "2016 was not the first election in which these problems have occurred – and that itself is a problem."

Describing numerous instances of voting problems across the country, the group

concluded that “the ways in which elections are administered, including how well they are resourced, can have a negative impact on citizens’ ability to cast a ballot and the confidence the public has in the system.”

Investigative reporter Greg Palast went further than that, contending that “before a single vote was cast, the election was fixed by GOP and Trump operatives.”

He [noted](#) in a Nov. 11 blog post that in 2013, just as the Supreme Court overturned key sections of the Voting Rights Act, Republican operatives created a system called Crosscheck to purge 1.1 million Americans from the voter rolls of Republican-controlled states.

According to his count, in Michigan, the Crosscheck purge list eliminated 449,922 voters from the rolls, while Trump claimed victory in that state by just 13,107 votes. In Arizona, the Trump victory margin was 85,257 votes, while a total of 270,824 voters were eliminated by Crosscheck. The Trump victory margin in North Carolina was 177,008, while the Crosscheck purge list accounted for 589,393 voters knocked off the rolls.

Palast notes that “the electoral putsch was aided by nine other methods of attacking the right to vote of Black, Latino and Asian-American voters ... including ‘caging,’ ‘purging,’ blocking legitimate registrations, and wrongly shunting millions to ‘provisional’ ballots that will never be counted.”

He also points to the discrepancies between the exit polling data and the final results in several battleground states, noting that exit polling is historically “deadly accurate.” Despite this, Palast notes that in 2016, the exit polling was off the mark in at least four key swing states.

According to the exit polls, Clinton [should have won](#) Florida, North Carolina, Pennsylvania and Wisconsin, but at the end of the day all of these states went to Trump. Accounting for a total of 74 Electoral College votes, these four states would have been more than enough for Clinton to have flipped the election.

And of course, this all assumes that the Electoral College is legitimate in the first place. The fact remains that Hillary Clinton [received](#) more than one million more votes nationwide than Donald Trump, and the only reason he is assuming the White House is due to the arcane and controversial system of allocating votes through the Electoral College.

This has led to [increasing calls](#) to [abolish the Electoral College](#) altogether based on the idea that elections should be determined on the principle of one person, one vote.

Needed Reforms

Needless to say, to many around the world – not to mention many within the United States – these elections are looking less like free expressions of the people’s will than they do down-and-dirty slug fests in which either side is willing to claim a victory at any cost.

This election was observed by two international organizations in fact, and while their final reports vary to considerable degrees, both the Organization of American States and the Organization for Security and Cooperation in Europe both criticized the tone of the election and highlighted numerous structural deficiencies in the way the United States chooses its leaders.

The OAS final report [identified](#) the following issues as representing key areas for improvement in the U.S. electoral system: taking measures to avoid long lines at polling places, broadening cooperation between states to compare information and avoid possible duplications in voter registries, expanding the practice of redistricting through nonpartisan commissions, addressing the impacts of the Supreme Court’s decision to eliminate parts of the 1965 Voting Rights Act, establishing better campaign finance rules, and jettisoning the divisive campaign rhetoric that has turned off so many voters from the process.

The OAS also noted the unusual practice in the United States of simultaneously mandating voter identification while not providing this required identification to eligible voters.

“Practically all countries in the region provide at least one free form of national identification to their citizens, which is used for electoral purposes,” [said the OAS](#). “In the U.S., 32 states currently have laws in force that require voters to show some form of prescribed identification to verify their identity before casting a vote.” However, these states do not make this identification readily available to citizens, contrary to good electoral practice.

This is also a weakness that the OSCE pointed out in [its report](#), noting: “Voter identification rules are politically divisive and vary across the states, with 32 states requiring photo identification. A high volume of litigation regarding voter identification continued up to Election Day, generating confusion among voters and election officials regarding the application of rules. Efforts to ensure the integrity of the vote are important, but should not lead to the disenfranchisement of eligible voters.”

The 57-country organization also noted the undue obstacles faced by minor parties and independents trying to compete in U.S. elections.

“The number of signatures required and the signature submission deadlines vary from state to state, which made it cumbersome for third party or independent candidates to register across all states for presidential elections,” the OSCE pointed out. “Both the Green Party and Libertarian Party challenged ballot access requirements in several states, with success in a few instances.”

The organization, which has been monitoring elections in the United States since 2004, regretted that since previous election observation missions, a number of its “priority recommendations remain unaddressed.” It pointed out that “deficiencies in the legal framework persist, such as the disenfranchisement of citizens living in various territories, restrictions on the voting rights of convicted criminals and infringements on secrecy of the ballot.”

Rather than focusing on who is to blame for Trump’s victory in Election 2016, Democrats, Republicans, progressives, independent conservatives, third-party supporters, minorities, and good-government groups might be better served coming together and finally taking seriously the task of electoral reform, beginning with addressing some of the key recommendations of impartial international observers.

Perhaps then, this perennial debate and the endless exchange of recriminations might finally come to an end.

Nat Parry is the co-author of *Neck Deep: The Disastrous Presidency of George W. Bush.* [This story originally appeared at Essential Opinion, <https://essentialopinion.wordpress.com/2016/11/17/election-2016s-blame-game/>

Simple Ignorance vs. Politically Slanted Ignorance

Libertarian presidential nominee Gary Johnson flubbed a question about the war-torn Syrian city of Aleppo but a more pervasive form of ignorance comes in the form of politically slanted “knowledge,” writes Lawrence Davidson.

By Lawrence Davidson

The vast majority of people “live locally.” Wherever they are residing, that is the arena of their life, and it is that environment that they know best. Even

up-and-coming American political leaders are subject to this rule. This became embarrassingly obvious when, on Sept. 8, Gary Johnson made his now famous faux pas.

Gary Johnson, who once was governor of New Mexico and therefore knows a lot about that state and its strengths and weaknesses, appeared on MSNBC's weirdly named, but widely watched, a.m. program "*Morning Joe*" (the "*Joe*" referring, I assume, to both host Joe Scarborough and the local U.S. term for coffee).

The principal reason Mr. Johnson was on the show was that he is running for president of the United States on the Libertarian Party ticket. And, of course, the president of the U.S. is the world's most powerful leader and his or her awareness level is expected to reflect that.

Therefore, those running for president are assumed to know everything about what is going on in the world as well as in their own country. This is of course impossible, though there is always a short list of issues that are center-stage.

So, what happens is that leaders have "briefing books" prepared on these priority issues. But again, the priorities are judgment calls and can be different for different leaders. Unfortunately for Johnson, foreign policy issues were low on the priority list for the Libertarians – who are more or less isolationist.

That is why, when Gary Johnson was asked by another guest on that "*Morning Joe*" show, what he would do, if he were president, about the crisis in Aleppo, he answered "And what is Aleppo?" It was a real gaffe, and Johnson was almost immediately taken to task by the "pundits" of social media for being a dummy.

One might ask why would anyone expect an ex-governor of New Mexico to know anything about a Syrian city mostly wrecked by civil war? Well, again, because he is running for president. And Aleppo should, many assume, be on his short list. Be that as it may, it was not on Johnson's, whose ideological outlook puts Syria in someone else's local venue. His is New Mexico and maybe, eventually, the rest of the U.S.

Power of the Briefing Book

Do you think that this is unusual? Unfortunately it is not. What is unusual is that Johnson got caught in his ignorance. Fear of just such exposure is one of the reasons leaders now give so few press conferences. Yet history has also shown us that recent presidents have been unafraid to make foreign policy decisions which impact millions, often fatally, without adequate knowledge.

As we will see, these decisions almost always reflect their own conditioned

ignorance but are made in a way that allows them to be obscured and rationalized after the fact. It just so happens that such decisions helped lead to the Syrian civil war and the destruction of Aleppo.

In the time since his gaffe on *"Morning Joe,"* Johnson has had created the appropriate briefing book and is now speaking in a seemingly authoritative way about Aleppo and the Syrian civil war. For him, the transformation has worked like magic. The gaffe itself increased the level of attention he has received from the official mass media, and given his new level of superficial knowledge, there are even calls for him to be included in the upcoming presidential debates. Go figure!

Johnson's situation points to the power of the briefing book, so it is important to ask where these analyses come from.

They are put together by the leader's staff as well as alleged "experts." For instance, in the case of the president, that would be department heads. When it comes to foreign policy, that would include the Secretary of State, the National Security Adviser, the Director of National Intelligence, the heads of the Central Intelligence Agency, the Defense Intelligence Agency and other "intelligence agencies."

Of course these folks are also political appointees who may know next to nothing about particular topics. So they have their own versions of briefing books prepared by people down the line who may actually know something about what is going on.

In fact, as this process goes on, you do usually reach a level of staff who are real experts in, say, both the history of and the state of the crisis in Syria. They speak and read the local language, have in-country intelligence sources and so can produce a fairly accurate, unbiased assessment of the situation. They make their analysis and pass it up the ladder.

Here comes the problem. At some level of this process the relatively accurate analysis comes to people, usually those department chiefs or their immediate assistants, who are working in and responding to a preexisting political and ideological environment. Consciously or unconsciously, they begin to censor the analysis of the experts so as to reconcile it with the prevailing groupthink of the leadership.

The ignorance of the leadership, superficially hidden by what turns out to be censored analyses, is by no means unique to U.S. politicians. Vladimir Putin of Russia, Ali Khamenei of Iran, Benjamin Netanyahu of Israel, King Salman of Saudi Arabia, Xi Jinping of China – and the list can go on and on – all see the world

as through glasses darkened by cultural, ideological, political and historical preconceptions.

And they all have their experts who do their best to give the boss a more or less accurate picture of the world. And, also, they all have their own versions of department heads who censor the picture to support the present preconceived worldview.

I offer this account of policy-making to the reader not as an excuse for the near-sightedness of almost all of the world's politicians, but as an explanation, the back story so to speak, out of which so many bad policies come.

The Irish playwright George Bernard Shaw once commented that “false knowledge is more dangerous than ignorance.” Actually, the two are so tied to each other that most of us can't recognize false knowledge when we are confronted with it. There are too many panes of dark glass in the way.

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How a Question's Phrasing Hobbles Third Parties

By asking Americans who they expect to vote for rather than who they want to be President, pollsters skew the numbers in favor of major-party candidates and help exclude third-party challengers from crucial debates, notes Sam Hussein.

By Sam Hussein

This week, the bipartisan Commission on Presidential Debates announced what polls it will utilize in excluding candidates from its debates. The CPD says candidates like the Libertarian Party's Gary Johnson and the Green Party's Jill Stein must get 15 percent in polls conducted by “five national public opinion polling organizations” – ABC/*Washington Post*, CBS/*New York Times*, CNN/*Opinion Research Corporation*, Fox News, and NBC/*Wall Street Journal*.

Not only – as several have correctly argued – is the 15 percent threshold arbitrary and exclusionary, but these polls don't actually ask voter preferences at all. They all ask “If the presidential election were being held today for

whom would you vote?" or some minor variation of that. Who you want or prefer and what you would do in the voting booth may be very different things. These "public opinion polls" don't actually measure opinion – they are non-opinion polls. They ask a false hypothetical regarding a future action.

A better public opinion question would be: "Who do you want to be president" or "Who do you prefer to be president?" or "Who is your first choice to be president?"

By contrast, the question that the CPD relies on from these media organizations – if held today, who would you vote for – is a tactical question. As has become increasingly clear, there are many people who would like Libertarian candidate Gary Johnson or Green Party nominee Jill Stein to be president. However, many who fear Donald Trump or Hillary Clinton are currently planning to vote for Clinton or Trump (based on who they judge to be the "lesser evil").

Each of the dominant candidates is using fear of the other to prevent public opinion from manifesting itself for possible third-party candidates. Our voting system puts voters in a bind, making it difficult for them to vote their true preference. But public opinion polling should be a relief from that. Such polling should find out what the public thinks and wants – especially if the electoral system doesn't allow for those choices. But that's not what's happening. The "tracking" poll question that's being used over and over and obsessed over by all these organizations is actually disguising public opinion.

And then the CPD, acting on behalf of the two major parties, is using that to exclude third-party candidates from the debates, further marginalizing any public thinking that questions the establishment parties.

When some proponents of a more open process suggested alternative criteria for deciding who to include in presidential debates, such as determining if a majority of respondents wanted a third-party candidate in the debates, the heads of the CPD rejected the effort. Then-CPD Director and former Republican Senator Alan Simpson said: "The issue is who do you want to be president. It's not who do you want to do a dress rehearsal and see who can be the cutest at the debate."

Similarly, Paul Kirk, the then-co-chair of the CPD (now co-chairman emeritus) and former head of the Democratic National Committee, said: "It's a matter of entertainment vs. the serious question of who would you prefer to be president of the United States."

But those comments from CPD officials mean that even the CPD has basically asked for the "who do you want/prefer to be president" question to be used, rather

than the “if the election were held today, who would you vote for” formulation.

So for the Commission on Presidential Debates to fulfill the very criteria it has set for itself, the “serious question” of “who would you prefer to be president” should be the polling question used as the basis for inclusion in any debates that group sponsors.

In the closing days of the 2000 election, I got a funder to put up the money for a poll which basically found that numbers for candidates Pat Buchanan and Ralph Nader doubled if the question was who the voter preferred to be president regardless of their chances of winning, rather than the standard “If the election were held today, who would you vote for.”

If that proportion were to hold, it would mean the actual numbers for Johnson and Stein are around 18 and 10 percent support respectively. But why should we speculate? Why don’t “public opinion” pollsters actual ask the public what they want?

Sam Hussein is founder of [VotePact.org](https://votepact.org), which encourages disenchanting Democrats and Republicans to pair up and vote for the third party candidates they most want. [This story was originally published at <https://husseini.posthaven.com/how-presidential-non-opinion-polls-drive-down-third-party-numbers-and-facilitate-debate-exclusion>]

Why Not Expand the Presidential Debates?

Amid unprecedented dissatisfaction with the two major party candidates, public interest in opening the presidential debates to the Libertarian and Green party nominees should be honored, says Jeff Cohen.

By Jeff Cohen

If ten major TV networks got together and decided to nationally televise a presidential debate restricted to Republican nominee Donald Trump and right-leaning Libertarian nominee Gary Johnson, while barring other candidates including Democrat Hillary Clinton, it would be recognized as an act of media bias or exclusion.

But what if the televised debates this fall are restricted to just Trump and Clinton? That, too, needs to be recognized as an intentional act of media exclusion.

In the coming weeks, we need to generate a debate about the debates – who controls them and which candidates are included. That’s the goal of a new petition launched by RootsAction.org, a group I co-founded.

Beginning in 1988, major TV networks granted journalistic control over the debates to a private organization with no official status: the Commission on Presidential Debates. The CPD is often called “nonpartisan.” That’s absurdly inaccurate. “Bipartisan” is the right adjective, as it has always carried out the joint will of the Republican and Democratic parties. (See George Farah’s meticulously reported book, “No Debate.”)

The commission grew out of a deal cut in the 1980s by GOP and Democratic leaders. Today, even though the US public largely distrusts the presidential candidates of the two major parties, TV networks seem willing to allow them to again dictate the terms of debate, including who gets to participate.

Here’s a brief history of how the CPD took over:

– **League of Women Voters:** From 1976 through 1984, presidential and vice-presidential debates were sponsored and run by the nonpartisan League of Women Voters. (In 1980, the League had insisted on allowing independent candidate John Anderson to debate.)

– **“Televised Joint Appearances”:** In 1985, the national chairs of the Democratic and Republican parties, Paul Kirk and Frank Fahrenkopf, signed a remarkable agreement that referred to future debates as “nationally televised joint appearances conducted between the presidential and vice-presidential nominees of the two major political parties. . . . It is our conclusion that future joint appearances should be principally and jointly sponsored and conducted by the Republican and Democratic Committees.”

– **“Exclude Third-Party Candidates”:** In February 1987, Democratic Party chair Kirk and GOP chair Fahrenkopf together issued a press release and held a DC news conference to announce the formation of the Commission on Presidential Debates (“Commission on Joint Appearances” apparently didn’t sound right) – with themselves as co-chairs. The press release called the new group “bipartisan.” According to the New York Times, Fahrenkopf indicated at the news conference that the CPD was “not likely to look with favor on including third-party candidates in the debates.” The *Times* reported: “Mr. Kirk was less equivocal, saying he personally believed the panel should exclude third party candidates

from the debates.” The newspaper quoted Kirk: “As a party chairman, it’s my responsibility to strengthen the two-party system.”

–“**Perpetrate a Fraud**”: In 1988, with the CPD taking control of the debates on behalf of the two major parties, the League of Women Voters announced its withdrawal from any debate sponsorship “because the demands of the two campaign organizations would perpetrate a fraud on the American voter. It has become clear to us that the candidates’ organizations aim to add debates to their list of campaign-trail charades devoid of substance, spontaneity and answers to tough questions. The League has no intention of becoming an accessory to the hoodwinking of the American public.”

During the last seven presidential elections, TV networks have allowed the self-appointed CPD and the major-party campaigns to control the debates (format, who gets to ask questions, which candidates get to participate) – abandoning any role as journalistic decision-makers. Of those seven elections, only in 1992 did the CPD allow a candidate on stage who was not a Democrat or Republican: billionaire Ross Perot. That fluke happened because both parties thought Perot’s inclusion would benefit them in some way; interestingly, as you’ll see below, Perot was at only 7 to 9 percent in pre-debate polls.

After nearly three decades, the creators of the commission are still behind it: Republican Fahrenkopf remains CPD’s co-chair, Democrat Kirk is co-chair emeritus. Both have been longtime, high-powered corporate lobbyists; the commission has been funded by powerful, politically-engaged corporations, including oil and gas, insurance, pharmaceutical and Wall Street firms.

Public pressure and petitioning are needed to get the TV networks to recognize that they are at a crossroads regarding the upcoming debates: Will they act journalistically and independently in the interests of democracy – or will they continue to be dictated to by a commission whose unabashed mission since 1987 has been to protect a two-party duopoly?

Hopefully, the TV networks will recognize how much is different today compared to the 1980s when the CPD and the two major parties were allowed to seize control of debates.

1) According to Gallup, the percentage of Americans identifying as political independents has been at record highs for five years, and stood at 42 percent in 2015. Meanwhile, the percentage of Americans identifying with the two parties that control the debates has sunk. Democrats are at their lowest point in the history of Gallup polling, just 29 percent; Republicans are very near their low point at 26 percent.

2) Both major parties have nominated individuals who break records for unfavorability, leading many voters to consider alternative candidates. Hillary Clinton is at 53 percent unfavorable (vs. 42 percent favorable) in the latest Real Clear Politics polling average. Donald Trump is off the charts with 61 percent unfavorable (vs. 33 percent favorable).

3) Mainstream TV networks are fully aware of the dissatisfaction with the major party candidates and their preference polls now often include two other candidates. The NBC News/*Wall Street Journal* poll ending on August 3 had Libertarian Party nominee Gary Johnson at 10 percent and left-leaning Green Party candidate Jill Stein at 5 percent. The latest CNN poll had Johnson at 9 percent and Stein at 5 percent. ABC News had Johnson at 8 percent, Stein at 4 percent. Among registered voters under 30, a recent McClatchy-Marist poll had both Johnson (at 23 percent) and Stein (at 16 percent) ahead of Trump (9 percent).

An obvious option presents itself to the networks: Tell the CPD and major-party campaigns that they no longer control the debate process and that the networks intend to present debates – controlled by journalists – that include all four candidates: Clinton, Trump, Gary Johnson and Jill Stein. If Trump or Clinton balk, let them know you're happy to leave their podium empty.

Johnson is a former governor of New Mexico. Stein is a physician and healthcare activist from Massachusetts. Both are articulate and informed on the issues. Both offer stark policy alternatives to Clinton and Trump, especially on issues of foreign policy and civil liberties. Both are expected to be on the ballot in almost every state.

The last time there were two such strong “third-party” candidates was in 2000 when columnist Patrick Buchanan ran on the right and consumer advocate Ralph Nader ran on the left. Polls showed solid majorities of the voting public (64 percent vs. 25 percent in one poll) wanted to see Buchanan and Nader included in a four-way presidential debate. But the CPD had erected a new barrier: these well-known candidates could not join the debates unless they were polling at 15 percent.

It was an arbitrary barrier – aimed at exclusion. It was not aimed at eliminating “nonviable candidates,” but to prevent an outsider from *becoming viable*. How do we know? Less than 18 months earlier, Minnesota Public Radio and the Minnesota League of Women Voters chapter had included third-party candidate Jesse Ventura in a series of gubernatorial debates alongside the Democratic and Republican candidates, though he was at only 10 percent in polls before the debates began. Ventura, a mayor and talk-radio host, ended up becoming governor with 37 percent of the vote, thanks largely to his inclusion in debates.

This fall, TV networks would be wise to follow a recommendation made 16 years ago by the Appleseed Citizens' Task Force on Fair Debates connected to American University's law school: Include presidential candidates who are on enough state ballots to have a mathematical chance of winning, if they either "register at 5 percent in national public opinion polls OR register a majority in national public opinion polls asking eligible voters which candidates they would like to see included in the presidential debates."

In the economic realm, if Coke and Pepsi publicly and proudly announced that they were combining forces to exclude and silence any competition, one might expect anti-trust action . . . even from usually lethargic federal regulators.

In the political realm, after Ds and Rs unabashedly announced that they formed a commission for the purpose of maintaining their duopoly of power, one might expect a reaction from TV news executives – especially in an election year when the D and R nominees are so widely disliked and mistrusted.

Here's an appropriate reaction from TV news decision-makers: "Sorry, CPD, we don't need you to tell us who should be excluded from this fall's debates. In the interests of democracy, we'll be televising four-person debates."

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