

# Salvaging Democracy after the Election of 2004

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Morality, thou deadly bane, thy tens o' thousands thou has slain.

—Robert Burns

I feel—I feel it is necessary to move an agenda that I told the American people I would move. Something refreshing about coming off an election, even more refreshing since we all got some sleep last night, but there's—you go out and you make your case, and you tell the people this is what I intend to do. . . . Let me put it to you this way: I earned capital in the campaign, political capital, and now I intend to spend it. It is my style.

—George W. Bush November 4, 2004

Shortly after Kerry's concession on November 3, Bush and Cheney assembled their faithful for a victory celebration. Cheney predictably crowed about a "mandate," making it clear the Republicans would continue and intensify the extreme right-wing politics of the past four years. Bush smirked about a "historic victory" and then made conciliatory comments about unity and reaching "out to the whole nation," but it was clear that this was empty rhetoric. Bush had voiced similar sentiments after the election theft of 2000 and quickly went on to push a hard-right agenda and end up as the most divisive U.S. president in recent memory (Kellner 2001, chap.9).

The disunion of the country has become increasingly intense because the Bush administration governs in part through a politics of division and never before has there been such polarizing media, ranging from Fox Television and right-wing talk radio stations on the right to Pacifica Radio, Air America, and a resurgence of progressive documentary films on the left, as the Internet blazes with many different constituencies. Bush governs by dividing and conquering, bringing over conservative members of the other party to go along with his right-wing politics, so there is little possibility of healing and the likelihood of ever greater and deeper wounds in the body politic as the inevitable conflicts of the second Bush administration, some of which I signal below, unfold. On March 10, 2004, when speaking to AFL-CIO union workers in Chicago, John Kerry said in what he thought was an off-mike comment: "Let me tell you—we're just beginning to fight here. These guys are the most crooked, lying group of people I've ever seen." Although Kerry was savaged by the Republican attack apparatus for this comment, in retrospect, he was quite correct. It is well documented that the Bush-Cheney administration has governed with lies and deception (Conason 2003; Corn 2003; Dean 2004; Waldman 2004). As I argue in *Media Spectacle and the Crisis of Democracy*, Big, Bold, and Brazen lies characterized the distinctive discourse and strategy of the Bush-Cheney 2004 campaign (Kellner 2005, chaps. 5-6).

In a *New York Times* op-ed piece, "The Dishonesty Thing," Paul Krugman wrote that the key election issue was a "pattern of lies... on policy issues, from global warming to the war in Iraq." Krugman recounts how years ago when he began questioning Bush administration figures on tax cuts, the deficit, and other economic issues, he and other critics were denounced as "shrill." Citing a variety of establishment economic figures and reports, Krugman says that these documents reveal that he and other Bush critics were right and that the Bush administration was lying about their economic policies, using "fuzzy math" and fake figures to clothe the dubious results of their policies.

Worrying that Bush's economic policies might create a disaster and that so far the Bush administration has not begun to indicate solutions for economic problems they've created, such as the skyrocketing deficit, Krugman concluded: "Some not usually shrill people think that Mr. Bush will simply refuse to face reality until it comes crashing in: Paul Volcker, the former Federal Reserve chairman, says there's a 75 percent chance of a financial crisis in the next five years. Nobody knows what Mr. Bush would really do about taxes and spending in a second term. What we do know is that on this, as on many matters, he won't tell the truth." [1]

For Bob Herbert of the New York Times, Bush's Big Lie was the war on Iraq, a disastrous policy that had now killed more than 1,000 young Americans and placed the United States in a Vietnamesque quagmire. Seething with anger, Herbert cited the previous day's Times, which published photos of the first 1,000 who died: "They were sent off by a president who ran and hid when he was a young man and his country was at war. They fought bravely and died honorably. But as in Vietnam, no amount of valor or heroism can conceal the fact that they were sent off under false pretenses to fight a war that is unwinnable. How many thousands more will have to die before we acknowledge that President Bush's obsession with Iraq and Saddam Hussein has been a catastrophe for the United States?" [2] In retrospect, the smears on Kerry by the Republican attack apparatus and Bush-Cheney's systematic lying throughout the campaign and the four years of their administration represent a low point in U.S. politics. In these comments, drawn from the conclusion of Kellner 2005, I first discuss the results of the 2004 election and how it shows that the US is a deeply divided country. And while Republican forces control much of the country, I will indicate how progressives won many victories and that majorities of people will support progressive issues. Yet, the electoral system in the United States is in deep crisis, and I indicate the parameters of the crisis of democracy in the United States and what reforms of the electoral system will be necessary if democracy is to survive.

## Divided Country

In your re-election, God has graciously granted America—though she doesn't deserve it—a reprieve from the agenda of paganism. You have been given a mandate. We the people expect your voice to be like the clear and certain sound of a trumpet. Because you seek the Lord daily, we who know the Lord will follow that kind of voice eagerly. Don't equivocate. Put your agenda on the front burner and let it boil. You owe the liberals nothing. They despise you because they despise your Christ. Honor the Lord, and He will honor you.

—Bob Jones III, president of Bob Jones University

Once again in the 2004 elections, the country was deeply divided according to gender, race, region, ideology, religion, and age. According to the first round of election exit polls, turnout vastly increased among African-Americans, with almost 90 percent of them voting for Kerry as they did for Gore. Latinos also increased their turnout, with 54 percent of the Hispanic votes going for Kerry, down about 10 percent from Gore's total. As 55 percent of Asian-American voters chose Kerry, 75 percent of Jewish voters went for the Democrat. Women voted for Kerry approximately 53 to 47 percent, a loss from Gore's 10 percent advantage, although 62 percent of unmarried women voted for Kerry. More than 60 percent of the newly registered voters chose Kerry, who won 54 percent of the youth vote in the 18-24 age range. Those concerned about the economy voted overwhelmingly for Kerry, as did those citing the war in Iraq as a key issue. And 60 percent of urban voters opted for Kerry, down from the 71 percent who voted for Gore. [3]

Bush won a large percentage of white male votes, with 61 percent of them voting for him. He also won rural voters, Protestant voters, and 54 percent of Catholic voters, when for the first time a majority of Catholics voted Republican. Of the 45 percent of voters who earn less than \$50,000 a year, Kerry won 56 percent to 43 percent, but of the 18 percent who earn above \$100,000 a year, 57 percent voted for Bush. Gays and lesbians went for Kerry 77 percent to 23 percent. Gun owners voted for Bush 61 percent to 37 percent. Perhaps the major surprise of the election was how many voters surveyed said that values were more important to them than terrorism, Iraq, the economy, health care, or the other issues focused on largely by the Democrats. One survey indicated that one out of five voters interviewed in exit polls claimed that morality was their major issue, and more than 80 percent of these voters chose Bush.

It appears that issues of reproductive rights, gay marriage, and stem-cell research so incensed conservatives that they voted for Bush even against their own economic interests. The spectacles of gay marriage, so-called partial-

birth abortion, and Bush's "sanctity of life" orientation obviously motivated Republican voters. Anti-gay marriage initiatives were put on 11 state ballots and this issue helped to mobilize large numbers of pro-Bush voters. There were reports that evangelical churches prepared voting literature for churchgoers, that pastors came out strongly for Bush in sermons, and that entire congregations went en masse to vote for Bush. Likewise, conservative "pro-life" Catholic bishops wrote letters to their parishioners articulating anti-Kerry and pro-Bush positions. Thus, below the media radar, there was something like religious revivalism that turned out the Christian right for Bush. One of the shocking revelations that soon came out was that during the highly contested and close 2004 US presidential election, "then-Cardinal Joseph Ratzinger wrote a letter to U.S. bishops while the campaign was in progress, instructing them to deny Communion to any Catholic candidate unwilling to criminalize abortion. Ratzinger's letter did not win anything close to unanimous agreement, even among the American bishops, yet he succeeded in creating a public question about John Kerry's status as a Roman Catholic. The shift among Catholic voters in 2004 was small in absolute numbers — President Bush increased his support among Catholics by 6 points from 2000 to 2004 — yet, according to one analyst, it was large enough to turn the election in Ohio, Iowa and New Mexico. Arguably, then, Ratzinger won the election for Bush." [4]

It also seems that Bush's anti-intellectualism was extremely potent with many people, who identified with his "plain folks" aura and saw Kerry as an aristocratic intellectual. So, once again, people's perceived image of the president influenced their voting behavior. It also appears that 9/11 was a powerful bonding experience between Bush and his supporters, who at one time constituted much more than half of the population after 9/11. It seems that many of these supporters stuck with him through problems of the economy, exposures of Bush's blunders on 9/11, Iraq, poor debate performances, and other issues that mobilized about half of the voters strongly against Bush.

Later polls and analyses indicated that the so-called values issue was exaggerated in initial election retrospectives and that fear of terrorism was the most potent electoral issue.[5] The Bush-Cheney campaign successfully played on voters' fears of terrorism and liberal social change, at the same time appealing to conservative and religious values. The right-wing media apparatus, which presented powerfully positive images of Bush and negative images of Kerry, was of decisive importance in winning what appeared to be a Bush-Cheney popular vote majority and narrow electoral college victory. It's no real mystery how large numbers of voters went for the Republicans with right-wing propaganda going 24/7 on Fox TV (and its NBC soft-core versions), ubiquitous talk radio, a global Murdoch media apparatus, and a powerful right-wing Internet sector supported by conservative think tanks, book publishers, and periodicals.

Hard-core Bush supporters were impervious to reason and argumentation. They believed in Bush and had deep faith in him, and reviled Democrats and the "liberal media." When the 9/11 Commission report came out questioning ties between Al Qaeda and Iraq in the 9/11 attack, the Republican spin machine and their followers read it as confirming that Iraq was involved in 9/11 and that Iraq and Al Qaeda were interconnected. When the Duelfer report was released indicating that there really were no "weapons of mass destruction" in Iraq, Bush and his followers came out and said that the report indicated there were weapons of mass destruction. When Dick Cheney was asked if he still believed that there were connections between Iraq and Al Qaeda in 9/11, he claimed that he'd never made such an allegation, whereas there were sound bites and print sources indicating he had many times (see Kellner 2005, chap. 6).

No matter, truth and reason had little purchase on true Bush believers. They had decided in advance that whatever Kerry and the Democrats said was a personal attack on the president. Many of the faithful were also immune to critical media reports, which they took as "liberal media" attacks against Bush and accordingly disregarded them, getting their opinions and information instead from Fox TV, talk radio, or "politically correct" right-wing sources.

Bush believers had all the traits of the "authoritarian personality" dissected by T. W. Adorno and his colleagues (1950): deeply dualistic thought patterns that divided the world into good and evil, and us and them. Such personality types project "evil" onto their opponents and believe themselves to be "good." Like classic authoritarian personality types, many on the right are consumed with rage and scapegoat targets like liberals, feminists, gays, or other objects of their anger rather than seeing sociopolitical causes and solutions. Like Bush, his followers wanted simple explanations and solutions to complex situations and eschewed nuance. Bush's true believers were highly conformist, following the words and deeds of their leader, flip-flopping thongs at the Republican Convention or Bush events and chanting the slogans of the moment en masse. Immersed in crowd behavior, these followers were incapable of critical thought or seeing the flaws of their beloved leader.

A revealing survey by the University of Maryland's respected Program on International Policy Attitudes (PIPA) indicated that Bush supporters were deeply uninformed, even on Bush's record, whereas Kerry supporters generally

knew what issues he stood for[6]. A CBS demographic map shown the day after the election revealed that almost every major urban area in the country voted for Kerry, as did university and college towns like Austin, Texas; Raleigh, North Carolina; and Iowa City, Iowa, but many rural areas went for Bush, providing fuel for those who like to distinguish between “metro” and “retro” America. The retro folks evidently dislike intellectuals and “elitists,” voting for a man whom they perceived embodied their “down-home values.”

The left-liberal cultural initiative to turn out young voters seemed to have mixed results. A massive turnout among young voters was supposed to favor Kerry. Exit polls showed that young voters, aged 18-29, favored Kerry by 12 points, a margin of 8 more points than Al Gore’s percentage of young voters over Bush four years ago. In the final analysis, youth voters chose Kerry 54 percent over 46 percent for Bush. In a misleading election night story suggesting that the get-out-the-youth-vote efforts had failed, the Associated Press reported that “fewer than one in 10 voters Tuesday were 18 to 24, about the same proportion of the electorate as in 2000, exit polls indicated.” In fact, many more young voters turned out, but so did other sectors of the population.

Later surveys showed that more than 20 million Americans younger than 30 voted, resulting in a 51.6 percent turnout for the group, a 9-point increase and significantly higher turnout than previous elections.[7] In some battleground states, youth turnout was as high as 65 percent, and television showed pictures of young people waiting in line for hours to vote. Thus, the 527 organizations such as MoveOn.org, all the anti-Bush documentary films, the Bruce Springsteen Vote for Change concert, P. Diddy’s Vote or Die campaign, Rock the Vote, Choose or Lose, and the other campaigns definitely had an impact, although not the one desired by some who organized them. There were also cadres of young Republicans and conservatives, and church groups also took their young voters en masse to vote for Bush.

Perhaps the most overblown division, however, concerned the alleged rift between red and blue states. The entire Southern region of the country appeared to be firmly Republican and conservative, and the Northeast and West Coast seemed to be strongly liberal and democratic. But the so-called swing states are themselves deeply divided, as are some of the “red” and “blue” states. Hence, although there are significant regional divides between conservatism and liberalism, it is misleading to simply characterize the deep divisions in U.S. culture as those between “red” and “blue” states, as many media commentators are wont to do.

Another myth of the election was that Bush and the Republicans had received a “mandate” to govern, a myth pushed by the corporate media as well as the Republicans. Although Bush had won more votes than any presidential candidate in U.S. history, Kerry won the second-highest number of votes and never before had so many people voted against a presidential candidate as voted against Bush. The Republicans mobilized their troops, but so did the Democrats and the results were a record turnout from a highly divided country.

Indeed, well-respected surveys by the Chicago Council on Foreign Relations (CCFR) confirmed what many surveys had shown over the years, documenting the extent to which overwhelming majorities of U.S. citizens favored strengthening health care, education, and Social Security. Many surveys also showed that strong majorities favored women’s right to choose and gay and lesbian rights (if not gay marriage). The CCFR surveys also revealed that a large majority of the U.S. public believes that the United States should join the International Criminal Court and World Court, sign the Kyoto Protocols, allow the United Nations to take the lead in world crises, and rely more on diplomatic and economic measures than military ones in the “war on terror.” Majorities also believe that the United States should resort to force only when “there is strong evidence that the country is in imminent danger of being attacked,” thus rejecting the Bush doctrine of “preemptive war.”

On Iraq, the University of Maryland Program on International Policy Attitudes (PIPA) survey indicated on the eve of Election 2004 that “three quarters of Americans say that the United States should not have gone to war if Iraq did not have WMD or was not proving support to Al Qaeda,” although nearly half said that the war was the “right decision.” The PIPA survey indicated that large numbers of Americans, especially Bush voters, believed that Iraq did have WMD and ties to Al Qaeda. Other PIPA surveys confirmed the CCFR studies in that a large majority believes that the United Nations, not the United States, should take the lead in matters of security, reconstruction, and political transition to democracy in Iraq.

## **Progressive Gains**

There is thus an underlying basis for progressive change in the United States that was not adequately mobilized

in the 2004 presidential election. There were, however, many local successes. As Tim McFeeley notes, Democrats gained control of at least seven legislative chambers (the Colorado House and Senate; the Oregon and Washington Senates; and the Montana, North Carolina, and Vermont Houses of Representatives. In contrast, the Republicans only gained control of four chambers: the Tennessee Senate and the Georgia, Indiana, and Oklahoma Houses of Representatives).[8] Moreover, “Progressives also won many crucial ballot measures: increasing the minimum wage in Florida and Nevada, approving stem-cell research in California, legalizing medical marijuana in Montana, promoting renewable energy in Colorado, and banning nuclear waste dumping in Washington.” In addition, as McFeeley points out, during the past two years:

While the federal government increased racial profiling in the name of fighting terrorism, Arkansas, Connecticut, Illinois, Montana, and New Jersey all banned racial profiling.

While the Bush administration increased its power to prosecute and imprison through the USA Patriot Act, Alabama, Connecticut, Indiana, Kansas, Missouri, Nebraska, Tennessee, and Washington all enacted sentencing reforms that decrease jail sentences and sanction drug treatment instead of incarceration.

While the Justice Department pushed federal prosecutors to demand the death penalty, South Dakota and Wyoming banned the juvenile death penalty, Illinois implemented substantial death penalty reforms, and seven states (Colorado, Connecticut, Georgia, Ohio, Montana, Nevada, and New Mexico) guaranteed death row inmates the right to DNA testing to prove their innocence.

While the administration opposed an increase in the federal minimum wage, legislatures in Illinois, Rhode Island, and Vermont (as well as voters in Florida and Nevada) approved higher state minimum wages.

While Bush sided with the prescription drug manufacturers on a host of policies to maintain high drug prices, nearly every state has taken some action to lower drug prices, led especially by Maine, Hawaii, Illinois, Michigan, and Vermont.

While the federal Food and Drug Administration refused to make emergency contraceptive pills (ECPs) more accessible, Hawaii and Maine enacted laws to make ECPs available from pharmacists without a prescription, and New York and New Mexico required hospital emergency rooms to provide ECPs to rape victims.

And while the administration encouraged companies to plunder our natural resources, states have enacted dozens of pro-environment laws: lowering fuel emissions, cleaning up power plants, banning mercury, requiring energy efficiency, mandating recycling, and restricting greenhouse gasses.

Progressives have even won victories in “red” states: Georgia cracked down on payday lending; Idaho allowed some juvenile offenders to get criminal records expunged; Kansas and Oklahoma sanctioned in-state tuition at state colleges for undocumented immigrants; Tennessee became the first state to enact an anti-offshoring statute; and Utah repealed term limits (McFeeley).

Obviously, building on these victories will take significant energy and focus on state and local issues, but several organizations like Democracy for America, the Center for Policy Alternative Strategy, the Progressive Democratic Majority coalition, ACORN, and other groups are keenly focused on local issues as they work toward coalitions on national ones. In addition, there were other positive features for progressives in the 2004 election. As Evan Derkacz points out in “Bright Spots”:

The seven Democratic senators who voted against the Iraq war all won reelection—and they did it by an average margin of nearly 30 percent.

Anti-war Democrat senators who won:

Barbara Boxer-California-58 percent-38 percent  
 Daniel Inouye-Hawaii-76 percent-21 percent  
 Barbara Mikulski-Maryland-65 percent-34 percent  
 Patty Murray-Washington-55 percent-43 percent  
 Russ Feingold-Wisconsin-55 percent-44 percent  
 Ron Wyden-Oregon-63 percent-32 percent  
 Pat Leahy-Vermont-71 percent-25 percent

Zoom in and the point becomes even clearer. In Oregon, where Kerry, who voted for the war, won by a mere 4 percent, Oregon Sen. Ron Wyden won by over 30 percent “despite” his vote against it. Wisconsin, which was too close to call on

election night, didn't take very long to declare Russ Feingold, who voted against the war (ignoring warnings from his staff), the winner. He won by 11 percent. Writer John Stauber concludes, "The lesson is this: Russ Feingold proves that an antiwar, populist Democrat, a maverick campaigning to get big money out of politics, can win and win big." These statistics should strike fear out of the Democrats the next time issues of war and peace are on the table. Maybe, just maybe, if they can persuade the Democratic establishment to disabuse itself of the mistaken belief that reelection comes to those who adopt the safest position, rather than to those who make a strong case for the values they hold most dear, it has a shot at being relevant in the 21st century.[9]

Derkacz also points out that Howard Dean's "Democracy for America" picked progressive candidates in state and local campaigns all over the country and 31 of the 102 Dean Dozen candidates won, including:

The mayor of Republican-dominated Salt Lake City, Utah, is now a Democrat.

Openly gay candidate, Nicole LeFevre, won a seat in the Idaho state legislature.

In heavily Republican Alabama, progressive Anita Kelly was elected as Circuit Court Judge.

In Florida, a first time, Dean-inspired candidate, Susan Clary, won as Soil and Water Conservation District Supervisor.

Montana's governor is now a Democrat, Brian Schweitzer.

Heavily Republican New Hampshire elected Democrat John Lynch, kicking the incumbent and ethically challenged Governor Benson out of office.

Arthur Anderson won the race for supervisor of elections in electorally challenged Palm Beach County, Florida.

Suzanne Williams won a state senate seat in Colorado, giving the upper house a Democratic majority.

In North Carolina, openly gay Julia Boseman was one of several Democrats to defeat Republican incumbents to take back control of the State House (Derkacz).

As noted, there were progressive measures passed in so-called red and blue states on raising the minimum wage, increasing funding for education, expanding health care programs, funding stem-cell research, and opposing a cap on property taxes. On the environment, of the League of Conservation Voters (LCV) 18 "Environmental Champions," all 18 won. In the eight congressional races that LCV focused on, seven environmentally "dirty" candidates went down to defeat. Hence, although there were dispiriting conservative trends in the national elections, there were many local examples that demonstrated a progressive base exists in the United States. But perhaps the underlying story of the election is that once again, as in Election 2000, the United States suffered from a dysfunctional electoral system, open to fraud, corruption, and confusion. Until there is radical change of the U.S. election system, democracy in the United States will continue to be in severe crisis.

## **A Dysfunctional Electoral System**

The essence of democracy is the confidence of the electorate in the accuracy of voting methods and the fairness of voting procedures. In 2000, that confidence suffered terribly, and we fear that such a blow to our democracy may have occurred in 2004.

—John Conyers, Jr., Jerrold Nadler, Robert Wexler,  
*Members of the U.S. House Judiciary Committee*

In retrospect, it is tragic that John Kerry conceded so quickly because challenging the voting system, insisting that all votes be counted, pointing to well-documented examples of voter suppression, demonstrating problems with machines that do not provide accurate counts, and dramatizing the dangers of computer hacking to fix elections could have produced impetus to reform the system. As critics have pointed out, Elections 2000 and 2004 produced more than three million spoiled ballots that could not be read by voting machines, generally because old machines often malfunction; 75 percent of the machines in Ohio were of this vintage. A hand-count of these votes could have

made a difference. There were also thousands of provisional ballots to be counted in Ohio, many absentee ballots, and many irregularities to check out. It would have been important to carry out close examinations of the computer voting machines in Ohio and Florida to see if they provided accurate results.[10]

Examining voting machines could lead to voting reforms, such as those in California and Nevada, which required more transparency in the process, a paper trail to scrutinize in the case of a disputed election, and attempts to block voter fraud. There should be increased efforts to enable voter access and prevent voter suppression. Voting and counting procedures should be transparent, uniform, safe, and efficient. There should be agreed-upon recount procedures, criteria to count contested votes, and scrutiny of the process by members of both parties and professional election officials.

The problems with the U.S. election system, however, go far beyond the machines. The dysfunctional result evident in Election 2000 and 2004 reveal problems with the arguably outmoded electoral college system and the problematical nature of the U.S. system of proportional voting. Many citizens were surprised to learn in the disputed Election 2000 that the electoral college involved a system whereby those chosen to vote in the ritual in which the president was chosen did not necessarily have to follow the mandate of the voters in their district. In practice, state legislatures began binding electors to the popular vote, although as was abundantly clear in Election 2000, “faithless electors”—electors who vote for whomever they please—were theoretically possible. (Half of the states attempt to legally bind electors to the popular vote in their state, but it would still be possible for an elector to shift his or her vote, a dangerous outcome for a genuinely democratic society and a possibility much discussed after Election 2000.) “Electors” are rather mysteriously chosen in any case and this process should be examined and fixed.

Initially, the electoral college was part of a compromise between state and local government. Allowing electors to choose the president provided guarantees to conservatives who wanted the electoral college to serve as a buffer between what they perceived as an unruly and potentially dangerous public and the more educated and civic-minded legislators who could, if they wished, overturn votes by the people. Originally, the U.S. Congress was also elected in this manner. But in 1913 a constitutional amendment led to direct election of senators. Many argue this should also be the model for presidential elections. The current electoral college system, as critics have maintained, is based on eighteenth-century concerns and is arguably obsolete and in need of systematic reconstruction in the twenty-first century.

Moreover, the proportional representation system in the electoral college has serious problems that surfaced in the heated debates over Election 2000. Smaller states are disproportionately awarded with Electoral College votes, so that voters in less populated states such as Idaho or Wyoming have more proportionate influence in choosing the president than in states such as California or New York. As Jim Hightower notes, Wyoming’s electors and proportionate vote represent 71,000 voters each, while Florida’s electors each represent 238,000.[11] In New York, 18 million people now get 33 electoral votes for the presidency, but fewer than 14 million people in a collection of small states also get 33. As Duke University’s Alex Keyssar argued in a November 20, 2000, *New York Times* op-ed piece, disproportionate weighting of the votes of smaller states violates the principle of one person, one vote, which according to a series of Supreme Court decisions in the 1960s, lies at the heart of U.S. democracy. “To say that a vote is worth more in one district than in another would run counter of our fundamental ideas of democratic government,” the Court announced in 1964. “Legislators,” wrote Chief Justice Earl Warren, “represent people, not trees or acres.” Thus, the current system of proportionate state votes where all states get two votes and then the rest are divided according to population is unfair. A more reasonable system would simply allot states proportionate votes according to their populations, so that each vote throughout the nation would be equal in choosing a president.

Further problems with the U.S. electoral college and system of proportional representation involve the winner-take-all rule operative in most states. As the Election 2000 Florida battle illustrates, in a winner-take-all system, 100 percent of the state’s electoral votes goes to a 50.1 percent majority in presidential elections (or less if there were more than two candidates, as is increasingly the case in presidential elections). Maine and Nebraska are exceptions, and it would be possible to follow their example and to split presidential state votes proportionately according to the actual percentage of votes candidates get in each separate state, rather than following the winner-take-all rule, where a handful of votes in a state such as Florida, or Ohio, gives the entire state, and even the election, to one candidate.

Hence, the Electoral College and U.S. system of proportional representation should be seriously debated and reforms should be undertaken if U.S. democracy is to revitalize itself in the coming years after the debacle of 2000 and persistent questions concerning 2004. As many have argued, there are strong reasons for proportionate representation in U.S. presidential elections.[12] However, separation of election officials from political operatives

and the training of professional, nonpartisan election workers should also be on the reform agenda. In Election 2000, Florida Secretary of State Katherine Harris, also head of the Bush-Cheney ticket in Florida, did everything possible to steal the election from Al Gore, and in 2004, Ohio Secretary of State Kenneth Blackwell played a similar role. [13] To deal with all of these problems, a high-level commission could be appointed to study how to modernize and update the system of electing the president in the United States. Since the political establishment cannot be counted upon to undertake these reforms, it will be necessary for constituencies—academic, local, and national—to devise reforms for the seriously challenged system of “democracy” in the United States.

Furthermore, it is clear that money has corrupted the current electoral system and that campaign finance reform is necessary to avoid overwhelming influence by lobbies, corporations, and the corruption that a campaign system fueled by megabucks produces. The current election system, in which millions of dollars are needed for a federal election, ensures that only candidates from the two major parties have a chance of winning, that only candidates who are able to raise millions of dollars can run, and that those who do run and win are beholden to those who have financed their campaigns—guaranteeing control of the political system by corporations and the wealthy.

In Elections 2000 and 2004, the excessive amount of money pumped into the \$3-billion-plus electoral campaigns guaranteed that neither candidate would say anything to offend the moneyed interests funding the election, and would thus avoid key issues of importance and concern. The debts accrued by the two major parties to their contributors were obvious in the initial appointments made by the Bush-Cheney Election 2000 transition team, which rewarded precisely those corporations and supporters who financed the Bush presidency. The Bush administration provided legislative awards for its major contributors, allowing the big corporations that supported them to write Bush administration energy and communication policy and to help draft legislation for deregulation that served their interests, in effect allowing big contributors to make public policy (see Kellner [2001], 187ff.).

In 2001, a McCain-Feingold finance reform bill was passed, but it has been continually watered down and is unlikely to reform U.S. political funding. Indeed, a record amount of money was raised for the 2004 election as loopholes were exploited to create new types of fundraising and political action groups. Thus, there is a definite need for public financing of elections. Four states currently allow full public financing for candidates who agree to campaign with fundraising and spending limits (Arizona, Maine, Massachusetts, and Vermont), and this would be a splendid model for the entire nation.<sup>10</sup> Public financing for elections at local, state, and national levels would only be viable in a media era with free national television, free access to local media, and Internet sites offered to the candidates. Hence, the television networks should be required to provide free national airtime to presidential candidates to make their pitches, and television-paid political advertising should be eliminated (see the elaboration of this argument in Kellner 1990). The broadcasting networks were given a tremendous bonanza when the Federal Communications Commission provided a wealth of spectrum to use for digital broadcasting, doubling the amount of space it licensed to television broadcasters with estimates of the value of the space costing up to \$70 billion. Congress failed to reestablish public service requirements that used to be in place before the Reagan-Bush-Clinton deregulation of telecommunications. As fair payback for the broadcast spectrum giveaway, broadcast media should provide free airtime for political discourse that strengthens democracy.

Efforts were made to get the television networks to enable the public to get free messages from the candidates, but they were defeated. President Clinton appointed an advisory panel to assess how to update public service requirements of television broadcasts in the wake of the spectrum giveaway. The panel recommended that television broadcasters voluntarily offer five minutes of candidate-centered airtime in the 30 days before the election. Clinton proposed this recommendation in his 1998 State of the Union address, but broadcasters fiercely rejected the proposal. In the Senate, John McCain and Conrad Burns announced that they would legislatively block the FCC's free airtime initiative. In fact, political advertising is a major cash cow for the television networks who regularly charge political candidates excessively high rates, although they are supposed to allow “lowest unit charge” (LUC) for political advertising. Such LUC rates, however, mean that the ads could be preempted, and desperate campaigns want to make sure that they get their advertising message out at a crucial time and thus are forced to pay higher rates. [14]

Voter rights initiatives also need to be carried forth to prevent voter suppression and provide adequate voting machines to all precincts, independent of their wealth or political connections. Once again in 2004, the Republicans practiced systematic voter suppression, challenging voters at the polls and intimidating potential voters in a myriad of ways. In addition, once again there were a shocking lack of voting machines and personnel, especially in swing minority and student precincts that typically vote Democratic. There should be strong penalties for voting suppression, fraud, too few voting machines, and inadequate poll staffing.[15]



There also should be a National Voting Day holiday, as many countries have, so that working people can vote without economic penalty. One of the scandals of Election 2004 was the terribly long lines in minority and working-class neighborhoods in Ohio and elsewhere, due to inadequate numbers of voting machines and not enough polling staff. There were reports in Ohio of lines lasting hours (especially in heavily Democratic neighborhoods), forcing many to leave the lines to return to work. This is an intolerable situation in a democracy, and efforts should be made to maximize voting access; to simplify voting procedures; and to provide adequate, trained, and nonpartisan election staff as well as reliable and trustworthy machines.

In addition, schools should provide, as Dewey argued (1917), citizenship education as well voter literacy. Ballots are often highly complex and intimidating and there should be efforts to begin educating people of all ages and walks of life on how to vote. Better designed ballots and more reliable voting systems are obviously a prerequisite for voting reform, but individuals need to be better informed on how to vote and what the specific issues are on ballots, ranging from local to state and national issues.

There is little doubt that U.S. democracy is in serious crisis, and unless there are reforms, its decline will accelerate. Although voter participation increased from an all-time low in 1996 of 49 percent of the eligible electorate to 51 percent in Election 2000 and 60 percent in Election 2004, this percentage is still fairly low. The United States is on the low end of democratic participation in presidential elections among democracies throughout the world. Obviously, much of the country remains alienated from electoral politics despite hotly contested elections in 2000 and 2004.

## **Onwards!**

Democracy requires informed citizens and access to information and thus the viability of democracy is dependent on citizens seeking out crucial information, having the ability to access and appraise it, and to engage in public conversations about issues of importance. Democratic media reform and alternative media are thus crucial to revitalizing and even preserving the democratic project in the face of powerful corporate and political forces. How media can be democratized and what alternative media can be developed will of course be different in various parts of the world, but without a democratic media politics and alternative media, democracy itself cannot survive in a vigorous form, nor will a wide range of social problems be engaged or even addressed.

Reinvigorating democracy also requires a reconstruction of education with expanded literacies, democratized pedagogies, and education for citizenship. As John Dewey long ago argued (1917), education is an essential prerequisite for democracy and public education should strive to produce more democratic citizens. A reconstruction of education also requires cultivating media, computer, and multiple literacies for a computer-based economy and information-dependent society (Kellner 2002; Kellner 2004). In an increasingly technological society, media education should become an important part of the curriculum, with instruction focused on critical media and computer literacy as well as on how to use media for expression, communication, and social transformation.

Alternative media need to be connected with progressive movements to revitalize democracy and bring an end to the current conservative hegemony. After the defeat of Barry Goldwater in 1964 when conservatives were routed and appeared to be down for the count, they built up a movement of alternative media and political organizations; liberals and progressives now face the same challenge. In the current situation, we cannot expect much help from the corporate media and need to develop ever more vigorous alternative media. The past several years have seen many important steps in the fields of documentary film, digital video and photography, community radio, public access television, an always expanding progressive print media, and an ever-growing liberal and progressive Internet and blogosphere. While the right has more resources to dedicate to these projects, the growth of progressive democratic public spheres has been impressive. Likewise, the energy, political organization, and finances mobilized to attempt to defeat the Bush-Cheney Gang were impressive, but more needs to be done to defeat the conservatives, building on the achievements of the past years.

The agenda for the Left the next four years involves sustained struggle against Bush administration policies to help to bring the most right-wing regime in recent U.S. history to an end, and to fight for a revitalization of democracy and a progressive agenda. To conclude, I'd like to quote a passage from Tony Kushner's recent play *Caroline, or Change*. The play is set in the 1960s at the time of the Kennedy assassination when much of the world looked to the United States as a beacon of hope and to the Kennedy administration as an instrument of progress. Coming out of the civil rights struggles, there was new hope that democracy and freedom really were on the march

and that reactionary forces were being defeated, making one proud to be an American. In the play's epilogue, Caroline's teenage daughter talks of how she and some friends had just torn down a Civil War statue, signifying the legacy of racism, and she declared

You can't hold on, you nightmare men,  
Your time is past now on your way  
Get gone and never come again!  
For change come fast and change come slow but  
Everything changes!  
And you got to go!

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## Endnotes

1. Paul Krugman, "The Dishonesty Thing," *New York Times*, September 10, 2004.

2. Bob Herbert, "How Many Deaths Will It Take?" *New York Times*, September 10, 2004.

3. See the analysis of the polls in the *New York Times* special Election 2004 section on November 4, 2004, and the CNN Election Results analysis of voting patterns at <http://www.cnn.com/ELECTION/2004/>. As I indicate below, there was later questioning of some of the initial exit polling results.

4. A 2005 GAO report that strongly suggests, what many of us have long suspected, that computer voting machines were highly unreliable and could have easily been rigged, see Bob Fittrakis & Harvey Wasserman, "Powerful Government Accounting Office report confirms key 2004 stolen election findings," at <http://www.smirkingchimp.com/article.php?sid=23354&mode=nested&order=0>.

5. See the analysis by Ira Chernus, "Voting Their Fears," at <http://progressive.trail.org/articles/041214Chernus.shtml>. Chernus notes:

The news told us ad nauseam that 22 percent of the voters chose "moral values" as their number one issue. But the real news is that this is a historically low number. It was 35 percent in 2000 and 40 percent in 1996. In the exit polls, when asked what one quality they wanted most in a president, only 8 percent chose "religious faith." Among those who called themselves "heavy churchgoers," Bush did no better in 2004 than in 2000. What about the states that passed gay-marriage bans, often cited as crucial for the Bush win? They gave Bush 57.9 percent of their votes; the other states, totaled, gave him only 50.9 percent—a 7-point margin for Bush. But four years ago, Bush's share in these same states was 7.3 points higher than in the other states.

In a Pew poll taken just a few days after the election, voters were asked to choose from a list of factors that influenced their votes. Twenty-seven percent chose moral values; 22 percent chose Iraq. But when they were asked to name their most urgent issue (with no list to

choose from), 27 percent named Iraq and only 9 percent moral values.

When a postelection *New York Times*-CBS News poll asked: "What do you think is the most important problem facing this country?"—only 5 percent chose either moral values or abortion. Only 8 percent said yes to: "Should government officials try to use the political system to turn their religious beliefs into law?" Eighty-five percent said no. (Ten years ago, 23 percent had answered yes to the same question.) "Which worries you more, public officials who don't pay enough attention to religion and religious leaders, or public officials who are too close to religion and religious leaders?" Thirty-five percent worried about not enough attention to religion; 51 percent worried about leaders paying too much attention.

And here's another little anomaly to take into consideration: Bush voters are more liberal than the media would have us believe. Nearly half of them worry most about public officials who are too close to religion. In the exit polls, about 22 percent of them favor gay marriage and 52 percent would legalize gay or lesbian civil unions. Twenty-five percent of Bush voters want no restriction on a woman's right to choose; another 38 percent think abortion should be legal in most cases.

The often-quoted statistic about "moral values" begs the question of how voters interpreted those key words in post-election polls. In a Zogby poll, 68 percent of self-identified "liberals" said that "faith and/or morals" were important in deciding their vote (14 points higher than "moderates"). When voters were asked to identify the single greatest moral crisis facing America, one-third selected "materialism and greed" and 31 percent chose poverty, while the combined total for abortion and same-sex marriage was only 28 percent. In the Pew poll, only about 40 percent of those who said "moral values" influenced their vote named gay marriage or abortion as their highest concern. Pew pollster Andrew Kohut summed it up: "We did not see any indication that social conservative issues like abortion, gay rights, and stem cell research were anywhere near as important as the economy and Iraq." In addition, voters for Bush

chose their pocketbook and not necessarily religion in many cases, since in the 2004 election, 58 percent of those making more than \$100,000 a year voted for Bush, compared to 54 percent in 2000. This income group made up 18 percent of the electorate in 2004, up from 15 percent in 2000.

6. In Molly Ivins' summary:

In further unhappy evidence of how ill-informed the American people are (blame the media), the Program on International Policy Attitudes found Bush supporters consistently ill-informed about Bush's stands on the issues (Kerry-ans, by contrast, are overwhelmingly right about his positions). Eighty-seven percent of Bush supporters think he favors putting labor and environmental standards into international trade agreements. Eighty percent of Bush supporters believe Bush wants to participate in the treaty banning landmines. Seventy-six percent of Bush supporters believe Bush wants to participate in the treaty banning nuclear weapons testing. Sixty-two percent believe Bush would participate in the International Criminal Court. Sixty-one percent believe Bush wants to participate in the Kyoto Treaty on global warming. Fifty-three percent do not believe Bush is building a missile defense system (a.k.a. "Star Wars").

The only two Bush stands the majority of his supporters got right were on increasing defense spending and who should write the new Iraqi constitution.

Kerry supporters, by contrast, know their man on seven out of eight issues, with only 43 percent understanding he wants to keep defense spending the same but change how the money is spent, and 57 percent believing he wants to up it. Molly Ivins, "Clueless People Love Bush," October 27, 2004, at <http://www.smirkingchimp.com/print.php?sid=18432>.

7. See the sources in Note 3.

8. Tim McFeeley, "Progressive Incubators," November 5, 2004, at [http://www.tompaine.com/articles/progressive\\_incubators.php](http://www.tompaine.com/articles/progressive_incubators.php).

9. Evan Derkacz, "Bright Spots," *Alternet*, November 10, 2004.

10. For a wide range of materials on voter suppression, machine malfunctions, potential fraud and corruption, and thousands of voting problems in Election 2004, see the sources at <http://www.ejfi.org/Voting/Voting-1.htm>; <http://www.votersunite.org>; <http://www.openvotingconsortium.org>; <http://www.demos-usa.org>; and <http://www.verifiedvoting.org>; and <http://www.blackboxvoting.org>. The only mainstream media figure following the 2000 voting fraud and corruption controversy was MSNBC's Keith Olbermann on his nightly news show *Countdown* and in his blog *Bloggermann* at <http://www.msnbc.msn.com/id/6210240>.

11. See Jim Hightower's proposals after Election 2000 for Electoral College reform at [www.alternet.org](http://www.alternet.org). In his December 4, 2000 online interview, Howard Kurtz

noted that Gore would have won the Electoral College if every state received electoral votes in proportion to population: "Bush won 30 states for 271 and Gore won 21 for 267. But if you take away the two electors for each senator, and just apportion electors by number of Representatives (i.e., in proportion to population), Gore wins 225 to 211" ([http://www.washingtonpost.com/wpsrv/liveonline/00/politics/media\\_backtalk120400.htm](http://www.washingtonpost.com/wpsrv/liveonline/00/politics/media_backtalk120400.htm)).

12. In a chapter on "Electoral Reform" after Election 2000, Ceaser and Busch (2001) lay out the case for a proportional representation system, as opposed to a direct popular majority vote electoral system, but do not consider the strong arguments that I cite above to eliminate the "unfaithful elector" problem by mandating direct presidential voting, nor do they take seriously arguments against the current U.S. system of proportional voting with its winner-take-all electoral vote system. In any case, in the current political climate, there is little pressure for major electoral reform, although on the local level there have been attempts to require updating of voting machines, streamlining of voting processes, stipulation of recount procedures, and other technical changes to avoid a recurrence of the debacle of the 2000 election in Florida; unfortunately, efforts to replace punch-card and optical-scan ballots with computerized voting machines may have made matters worse, necessitating another cycle of reform.

13. See Jack Miles, "The Unholy Alliance Against the Filibuster," *Los Angeles Times*, April 27, 2005 and Douglas Kellner, "The Media and Death: The Case of Terri Schaivo and the Pope," *Flow*, Vol. 2, Nr. 3 (May 2005) at <http://idg.communication.utexas.edu/flow/?jot=view&id=745>.

14. On the need for public financing of elections, see Nick Nyhart and Joan Claybrook, "The Dash for Cash: Public Financing Is the Only Way to End the Unfair Tilt of the 'Wealth Primary,'" *Los Angeles Times*, April 27, 2003. The authors' groups Public Campaign and Public Citizen have been working for public financing of elections.

15. On the history of efforts to reform television advertising, see Charles Lewis, "You Get What You Pay For: How Corporate Spending Blocked Political Ad Reform and Other Stories of Influence," in Schechter (2001), pp. 62-73; and the Alliance for Better Campaigns, "Gouging Democracy: How the Television Industry Profiteered on Campaign 2000," in Schechter (2001), pp. 77-92. In another important article in Schechter (2001), Lawrence K. Grossman notes that one of broadcasting's "dirty little secrets" is its "sustained and high-priced lobbying against finance reform" (p. 75).

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