

The Machinery of Politics

*Six Ideas for Building Reliable Democracy
in the United States*

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*To the Americans born from 1990 to 2030,
who will either rebuild American Democracy,
or who will watch its final collapse and consumption.*

“Democracy is a *constant* struggle.”

Noam Chomsky

“Big business is largely in control of the machinery of government. If corporate America understood its long-term interest, it would use this moment to establish in the public’s mind the principle that business can be trusted. But it’s doing the opposite, and the danger for American business as a whole is profound.”

former Secretary of Labor Robert B. Reich
I’ll Be Short: Essentials for a Decent Working Society, page 28, 2002

“Without the spirited interaction of people speaking their minds, democracy dries up. In our current politics, as conformist and as dominated by money as it is, that kind of democratic vitality is sometimes hard to imagine. Yet the institutional machinery is there, awaiting the reforms of an awakened citizenry.”

former U.S. Senator Bill Bradley
The New American Story, page 334, 2007

“The story of America isn’t about people who quit when things got tough. It’s about people who kept going, who tried harder, who loved their country too much to do anything less than their best.”

President Barack Obama
Back to School Address
September 8, 2009

“Indifference is the essence of inhumanity.
Indifference to evil is more insidious than evil itself.”

Cornel West
October 26, 2009

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Introduction

Americans Have No Rights

Yes, you read that correctly. *Americans have no rights*. At first glance, this fact seems so opposed to everything that Americans believe about their rights as citizens that many will think I write this out of hatred, disloyalty, or insanity. Many will immediately react with the idea that their ancestors fought a war to defend their rights (as described in the Declaration of Independence) and that they later built a strong Federal government in part to legally protect those rights (listed in the Constitution's first ten Amendments, commonly known as the "Bill of Rights"). These are true. But the ugly fact is that Americans have willingly given up the defense of their rights since at least 2001, through the USA P.A.T.R.I.O.T. Act of 2001 and the Military Commissions Act of 2006. Blinded by fear after the September 11th attacks, Americans accepted the argument that the best way they could be patriotic citizens was to give up their political, social, and civil rights.

Five of the most important rights have, for all intents and purposes, ceased to exist. The First Amendment says that Congress cannot rescind "the right of the people peaceably to assemble, and to petition the Government for a redress of grievances,"¹ but that right is obviously revoked when political protestors are arrested simply for gathering outside of trade summits (such as the World Trade Organization Conference in Seattle in

¹ "The Constitution of the United States" in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton (Mineola, New York: Dover Publications, Inc., 2000), page 25. The entire document can be viewed at http://www.archives.gov/exhibits/charters/constitution_transcript.html.

1999)² and political conventions (such as the 2004 Republican National Convention in New York).³ The Fourth Amendment says “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”⁴ These protections are powerless when the U.S. public allows their government to search telephone, e-mail, hospital, and even library records without first having to get the search warrants described in the Amendment. The government even now claims the right to enter our homes while we are away, search the premises, and seize items without search warrants or even the requirement to later tell us that they were there. These are commonly known as “sneak and peak” laws.⁵ The Fifth Amendment says that “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury . . . nor be deprived of life, liberty,

² There are two Internet archives that are useful for studying the 1999 protests against the WTO meeting in Seattle. The first is run by the University of Washington Library, located at <http://content.lib.washington.edu/wtoweb/index.html>. The second is run by the University’s “WTO History Project,” which takes an avowedly sympathetic view of the protests and contains interview transcripts of many protestors. It is found at <http://depts.washington.edu/wtohist/>. The WTO’s view of the 1999 meetings is presented through its own website, at http://www.wto.org/english/thewto_e/minist_e/min99_e/min99_e.htm.

³ The New York Civil Liberties Union estimates that about 1,800 protestors were arrested in areas around the Republican Convention in New York City, according to information posted at <http://www.nyclu.org/rncdocs>. The site’s “RNC Arrest Worksheet,” <http://www.nyclu.org/files/RNC%20Arrest%20Worksheet.pdf>, reveals that most of these arrests were for Administrative Code Violations or Disorderly Conduct.

⁴ “The Constitution of the United States,” page 25.

⁵ Section 213 (b) of the USA P.A.T.R.I.O.T. Act of 2001 explicitly permits investigators to “delay” notifying citizens that search and seizure warrants have been issued against them. This section gives courts the authority to delay such notification if telling the targeted people would endanger agents’ ability to seize the information or evidence, if the warrant prohibits the seizure of “tangible” evidence but allows for the seizure of information, or simply if the court decides that there is “good cause” for not telling targeted people that their property had been searched in the past. The entire Act can be read and downloaded at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107_cong_bills&docid=f:h3162enr.txt.pdf. This is a dangerous weakening of our Fourth Amendment rights. The American Civil Liberties Union (ACLU) argues the same at <http://www.aclu.org/national-security/how-anti-terrorism-bill-expands-law-enforcement-sneak-and-peek-warrants>, while the University of Georgia Law School published a webpage that concluded similar worries at http://www.lawsch.uga.edu/academics/profiles/dwilkes_more/37patriot.html.

or property, without due process of law. . . .”⁶ These statements are clearly hollow when the government claims the right to arrest any person and hold them for any amount of time merely on based on a president’s suspicion that they were supporting terrorism.⁷ Today’s presidential powers also apparently override the Sixth Amendment’s rights of defendants at trial. “In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State . . . ; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.”⁸ The Eighth Amendment says that “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.”⁹ But, again, these supposedly guaranteed rights have been destroyed by U.S. claims to the right of arbitrary arrest, interrogations including torture, and clear executive policies of physical punishment, sleep deprivation, religious insults, and sexual humiliation.¹⁰ Clearly, the recent actions of the United States Federal Government has been to systematically undermine the human rights guaranteed by its

⁶ “The Constitution of the United States,” page 25.

⁷ Congress granted the President this power through the Military Commissions Act of 2006. Section 8 of the Act specifically says that no U.S. “court justice of judge shall have jurisdiction to hear or consider an application for a writ of habeas corpus filed by or on behalf of an alien detained by the United States who has been determined by the United States to have been properly detained as an enemy combatant or is awaiting such determination.” The next paragraph declares that no similar court has jurisdiction to hear complaints brought by detainees “relating to any aspect of the detention, transfer, treatment, trial, or conditions of confinement” In removing the habeas corpus laws that protect people from unwarranted arrest, the Act clearly ends our right to liberty. The entire Military Commissions Act of 2006 can be viewed and downloaded at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_bills&docid=f:s3930enr.txt.pdf.

⁸ “The Constitution of the United States,” page 26.

⁹ “The Constitution of the United States,” page 26.

¹⁰ There are several websites describe the U.S. abuse of prisoners at Abu Ghraib prison, located just west of Baghdad. One of the best websites is www.globalsecurity.org. This site even gives a chronology of events at Abu Ghraib (<http://www.globalsecurity.org/intell/world/iraq/abu-ghurayb-chronology.htm>) that indicates that the U.S. military took over Abu Ghraib in April 2003 and that photographic evidence of prisoner abuse surfaced only six months later. Similar accusations of prisoner torture at Guantanamo Bay have existed since 2002. Some of the worst incidents were reported by Jeremy Scahill on the news broadcast *Democracy Now!* This story is available at http://www.democracynow.org/2009/5/19/jeremy_scahill_little_known_military_thug. Despite President Obama’s promise to close the Guantanamo detention camp, many reporters are revealing that the U.S. military continues to torture prisoners, but is now doing so at Bagram Air Force Base in Afghanistan. National Public Radio (NPR) published “Is The Bagram Air Base The New Guantanamo?” in August 2009. The full article is available at <http://www.npr.org/templates/story/story.php?storyId=111855836>.

own founding document, the Constitution. Today, Americans have no access to those rights that they commonly believe are the basis of their freedom.

This is not the first time that such things have happened. Systematic destruction of human rights written into the Constitution also occurred immediately after the U.S. Civil War, which ended in 1865. Three Constitutional Amendments were quickly added in the years after the Civil War: the Thirteenth Amendment outlawed slavery in 1865, the Fourteenth Amendment made all former slaves into legal U.S. citizens in 1866, and the Fifteenth Amendment demanded that the right to vote “shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.”¹¹ However, it is historically obvious (as it was to Americans living in that time) that the rights of former slaves and other African-Americans were purposefully trampled. The economic system of tenet farming known as “sharecropping” kept southern blacks in debt for their entire lives, which was openly believed to be a new form of slavery. African-Americans throughout the country had very little access to the laws that protected other U.S. citizens, such as the rights to sit on juries, own weapons, attend well-funded schools, live in certain neighborhoods, or even live free from the fear of being murdered if they complained. Of course, they had similarly low levels of voting rights, as they were constantly kept from voting by the exact type of racial discrimination that the Fifteenth Amendment sought to end. Frederick Douglass, a former slave and perhaps the most influential African-American of the mid-1800s, wrote that there was little difference between pre-1865 slavery and the legal slavery permitted by U.S. society during and after Reconstruction (the era historians describe as the attempt to kill slavery and rebuilt the U.S. after the war ended in 1865). “Our Reconstruction measures were radically defective To the freedmen was given the machinery of liberty, but there was denied to them the steam to put it in motion The old master class . . . retained the power to starve them to death, and whenever this power is held there is the power of slavery.”¹² To Douglass, the reality of African-American slavery continued even while

¹¹ The Thirteenth, Fourteenth, and Fifteenth Amendments are listed in “The Constitution of the United States,” pages 28-29.

¹² Gary B. Nash, et al, *The American People: Creating a nation and a Society, Brief Fifth Edition, Volume II: From 1865*. (New York: Pearson Longman, 2006), pages 492-493

the Constitution proclaimed their human rights of freedom, citizenship, and voting was undeniable. Americans today must remember that such hypocrisies are not just possible, but they appear to be happening now. The Bill of Rights proclaims our freedom from worrying about being searched without permission, being arrested for no reason, being held forever, being interrogated with such brutality that we cannot define where interrogation ends and torture begins, and being given a fair and impartial trial. We must admit that today, in spite of such promises, these rights do not exist in reality. We only have as many rights as we are allowed to exercise and have access to. When those rights are denied to us, for all intents and purposes they do not exist. Today, Americans have *none* of these rights.

What is the difference between the African-American experience after 1865 and the modern experiences of today's U.S. citizens? What is the difference between slavery and the lack of rights? John Locke, an English philosopher whose ideas on government heavily influenced American Revolutionaries such as Thomas Jefferson, discussed the similarity between slavery and a general lack of rights. "[H]e that in the State of Society, would take away the *Freedom* belonging to those of that Society or Common-wealth, must be supposed to desiring to take away from them every thing else, and so be looked on as *in a State of War*."¹³ Put simply, people today generally exist in societies of common freedoms, rights, and laws. Any single person's attempt to take away the freedom of another must be seen as a grave threat. This is because the attempt of taking away freedom is only a first step in the attempt to take away "everything else," such as property and even life. In essence, Locke argued that one must defend their freedom as if their very lives are at stake. Anyone who tries to kill you has declared a personal war *against* you. Locke was even clearer in another section. ". . . I have no reason to suppose, that he, who would *take away my Liberty*, would not when he had me in his Power, take away every thing else. And therefore it is Lawful for me to treat him, as one who has put *himself into a State of War* with me, *i.e.*, kill him if I can ; for to that hazard does he justly expose himself, whoever introduces a State of War, and is *aggressor* in

¹³ John Locke, "The Second Treatise of Government," in *Two Treatises of Government*, Edited with an Introduction and Notes by Peter Laslett. (Cambridge: Cambridge University Press, 1992), Book II, Chapter III, Section 17, page 279.

it.”¹⁴ Again, Locke argued for the attack on liberty being a first step in an attack on the life of the person, which demands that the person defend their life in any way possible. This creates the “State of War” between aggressor and defender, in which the defender has the right to kill in self-defense. This is not murder because the aggressor took the risk of death when he first attempted to dominate (in taking away the rights of) another person.

The Americans of the Revolutionary era took Locke’s ideas very seriously, even accusing the British of trying to destroy the colonists’ liberties in the attempt to make the colonists into slaves.¹⁵ Today, we must view the Federal government’s rejections of American rights (as defined by the Constitution) as a similar attack on the peoples’ liberties. The people must mobilize to defend against these attacks on their rights, which could very easily lead to the destruction of all of their freedoms and the rise of an American dictatorship.¹⁶ Americans need to build a new revolution, but it must be non-violent and focused on legal changes. We need a *legal revolution* to enhance American democracy. This book proposes a series of Constitutional Amendments aimed at changing the laws that have strangled democracy in the United States. But before the people put all of their energy and hope into such a legal revolution, they must realize that they first have to make laws important again. They must first force the United States to

¹⁴ John Locke, “The Second Treatise of Government,” Book II, Chapter III, Section 18, page 280.

¹⁵ The Declaration of Independence gives a veritable laundry list of how the British King had attempted to reduce the colonies to slavery. For instance: “The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States.” “He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.” “He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.” “He has obstructed the Administration of Justice, by refusing his Assent to Laws for the establishing Judiciary powers.” These are only a few of the examples. “The Declaration of Independence” in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, 25 (Mineola, New York: Dover Publications, Inc., 2000), pages 7-8. The entire document can be viewed at http://www.archives.gov/exhibits/charters/declaration_transcript.html.

¹⁶ For more comparisons of recent U.S. history to the rise of dictatorships in other countries, see Naomi Wolf, *The End of America: A Letter of Warning to a Young Patriot* (White River Junction, Vermont: Chelsea Green Publishing Company, 2007). There is also a companion DVD of *The End of America*, in which Wolf delivers a lecture explaining the comparisons with archival footage of rising dictatorships and “closing societies.”

begin a new era in which laws are more important than the individual people who write and enforce them.

Part One

The Time is NOW

1

The Social Contract, Origins to Today

U.S. citizens like to believe that their government works for them, not just in providing for their national defense but also in ways that help society by helping those in need (such as the poor). Americans have long been taught that their government fulfills these ambitions, but most Americans today realize that their government is corrupt. So corrupt, in fact, that leaders elected with clear popular mandates often seem incapable of making changes to the system or of even simply *reacting* to disaster. To understand the conflict between what the American people want and what they get from their political leaders, we must first learn why they want and expect their government to work for them. This chapter starts at that point; we will return to English philosopher John Locke, American Revolutionary Thomas Jefferson, and others to explain how the United States government was built and why its people expected it to work for their defense. From there, we can move further into understanding exactly how today's American democracy is so severely crippled with corruption, and how we can solve the problems that plague it. In the end, our goal is to figure out how to re-build the American electoral system to choose leaders that can be capable of solving the massive policy problems facing the entire nation!

Building the Social Contract

The 1700s was an exciting time for political thought. Europe experienced a self-described “Enlightenment” in which teachers and writers openly questioned religious dogmas and sought “natural laws” that they believed could provide answers to how the universe, the natural world, and even human relations work. One major result of this was to question the political systems, largely dominated by royal families and their wealthy friends, that ran most governments. Such monarchies had a long history of claiming that God had appointed them to rule however they saw fit, which often led kings to claim ever greater powers over their people.¹⁷ Even the French monarchy, in existence for 700 years and the most respected monarchy in Europe, was increasingly criticized throughout the 1700s for its growing tyranny.¹⁸ From its very beginning, Enlightenment leaders tried to think of better ways to form and run governments.

One of the first of these new theories, and by far the most important for the creation of the United States Constitution in 1787, was formulated by an Englishman named John Locke. His major books, *Two Treatises on Civil Government*, are still required reading for today’s college students who seek to understand the inspirations and workings of the Constitutional government. Locke was important because his second book, the *Second Treatise*, quickly explained how governments came into existence and why they are necessary. First, he said that men had been at war with one another since the days of cavemen, fighting over resources, wealth, and power. Locke called this the “State of Nature” because it was every man for himself, often fighting his neighbors and even family members for dominance. Of course, all people were in danger of being attacked because there was nothing to stop men from committing murder, rape, theft, and other results of greedy human immorality. This was a society in which, literally, only the strongest survived. If an individual was not strong enough to win a fight, then they had to find another way of guaranteeing protection for themselves and their children. “The

¹⁷ Dorinda Outram gives a useful introductory discussion of the Enlightenment and its various ideas. Dorinda Outram, *The Enlightenment* (Cambridge: Cambridge University Press, 1995).

¹⁸ The clearest example of an attack against the French monarchy during the Enlightenment was given by a French politician, the Baron de Montesquieu, in 1748. For more information, see Baron de Montesquieu, Charles de Secondat, *The Spirit of Laws* (Amherst, New York: Prometheus Books, 2002).

only way whereby any one devests himself of his Natural Liberty, and puts on the bonds of Civil Society is by agreeing with other Men to joyn and unite into a Community, for their comfortable, safe, and peaceable living one amongst another, in a secure Enjoyment of their Propterities, and a greater Security against any that are not of it.”¹⁹

Quotes written so far back in history often need to be translated for today’s reader. This passage begins by describing people as they lived in ancient times, constantly at war with each other over resources. To defend themselves, they often had to kill an attacker. Locke called such self-defense a “Natural Liberty” which, obviously, men are not willing to give up unless they have some guarantee of not being attacked in the first place. Why would anyone give up their right to defend themselves if they still feel threatened? Locke’s solution to this dilemma is equally clear: men create a “Community” for mutual protection. Put simply, men join together to add their individual power together for the protection of all men equally. When such communities become very large, numbering perhaps hundreds of people, they have to choose leaders to write laws and police their new society, which give further guarantees of not being attacked. Locke called such gatherings and legal structures a “Civil Society” because they create civil government.

In taking these actions, men do not just build governments to protect themselves against foreigners. Invasion from outside the community (“they that are not of it”) was a major problem, but it was not the only threat. Men also understand that others *within* the community may try to steal, murder, or do other violent things to increase their individual wealth and power. This also needs to be stopped, so Locke wrote that “comfortable, safe, and peaceable living one amongst another” was a major goal. This required writing laws and creating a police power to enforce laws and punish offenders. The secure protection of all individuals, not just from foreign invasion but *also from crimes committed by other members of the community*, demanded the creation of civil government. The Enlightenment came to call such deals a “social contract.”

¹⁹ John Locke, “The Second Treatise of Government,” in *Two Treatises of Government*, Edited with an Introduction and Notes by Peter Laslett. (Cambridge: Cambridge University Press, 1992), Book II, Chapter VIII, Section 95, page 331.

Locke's writings directly inspired the leaders of the American Revolution. Instead of merely stating that men gather into political societies for mutual protection, Thomas Jefferson also wrote that they have a natural, God-given right to equality. As the main author of the American Declaration of Independence from Great Britain, Jefferson wrote passionately and logically for the natural rights of humans. "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed, by their Creator, with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness.—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness."²⁰ Not only are humans given "unalienable Rights" (meaning rights that men could never willingly give away or have taken from them by force), but men have created governments to ensure protection of these rights. To Jefferson and countless other thinkers, the protection of these rights was most likely to ensure the safety and happiness of all citizens in the community. However, as Jefferson wrote next, any government that is ineffective in protecting these rights proves itself useless (and possibly even destructive) to the community. Such governments should be overthrown and replaced with a new structure. "But when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evinces a Design to reduce [the people] under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security."²¹ Enlightenment writers used the word "despotism" to describe royal tyrants; we call them totalitarians today. Jefferson's Declaration went on to later describe the King of Great Britain to literally be a tyrant.²²

²⁰ "Declaration of Independence: July 4, 1776" in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, (Mineola, New York: Dover Publications, Inc., 2000), pages 6-7.

²¹ "Declaration of Independence: July 4, 1776," page 7.

²² The Declaration of Independence gives a veritable laundry list of how the British King had attempted to reduce the colonies to slavery. For instance: "The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States." "He has refused to pass other Laws for the accommodation of large districts of people,

Such powerful statements in defense of natural human rights inspired the Americans to win a war against the most powerful Empire of the time. A few years later, after several economic crises, some American leaders decided they needed a stronger central government to solve national problems. Their eventual creation, the Constitution, again emphasized the importance of community protection under civil government. “We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this constitution for the United States of America.”²³ The social contract’s emphasis on “domestic tranquility” and the “general welfare” were the primary reasons given for creating the new Federal government.

The theory of social contracts continued to inspire Americans to make new laws, and change old ones, to extend protection and open opportunity to an increasing number of citizens. President Theodore Roosevelt led a Progressive movement to enact several such laws from 1901 to 1909, and later justified his policies and even argued for a stronger movement into the future. “In every wise struggle for human betterment one of the main objects, and often the only object, has been to achieve in large measure equality of opportunity. In the struggle for this great end, nations rise from barbarism to civilization, and through it people press forward from one stage of enlightenment to the next. One of the chief factors in progress is the destruction of special privilege.”²⁴ Roosevelt demanded that the social contract, now long established in merely protecting

unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.” “He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.” “He has obstructed the Administration of Justice, by refusing his Assent to Laws for the establishing Judiciary powers.” These are only a few of the examples. “The Declaration of Independence” in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, 25 (Mineola, New York: Dover Publications, Inc., 2000), pages 7-8. The entire document can be viewed at http://www.archives.gov/exhibits/charters/declaration_transcript.html.

²³ “The Constitution of the United States: September 17, 1787” in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, (Mineola, New York: Dover Publications, Inc., 2000), page 11.

²⁴ Theodore Roosevelt, “The New Nationalism,” a speech given in August 1910 in Osawatomie, Kansas. The full text of the speech can be found at <http://teachingamericanhistory.org/library/index.asp?document=501>.

citizens from personal attack, should also seek to create fully equal opportunities by destroying the special, protected powers that the wealthy elite enjoy. For Roosevelt, the creation and expansion of equal rights defined the rise of peoples from the violence of ancient times to the heights of peaceful and enlightened civilization.

Today's U.S. politicians continue to invoke the ideals of the social contract. Bill Bradley, a former U.S. Senator from New Jersey, recently wrote that governments are created to protect the weak and provide for the poor "in amounts that can make a difference."²⁵ Robert Reich, Secretary of Labor in President Clinton's administration, was far more descriptive in his own recent book. "[N]ations are not passive victims of economic forces. Citizens can, if they so choose, assert that their mutual obligations extend beyond their economic usefulness to one another, and act accordingly. Throughout our history the United States has periodically asserted the public's interest when market outcomes threatened social peace We did part of this through laws, regulations, and court rulings, and part through social norms and expectations about how we wanted our people to live and work productively together. In short, this nation developed and refined a strong social contract, which gave force to the simple proposition that prosperity could include almost everyone."²⁶ Reich argued that the American interpretation of the social contract had evolved in the 1900s, expanding beyond the ancient needs of protection against crime to be based instead on equal economic opportunity and protection of the people. As Roosevelt said nearly a century before, Reich's vision of the social contract demands that nearly all citizens share in the nation's economic growth and security.

The Machinery of Politics, and Its Problems

Many thinkers since the 1700s have described politics as a type of machine, a government structure created by men to efficiently produce such a desired society. Societies run by democratic governments should logically focus on enacting the social

²⁵ Bill Bradley, *The New American Story* (New York: Random House, 2007), page 21.

²⁶ Robert B. Reich, *I'll Be Short: Essentials for a Decent Working Society* (Boston: Beacon Press, 2002), pages 10-11.

contract described by Locke and Jefferson, and later by Roosevelt and Reich. Why would people *not* vote for candidates who promise equal rights and expanded opportunities for the masses? It makes no logical sense for people to vote against their own economic and social needs. This is why democracy is so often held up as the greatest political system designed by humans. In theory, democracy should ensure that societies are peaceful and prosperous. Most people do not want crime, illness, or high risk in their societies, and political polls usually reveal people's desires or reliable laws, accessible health care, and social insurance systems. Most people do not want their government involved in war (often because they do not want themselves or their families sent to fight), and historians say that democracies rarely fight each other. Democratic governments usually reject war because their leaders fear being voted out of office by populations who are angry at being thrown into war unnecessarily. This is democracy's power, and it illustrates what can happen when the "machinery of politics" successfully empowers the people.

U.S. citizens are constantly told, and so commonly believe, that their government has created the most effective and powerful democracy in history. But most know that there is something terribly wrong with democracy in the United States. U.S. politicians bombard their voters with statements and images intended to prove that they support the interests of the common middle-class and poor. They present themselves as just another individual whose hard work allowed them to rise from the middle class to attain wealth. However, when these men and women win elections and go into government positions, they seem to immediately forget their campaign promises and instead support the institutional power of the wealthy elite. The general population understands that this is happening: polls revealed that 94% of 2008 voters believe that the U.S. government does not respond to the people's will, instead choosing to act in the interests of the wealthy elite.²⁷

How can this be? How can a *democratic* government, with a leadership elected by the people, refuse to respond to the popular needs and demands? Is the machine

²⁷ This statistic is given by leading political analyst and linguist Noam Chomsky in a speech given just after the November 2008 elections called "What's Next? The Elections, The Economy, and The World." The entire talk can be viewed, with transcript, at http://www.democracynow.org/2008/11/24/noam_chomsky_what_next_the_elections.

broken? No. The “machine” of government is not completely ineffective (there are still laws and social security systems, after all), but it has been hugely corrupted. The U.S. government is now so corrupt that it seems incapable of preserving justice in society. As things stand today, it will take a major social and political movement to push the U.S. government toward a truly democratic structure in pursuit of its social contract. But other such movements teach us that we cannot simply seek to tear down one structure; instead, we also must attempt to replace it with something better. The American Revolution was rare in the fact that many of its early leaders who sought to remove British imperial government also took part in creating the new Constitutional structure.

Before we can begin fixing today’s problems, we first have to know what those problems are. How is the government corrupted? What must change for it to directly reflect the will of the American people? How can we alter the political machine without destroying the Constitution’s promise to uphold the natural rights of all people? These questions must be effectively answered, and the answers put into real-world practice, if we are to save democracy in the United States.

In short, the U.S. political “machine” is corrupted by money. Today’s candidates have to raise huge amounts of money from their supporters in order to buy enough media advertising (mostly on television) to influence the voting population. But it is not common people giving money to candidates; instead, the vast majority of such campaign contributions are given by the wealthiest people in the country. These elites do not simply give money because they personally like a certain candidate. They give money because they want something back in return, which means that any candidate who wins elections by raising large amounts of money goes into office owing favors to their rich supporters. Because these wealthy donors are usually owners and executives of large and highly prosperous businesses, the favors that politicians repay are almost always in the form of legislation that will enrich their campaign donors. This is not the paranoid or angry denunciations of a political outsider. Former Congressman Cecil Heftel explained this process in the first pages of a powerful book on Washington politics.

[T]he big problem of our money-driven politics is not so much that which is *illegal*, it’s that which is *legal*. Hundreds of millions of dollars are given to political candidates by a small wealthy elite (less than 1 percent

of the population) in order to promote their own vested economic interests in public affairs—that’s the problem. . . . The simple fact is this: money not only fuels campaigns, it often decides them. Big money largely designates who runs, who wins, what issues are raised, how they are framed, and finally, how legislation is drafted.²⁸

Clearly, the fundamental problems of U.S. government corruption lie in the close connections between candidates, campaign money, and the demands that donors inflict upon our elected officials.

American politics today are so corrupted by the influence of money and media that it does not matter who wins our elections. Because corruption infects all candidates who accept large amounts of campaign cash, both Republicans and Democrats are undermined. The combination of undermined candidates and a media that refuse to cover alternative (or “third-party”) candidates is completely destructive of our democracy. If voters think they only have a choice between two candidates that are equally compromised by their need for campaign money, then *it does not matter which one of those two candidates wins the election*. Presidents and Members of Congress are compromised *before* they enter office as a result of having to constantly beg for campaign money from wealthy donors. Victory within a corrupt system will not empower leaders politically capable of the changes that today’s American democracy requires. Winning in the system we now have will only permit the continued paralysis and bankruptcy of the United States government. It is not that the constitutional machine is *broken*. Instead, it has been *redirected* to do what less than 1% of the people want. Remember what former Congressman HefTEL tells us: “the big problem of our money-driven politics is not so much that which is *illegal*, it’s that which is *legal*.”²⁹ The only way to end this self-destructive cycle of money and power is to alter the rules of politics. We have to fix the machine in ways which will finally give common voters the power to control their government. This book is intended as an outline of the major changes that we, the people, need to make.

²⁸ Cecil HefTEL, *End Legalized Bribery: An Ex-Congressman’s Proposal to Clean Up Congress* (Santa Ana, California: Seven Locks Press, 1998), pages 2-3.

²⁹ Cecil HefTEL, *End Legalized Bribery*, page 3.

Money's dominance over our political structures is the major, overwhelming problem, but it is not the only problem. The Constitution created long-term problems for democracy when it built the Electoral College as a way of deciding presidential elections and allowed Gerrymandering to dominate the House of Representatives. Both systems need to be altered. The Constitution also established Tuesday as the national voting day, which made sense in the farmer-based society of 1787 but today serves only to reduce voter turnout because most voters have to be at work all day. This also must be changed. Finally, the writers of the Constitution could not have imagined the electronic media that today dominate American political consciousness. Media must be reformed to support, rather than undermine, democracy. Perhaps the best way to empower and guarantee democracy would be to create an Internet system in which voters could review their voting record in order to ensure that their votes are being counted correctly. All of these suggestions will be explained in detail throughout this book.

Of course, those who oppose change to the American political system will accuse these ideas of being anti-democratic or even unpatriotic. Those critics refuse to mention that these ideas will strengthen democracy in the United States by giving citizens greater access to information and voting. Also, the true definition of patriotism in a democracy is to support legal systems that protect and empower the people. That is precisely what this book, and the movement it demands, attempt to do. Some will say that we hate the machinery of American democracy and intend to destroy it. But they refuse to mention that we support the Constitution; we simply argue that it must be altered to increase the sovereignty of its citizens. We are not the first to demand such changes. Former President Theodore Roosevelt made a similar demand in 1910. "[T]he representative body shall represent all the people rather than any one class or section of the people. . . . Those who oppose all reform will do well to remember that ruin in its worst form is inevitable if our national life brings us nothing better than swollen fortunes for the few and the triumph in both politics and business of a sordid and selfish materialism."³⁰ National ruin is far more advanced today than it was in Roosevelt's day (just take a look at the history of the National Debt!), but there is still a small window of time in which we

³⁰ Theodore Roosevelt, "The New Nationalism."

can fix the major problems of democracy and avoid a national cataclysm. To do this, we have to ensure that government serves the masses of its citizens, rather than the wealthiest 1% of them.

Recent Calls for Reform

Many recent books criticize the way that democracy works in the United States. What is surprising is the recent amount of criticism coming from former members of the government itself. The following works will be analyzed as a critical basis for this book:

End Legalized Bribery: An Ex-Congressman's Proposal to Clean Up Congress by Cecil Heftel. Published by Seven Locks Press in 1998. Heftel is a former U.S. Congressman from Hawaii from 1977 to 1986.

I'll Be Short: Essentials for a Decent Working Society by Robert B. Reich. Published by Beacon Press in 2002. Reich is former Secretary of Labor during President Clinton's first term, 1993 to 1997.

The New American Story by Bill Bradley. Published by Random House in 2007. Bradley is a former U.S. Senator from New Jersey from 1979 to 1996 and ran for the Democratic Party's nomination for President (against Al Gore) in 2000.

The most important recent campaign-finance reform law, the "Bipartisan Campaign Reform Act of 2002" (commonly referred to as the "McCain-Feingold Act of 2002"), is also necessary to see how effective Federal laws are in empowering citizen-based democracy. Despite the fact that these writers are commonly viewed as "liberal" voices in American political debate, there are many problems with their arguments for governmental change. Reich and Bradley offer a series of proposals for strengthening government programs regarding education, health-care, and worker retirement pensions, but are very vague on how to reform the system of electing the representatives that would be responsible for putting their suggestions into real-world effect. Reich and Bradley suggest that political corruption must end, but offer no systematic theory on how to actually end it. There are also glaring problems in Heftel's work and the "McCain-Feingold" idea. Their ideas attempt to systematically end the corruption of political

candidates by offering government financing for their campaigns (to replace and remove the influence of big business contributions that lead to government favors), but do not take into account the fact that outside forces (usually media advertising) also spend huge amounts of money to influence election results.

Both Robert B. Reich and Bill Bradley argue that money is corrupting the U.S. government to a disastrous level. For Bradley, the source of this corruption lies in the close connection between candidates for office, the campaign money they depend on, and the promises they have to make to the wealthy in order to get cash donations. As a former Senator, Bradley is intimately experienced with these pivotal faults in American democracy. He demands an overhaul of American democracy. “We need to reform the electoral process: when we vote, the rules under which we vote, how we raise money for political campaigns, how the media cover our political life. It is important to remember that sovereignty rests with the people, not the elected. Just as rain nourishes our crops, so does the attention of the people nourish our democracy. Without citizen involvement, democracy will die.”³¹ Unfortunately, Bradley offers few ideas on how to effectively reform how candidates raise money and how media cover political campaigns. This is particularly disappointing in light of the fact that he calls for “systems analysis” to be applied to the health-care industry, powerfully writing that “systemic problems require systemic, not piecemeal, remedies.”³² Why is it that the obviously systemic problem of government corruption via campaign contributions is not also addressed by a systemic solution? Bradley calls for a popular movement to overcome the corrupt powers that dominate government today: “We must mobilize a relentless campaign against corruption in both public and private life.”³³ The problem with this call for public action is that it does not give the people something solid to fight for. They have to have something solid to demand. Simply calling for a movement against corruption is not enough to *sustain* that popular movement. This book attempts to fix this omission by dedicating Part Two to proposing several systemic, structural changes that can eliminate corruption and return

³¹ Bill Bradley, *The New American Story*, pages 15-16.

³² Bill Bradley, *The New American Story*, page 136.

³³ Bill Bradley, *The New American Story*, page 54.

the power that citizens should have over their government. The American people must mobilize in support of such systemic solutions.

Robert B. Reich offers a similarly vague call for political reform, mostly focused on doing something about the close connections between big businesses and the control they exert over politicians. “[G]overnment must be free to stop companies from pursuing profits in ways that harm the public. Big companies that use their political muscle to prevent government from policing this line are, in effect, setting themselves up for much more intrusive forms of public vigilance.”³⁴ This is a good start, but the problem is that Reich does not outline a system to cut the connection between candidates, campaign money, and promises to the rich. In effect, Reich calls for increased government vigilance without outlining changes that can “free” government enough to actually *be vigilant!* Like Bradley, Reich says that a popular movement is necessary to effect campaign-finance reform, but he believes that such small changes will not be enough to strengthen democracy. “Reforming campaign-finance laws will help. But such reforms alone won’t guarantee a vibrant democracy.” Instead, Reich says that a full-scale grassroots movement of people “across class and race” is the only way “to regrow democracy.”³⁵ Again, Reich fails to describe what types of changes this grassroots movement should be dedicated to achieving. If campaign-finance reform alone will not guarantee a vibrant democracy, then what will? Though Reich is silent on these points, this does not mean that he is incapable of creating and proposing systemic solutions to our political and social problems. Reich reveals his strengths in systems analysis when describing his ideas on how to fix the public school funding problem.³⁶ Sadly, such powerful analysis and systemic approach does not enter into his suggestions for overhaul of campaign and election laws.

Former Congressman Cecil Heftel goes far beyond Bradley and Reich by proposing systemic changes to political campaigns. His first suggestion is to cut the connection between political candidates, campaign money, and wealthy donors by

³⁴ Robert B. Reich, *I’ll Be Short*, page 38.

³⁵ Robert B. Reich, *I’ll Be Short*, page 22.

³⁶ Robert B. Reich, *I’ll Be Short*, page 69.

creating a system of publicly-financed campaigns. This means that the Federal government would give campaign money to candidates. If candidates received free money from the government, then they would theoretically not have to beg for money from wealthy business owners and executives. If these candidates win their elections, the long-term result could be a more independent and vigilant Federal government, which would in turn be far more likely to serve the people's needs. The initial problem with Heftel's theory is how the government should decide if a person has a chance of winning an election, since we obviously do not want to give large amounts of campaign money to anyone capable of filling out a few forms. "One idea is this: to become eligible for public financing, candidates would have to raise a specified number of small contributions, perhaps in amounts no greater than \$5 or \$10. The principle here would be for a candidate to show proof of popular support and not, as is now the case, the ability to hit up fat cats and political action committees for large campaign contributions."³⁷ Heftel wants candidates to prove that they have support of a large percentage of the people to qualify them for public campaign money, rather than relying on the current system of having to beg for campaign donations from the wealthy in order to pay for advertising. The problem with this idea, though, is that it does not entirely cut the connection between candidates, campaigns, and wealthy donors. Even if Heftel's idea was implemented, there would surely be many candidates who reject public financing in order to continue taking donations from big business owners and managers. Big businesses would logically throw *even more* money behind their favorites in an attempt to first overwhelm public financing. If candidates backed by big business continued to win elections, you can bet that businesses would immediately demand that the politicians in their pocket move to eliminate the possibility of public financing in the future. This reveals a major shortcoming of Heftel's plan.

The second half of Heftel's proposal is aimed at defeating the ability of candidates to drown each other out with political advertising. "Under the Clean Money Campaign Reform system, candidates with the proven popular support to qualify for public financing would not have to pay for broadcast advertising but would instead be

³⁷ Cecil Heftel, *End Legalized Bribery*, page 15.

given a specified amount of free time on radio and/or television to make their case before the people.”³⁸ This appears to be a powerful plan at first glance, but also has several shortcomings. How would we determine how much free media time to give to publicly-financed candidates? When would that determination be made? If free media time was scheduled for candidates before the campaign began, would opposing candidates backed by big business money simply outspend the publicly-financed candidate? To put it simply, if publicly-financed Peter was given 100 hours of free media time, what would stop big business-financed Bethany from simply buying up 200 hours, or 500 hours, or even 1,000 hours in order to overwhelm Peter? Would the amount of free media for Peter be determined as a result of how much Bethany buys? If so, how can we ensure that Bethany does not simply buy up a ton of time in the few days before Election Day, after it is too late for Peter to respond? What about political groups that are unconnected to the official campaign? Will they also be allowed to buy up as much media time as they want? If so, how can publicly-funded Peter possibly compete with the vast amount of money being spent to defeat him, by his opposing candidate *and* by outside groups? Something further must be done to eliminate the power of political advertising, which clearly harms our democracy.

Two federal laws attempted to removed the power of political advertising, particularly media advertising funded by groups outside of a candidate’s campaign. Parts of the Federal Election Campaign Act of 1971 set limits on how much money individual donors can give to groups unconnected to a candidate’s campaign.³⁹ For example, say that candidate Michael promises to eliminate Federal government tax loopholes involving the already-wealthy oil industry. Companies like Exxon-Mobile, Shell, and other oil giants certainly will get involved in the attempt to defeat Michael, keeping him out of government in order to guarantee their own future profits. The oil giants can do this

³⁸ Cecil Heftel, *End Legalized Bribery*, page 17.

³⁹ Section 441(a) of the Federal Elections Commission limits an individual’s contributions to several different political committees, including those not officially connected to a candidate. The 1971 Act set limits of \$2,000 donations to any specific candidate, \$25,000 donations to any committee set up by a national political party, \$10,000 donations to any committee set up by the Sate committee of a national political party, and \$5,000 to any other political committee. These amounts were changed by the Bipartisan Campaign Reform Act of 2002. The Federal Election Campaign Laws can be found and downloaded at <http://www.fec.gov/law/feca/feca.pdf>.

either by pouring money into Michael's opponent in the election or they can choose to create their own independent group to buy media time. Also, seeing Michael as a mortal threat to their tax exemptions, the oil giants are likely to create smear campaigns designed to portray Michael as stupid, unpatriotic, or even dangerous. Perhaps the ugliest example of this type of advertising by independent groups was the "Swiftboat Veterans" attack against Democratic presidential candidate John Kerry in 2004.⁴⁰ This group ran an amazing amount of television ads accusing Kerry of lying about his military record and stating that any such liars are not qualified to be President of the United States. Because the Swiftboaters were not formally connected to any official presidential campaign, they felt empowered to run smear ads across the entire country. The Republican campaign could not be accused of creating, funding, or even agreeing with the Swiftboaters' scandalous attacks. Such attacks against Federal candidates continue to be a major problem in American democracy.

The 1971 Campaign Act defined Swiftboater-type groups as "independent expenditures" because they are formally unconnected to any specific candidate's campaign.⁴¹ The Act limited the amount of money that any one person can give to any independent group. The "Bipartisan Campaign Reform Act of 2002" (commonly called the "McCain-Feingold Act of 2002") largely reinforced the idea of setting strict limits on

⁴⁰ Some of the ads can be viewed through YouTube at the following links:

http://www.youtube.com/watch?v=R_o2JXg77FA&feature=PlayList&p=D07E0ADF12E3AD97&index=33&playnext=3&playnext_from=PL

http://www.youtube.com/watch?v=ag_F7BbWP7E&feature=PlayList&p=D07E0ADF12E3AD97&index=32&playnext=2&playnext_from=PL

http://www.youtube.com/watch?v=phqOuEhg9yE&feature=PlayList&p=D07E0ADF12E3AD97&playnext=1&playnext_from=PL&index=31

The website of the group which created and funded these ads is <http://www.swiftvets.com/>.

⁴¹ The "Bipartisan Campaign Reform Act of 2002" Section 211 replaced an entire paragraph of the 1971 Act that defined "independent expenditure." The law now defines "independent expenditure" as "an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate and that is not made in concert or cooperation with or at the request or suggestion of such candidate, the candidate's authorized political committee, or their agents, or a political party committee or its agents." The entire 2002 Act can be found at <http://thomas.loc.gov/cgi-bin/query/z?c107:H.R.2356.ENR>.

donations to “independent expenditures.”⁴² However, several major flaws still exist in the donation system. The biggest problem regarding independent expenditures is that there is virtually *no limit* on how much money the wealthy can spend on independent attack ads. How can there be no limits when Congress in 1971 and 2002 demanded that groups could only accept so much money from individuals? There are two ways. First, the group can attempt to constantly find new donors, which may not be easy. Second, groups can simply change their name and rotate the names of their leaders. If oil giants seeking to destroy anti-exemption candidate Michael have a relatively small number of donors, they need to create many different titles for their group. The first groups might be called “Americans Against Michael.” Another may be called “Texans Against Michael.” Yet another may be called “Southern Texans Against Michael.” You get the idea. This allows the oil giants to create a virtually infinite number of theoretically different groups, allowing each group to take money from the exact same donors, in order to concentrate enough wealth to smear Michael and destroy his candidacy. Because of this massive shortcoming, the 1971 and 2002 laws are virtually powerless to stop the dominance of money that undermines U.S. democracy. We need to do more to eliminate the power of money in our politics and in our media.

The shortcomings of the 2002 law and the shortcomings of Heftel, Reich, and Bradley’s ideas pushed me to write this book. Reich and Bradley in particular offer many useful ideas for fixing many of the epidemic problems in U.S. education, environmental policy, social security, pensions, health care, insurance, and general equality. However, they want to accomplish these important changes *within* today’s campaign system that is an obvious failure. Our political leaders are compromised *before* they enter office by their need for donations from the wealthy. Few important changes are possible in a government structure that destroys a leader’s ability to change things before they even

⁴² The “Bipartisan Campaign Reform Act of 2002” Section 307 (b)(3)(B) set the new limits on funding for independent expenditures. It says that the “Annual Aggregate Limit on Individual Contributions” are “\$57,500, in the case of any other contributions, of which not more than \$37,500 may be attributable to contributions to political committees which are not political committees of national political parties.” This means that individuals can give up to \$57,500 to any political group in any two-year cycle, but only \$37,500 of that money can go to a particular candidate or their campaign committee. Section 307 (b)(3)(a), which runs immediately before, set the annual limit for donations to specific candidates or their campaign committees at \$37,500. Stated simply, we are permitted by law to spend \$57,500 every two years on advertising intended to destroy the candidacy of any person.

enter office. Before taking on Bradley and Reich's ideas for reforming smaller policies like social security, we need to amend the Constitution to rebuild democracy. Such Constitutional Amendments must focus on removing private money from campaigns, altering media's ability to determine campaign results, replacing the Electoral College, moving election days to weekends, ending Gerrymandering, and creating oversight systems which citizens can use to ensure that their votes are correctly counted. These Amendments will create an electoral structure which can take control of the government from the wealthy elites and give it back to the common citizens. Long-time political journalist Bill Moyers wrote about the basic problem of U.S. democracy in 2006. "This [corruption] happens because our public representatives need huge sums to finance their campaigns, especially to pay for television advertising. The masters of the money game have taken advantage of that weakness in our democracy to turn our elections into auctions."⁴³ The time has to come to eliminate that weakness and end the auctioning of public policy.

⁴³ Bill Moyers, "A Culture Of Corruption: Let's Save Our Democracy by Getting Money Out of Politics," published April 1, 2006 by the *Washington Spectator* and viewable at http://www.washingtonspectator.org/Articles/SF_461471500.cfm?ur=20060401cleanmoney_1.cfm&st=%20%20SEARCH%20RESULTS%3A%2020060401CLEANMONEY%20%20BILL%20MOYERS%202006

2

George Washington's Legacy: The Call for Public Vigilance

The machinery of U.S. politics is broken today, but it has not always been. Despite several severe democratic shortcomings,⁴⁴ the first years after the Constitution was ratified are often looked on as the peak of political cooperation. This general era of peace and prosperity convinced George Washington, the first U.S. President under the Constitution, to advise the American people on strategies for continuing such freedom, equality, and tranquility. Washington gave three main pieces of advice in his 1796 “Farewell Address”: make sure to keep a unified government, beware of political parties, and avoid the use of war and creation of large national debt. These seem to be general advice that any politician would make to government leaders, but the amazing thing about Washington’s Address is that it was not only directed at politicians. Instead, Washington clearly said that his message was for *the people*. He told the citizens to be vigilant for the unity of their government, the growth of parties, and the dangers of war and debt. Again and again, Washington told the American people that it is *their*

⁴⁴ There were many such shortcomings, such as the continued existence of African-American slavery, the fact that most voters only elected candidates to the House of Representatives, and the complete denial of women’s voting rights.

responsibility to ensure that their government does not wander down such self-destructive paths. These warnings were often heeded while Washington was president, but have largely been ignored over the past few decades. Today's political activists warn 21st century Americans of many similar problems.

Washington's first piece of advice was to retain the Federal government's "unity," which had been so bravely fought for during the Revolutionary War against Britain and so intelligently designed by the U.S. Constitution. He recognized that generations of Americans had sacrificed greatly in order to achieve the liberty, independence, and stability guaranteed by the Federal government. He said that such national governments that respond to the will of the people are a main source of popular happiness, and that such unity should never be allowed to be split for any reason. "The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize."⁴⁵ But, he went on, it is not merely the responsibility of politicians to make sure that national unity is kept, but it is much more important that the *people themselves* keep this goal. He wanted the American population to begin "accustoming yourselves to think and speak of [political unity] as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts."⁴⁶ This was Washington's first call for public vigilance over political events.

The threat of government disunity was not the only type of national crisis that Washington feared. Along with the threat of many states threatening the overall Union, Washington also warned the American people of the destructive nature of political parties, which he often referred to as "factions." "The alternate domination of one faction

⁴⁵ George Washington, "Farewell Address" in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, (Mineola, New York: Dover Publications, Inc., 2000), page 50. The entire document can be viewed at http://www.localvoter.com/speech_gw1.asp.

⁴⁶ George Washington, "Farewell Address," page 50.

over another, sharpened by the spirit of revenge, natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of public liberty.”⁴⁷ The hatred that political parties can build over time for one another always opens the door to conniving politicians who offer to end political bickering, but often by asking for dictatorship powers (which thinkers in the 1700s called “despotism”). Another possible result of parties could be that the government becomes so poorly managed (as party leaders focus more on defeating their enemies than on running the government efficiently and safely) that a similarly untrustworthy politician could rise to the level of dictator. Again, Washington did not trust politicians to guard against this, since so many of them could easily be corrupted by the greed and hatred of party alliances. Instead, Washington advised *the people* to carefully watch and eliminate the rise of such partisan politics. “[T]he common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.”⁴⁸ The people are most capable and most effective in avoiding party conflict.

Washington’s final warning came in two areas that he had gained a lifetime of experience in: war and national debt. He had commanded the American armies during the Revolution, a career which he had trained in his entire life. He had also come to understand the crushing weight of national debt in these experiences. He understood the usefulness of both military and economic power in defending the American nation against European kings that were always hungry for more land and wealth. “As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger

⁴⁷ George Washington, “Farewell Address,” page 54.

⁴⁸ George Washington, “Farewell Address,” page 54.

frequently prevent much greater disbursements to repel it, avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertion in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear.”⁴⁹ The best way to defend the nation against its natural enemies, Washington said, was to keep a small army ready but with a focus on keeping international peace. Similarly, Washington stated that a national debt is an equally powerful tool for fighting wars, so it should not be wasted on frivolous or corrupt government projects. The debt should be kept as low as possible so that it can always be ready for use in time of emergency. However, Washington was also smart enough to realize that politicians naturally crave promotion to higher offices, so many men may want to use the national debt to fund short-term projects to help their own personal popularity. Washington therefore realized that politicians have an important role to play in war and debt: namely that they vote to build up the army and debt during emergencies, but that *the people* should also pay close attention to what their leaders are doing. “The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate.”⁵⁰ In order to “co-operate” in such spending, the public has to be constantly vigilant in order to make sure that the politicians are not wasting the people’s resources.

George Washington was only the first in a long line of U.S. leaders that advised citizens to keep watch over their government. Such vigilance must study all aspects of government to ensure that the people’s rights, liberties, and unity are not broken in the face of partisan politics, war, or crushing national debt. That call for public vigilance continues today. Former U.S. Senator Bill Bradley recently hoped for a similar popular movement to overcome endemic government corruption: “We can’t just talk, we have to act. We can’t just support some political action committee headquartered far away. We need to think globally, organize locally, and act personally.”⁵¹ Former Secretary of

⁴⁹ George Washington, “Farewell Address,” page 56.

⁵⁰ George Washington, “Farewell Address,” page 56.

⁵¹ Bill Bradley, *The New American Story* (New York: Random House, 2007), page 331.

Labor Robert Reich echoes the focus on personal, public involvement in changing the U.S. government: “I don’t want to depress you; I want to alarm you. America is overwhelmingly optimistic, practical, and innovative when it comes to solving big problems. But that’s my point, really. Now’s the time to tackle this widening gap—to reknit the social contract. . . . The real reknitting of the social fabric has to begin where the threads are—where you and I both are. That requires, at bottom, that you, and I, and millions like us get involved.”⁵² Longtime consumer advocate and government critic Ralph Nader says such citizen movements and popular protests have affected the policies of even the most cut-throat U.S. politicians: “Why did Richard Nixon sign all those historic bills in the late 1960s and early 1970s? Because he wanted to? Probably not. It was because he took notice of marches, rallies, teach-ins, confrontations with power, and agitation. Justice-seekers were on the offensive.”⁵³

Political journalist Bill Moyers has recently said that justice-seekers have to go back on the offensive if we are to save the U.S. government from its own corrupt wastefulness. “It’s time to fight again. These people in Washington have no right to be doing what they are doing. It’s not *their* government, it’s *your* government. They work for you, and if they let you down and sell you out, they should be fired. That goes for everyone, from the lowliest bureaucrat in town to the senior leaders of Congress on up to the president of the United States. The stakes are too high for us to give up.”⁵⁴ Moyers is right in his assertion that the American people will have to fight to reclaim their government from the corrupt forces that have run the United States into several economic collapses and countless foreign wars. Indeed, the stakes could not be any higher, with nuclear weapons, climate change, and systematic global pollution threatening to end all life on the planet. This book will suggest what specific changes we should fight for, but

⁵² Robert B. Reich, *I’ll Be Short: Essentials for a Decent Working Society* (Boston: Beacon Press, 2002), pages 20-21.

⁵³ Ralph Nader, *The Good Fight: Declare Your Independence & Close The Democracy Gap* (New York: Regan Books, 2004), page 32.

⁵⁴ Bill Moyers, “A Culture Of Corruption: Let’s Save Our Democracy by Getting Money Out of Politics,” published April 1, 2006 by the *Washington Spectator* and viewable at http://www.washingtonspectator.org/Articles/SF_461471500.cfm?ur=20060401cleanmoney_1.cfm&st=%20%20SEARCH%20RESULTS%3A%2020060401CLEANMONEY%20%20BILL%20MOYERS%202006

we must never again forget George Washington's warnings from 1796: we should never have stopped paying attention to our politics in the first place.

3

“America:” The Unfulfilled Ideal

Sadly, most Americans today ignore George Washington’s advice. In fact, many are completely unaware that he advised our citizens to pay attention to their government and hold its leaders accountable for their policies. Many American leaders have supported Washington’s claim that the United States should lead the rest of the world into democracy and freedom with a government dedicated to serving its people. However, today’s politicians have no reason to work for the people when the people refuse to pay attention to what their government is doing, particularly when politicians are forced to give in to demands made by their wealthy campaign donors. The result is obvious today: despite the fact that our leaders claim to be working for the people, their actions reveal that the U.S. government today works for the wealthy elite. This is proven beyond doubt by the U.S. government’s reaction to natural disasters and willingness to give taxpayer “bailouts” to wealthy corporations rather than to its citizens in far more desperate need. Many political analysts see that this is true, and many former government leaders say that we have to do something about it.

Americans have argued that their country is destined to lead the world into a new era of human peace and freedom since some of the earliest British colonies. Pilgrim

leader John Winthrop gave his congregation of colonists the following message when they landed in Massachusetts Bay in 1630:

We must entertain each other in brotherly affection. We must be willing to abridge ourselves of our superfluities, for the supply of others' necessities. We must uphold a familiar commerce together in all meekness, gentleness, patience and liberality. We must delight in each other; make others' conditions our own; rejoice together, mourn together, labor and suffer together, always having before our eyes our commission and community in the work, as members of the same body. So shall we keep the unity of the spirit in the bond of peace. . . . For we must consider that we shall be as a city upon a hill. The eyes of all people are upon us. So that if we shall deal falsely with our God in this work we have undertaken, and so cause Him to withdraw His present help from us, we shall be made a story and a by-word through the world.⁵⁵

Winthrop gives us an early example of ideas that Americans still hold today: that the people must work together for their mutual survival and benefit, that the rest of the world will look to America for an example of how to set up society to achieve this mutual support, and that the collapse of that support system will lead to the destruction of human society. The seeds of our image of "America" were planted as early as 1630.

John Locke introduced the idea of a "Social Contract" later in the 1600s, and the American Revolution fought to create one of the world's first modern democracies. The image of "America" shifted at that point from Winthrop's vague ideas of mutual support to the more detailed Constitution that planted democracy and guaranteed the people's liberty. The image of "America" as the world's great hope for democracy took root at that time. These ideas were explained in detail in Chapter One, but we must understand that they continued to inspire political and social movements long after the Revolution was complete. Abraham Lincoln said that the Northern United States fought the Civil War largely to ensure that the United States could continue to prove to the rest of the world that democracy is possible, "that government of the people by the people for the

⁵⁵ John Winthrop, "City Upon A Hill" Sermon delivered in 1630. A full transcript can be found at <http://religiousfreedom.lib.virginia.edu/sacred/charity.html>.

people, shall not perish from the earth.”⁵⁶ Theodore Roosevelt later used these ideas to inspire people to eliminate corruption.

Our country – this great republic – means nothing unless it means the triumph of a real democracy, the triumph of popular government, and, in the long run, of an economic system under which each man shall be guaranteed the opportunity to show the best that there is in him. That is why the history of America is now the central feature of the history of the world; for the world has set its face hopefully toward our democracy; and, O my fellow citizens, each of you carries on your shoulders not only the burden of doing well for the sake of your own country, but the burden of doing well and of seeing that this nation does well for the sake of mankind.⁵⁷

Roosevelt not only told the people that they must eliminate corruption in their government for their own protection against the wealthy, but also because the rest of the world sees the United States as an example of a successful democracy. If the United States collapses under the weight of its internal corruption, then the rest of the world may also give up on democracy.

Lincoln and Roosevelt’s argument that the United States is a force for democracy and freedom, and that the world looks to America for leadership in spreading democracy is commonly accepted by our current politicians. The 2008 Republican and Democratic Party nominees for President both echoed these ideas in their nomination acceptance speeches. Republican nominee John McCain said “We’re dedicated to the proposition that all people are created equal and endowed by our Creator with inalienable rights. No country ever had a greater cause than that. . . . America is the greatest force for good in the history of the world. My friends, we have gone to all four corners of the Earth and

⁵⁶ Abraham Lincoln, “Gettysburg Address” in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton. Mineola, New York: Dover Publications, Inc., 2000. The entire document can be viewed at <http://www.loc.gov/exhibits/gadd/gatr1.html>.

⁵⁷ Theodore Roosevelt, “The New Nationalism,” a speech given in August 1910 in Osawatomie, Kansas. The full text of the speech can be found at <http://teachingamericanhistory.org/library/index.asp?document=501>.

shed American blood in defense, usually, of someone else's freedom and our own."⁵⁸ Democratic nominee Barack Obama suggested that previous politicians have led the United States astray from its mission to help the growth of democracy, but he promised to lead a movement to "restore our moral standing, so that America is once again that last, best hope for all who are called to the cause of freedom, who long for lives of peace, and who yearn for a better future."⁵⁹ With these speeches, McCain and Obama consistently attempted to present themselves as supporters of an image of "America" as the place that the world looks to for an example of how to build a democratic, legal, stable, and free society.

The American people feel a great amount of hope and pride in these statements because we know that the willingness to help those in need is a fundamental policy of good government. But many Americans also feel revulsion at these statements because, as beautiful as it sounds, many of us clearly see the hypocrisy in promising help while actually providing little real assistance. We are not angry at the idea of America as a symbol for all that is right and good, but in the fact that this image is largely unfulfilled even in the United States itself. How can this occur? How can this be normal today's United States? The answer is simple: we have a broken political system. Former Congressman Cecil Heftel explains the hypocrisy: "America was designed to foster opportunity, promote fairness, and protect people's rights to participate in the political process. The way we currently finance our electoral campaigns undercuts those lofty goals in every way. Our current system of campaign finance denies political opportunity and representation to 99 percent of the people who lack the money to buy access and influence."⁶⁰ Heftel reveals that the United States government is dominated by the wealthiest 1% of its people. These businessmen are concerned primarily for their own

⁵⁸ John McCain, *Republican Nomination Acceptance Speech*. Given at the Republican National Convention September 4, 2008, as reported by the BBC at <http://news.bbc.co.uk/2/hi/americas/7599422.stm>.

⁵⁹ Barack Obama, *Democratic Nomination Acceptance Speech*. Given at the Democratic National Convention August 28, 2008, as reported by National Public Radio (NPR) at <http://demconvention.com/barack-obama>.

⁶⁰ Cecil Heftel, *End Legalized Bribery: An Ex-Congressman's Proposal to Clean Up Congress* (Santa Ana, California: Seven Locks Press, 1998), page 24.

enrichment, and they use the campaign contribution system to demand that the government protect and enlarge their wealth. This forces the government to help the richest 1% far more than the other 99% of the people.

This major hypocrisy is proven over and over again to anyone that pays close attention and uses critical thought to analyze the government's actions. We find several instances of government support for the wealthy above and beyond all else even if we limit our study to the past ten years (since the year 2000): government policy in reaction to Hurricane Katrina in 2005 and the horrendous taxpayer "bailout" policies that favored banks and insurance companies while forcing middle-class Americans to accept bankruptcy and home foreclosure.

The U.S. government's response to Hurricane Katrina's destruction of New Orleans in 2005 clearly shows how deeply our system for electing leaders has corrupted the Federal government. The government did not prepare for, and was slow to respond to, perhaps that largest natural disaster the country faced in the decade. Mass public outrage boiled over a government that seemed to care less for the hurricane's victims than for the profits of its largest companies. Economist Naomi Klein recently wrote: "It was taken for granted that the state—at least in a rich country—would come to the aid of the people during a cataclysmic event. The images from New Orleans showed that this general belief—that disasters are a kind of time-out for cutthroat capitalism, when we all pull together and the state switches into higher gear—had already been abandoned, and with no public debate."⁶¹ Klein proves the accusation that the U.S. government cares less about the well-being of its people and devotes more energy to shoveling cash to already-wealthy companies by relating the problem of removing human corpses from the disaster area.

In New Orleans [after the hurricane] no opportunity for profit was left untapped. Kenyon, a division of the mega funeral conglomerate Service Corporation International (a major Bush campaign donor), was hired to retrieve the dead from homes and streets. The work was extraordinarily slow, and bodies were left in the broiling sun for days. Emergency

⁶¹ Naomi Klein, *The Shock Doctrine: The Rise Of Disaster Capitalism* (New York: Metropolitan Books, 2007), page 408.

workers and local volunteer morticians were forbidden to step in to help because handling the bodies impinged on Kenyon's commercial territory. The company charged the state, on average, \$12,500 a victim, and it has since been accused of failing to properly label many bodies. For almost a year after the flood, decayed corpses were still being discovered in attics.⁶²

The average American taxpayer should be outraged that such theft has occurred at the highest levels of government. In this instance, the Federal government chose to hire a corrupt company on a bloated contract that did not accomplish its only job. This was not an accident or oversight made by government officials; instead, it was a choice. Why would government make such a hideously bad choice? The answer is simple: because the politicians making those choices are elected by campaign donations they receive from the very same companies. Naomi Klein later quotes *The New York Times* to prove the connection between campaign donations and company contracts: “[T]he top 20 service contractors have spent nearly \$300 million since 2000 on lobbying and have donated \$23 million to political campaigns.’ The Bush administration, in turn, increased the amount spent on contractors by roughly \$200 billion between 2000 and 2006.”⁶³ The problems do not end there, however. The American taxpayer is further punished by the mere fact that the government cannot shovel truckloads of cash to their campaign donors while *also* paying for basic social services. Many of these services help the poor to get treatment in hospitals, eat cheap food, and perhaps even send their children to college in an attempt to escape inherited poverty. These programs were cut by a government more concerned with further enriching their corporate campaign donors than in helping the poor.

⁶² Naomi Klein, *The Shock Doctrine*, page 411. Klein cites the following sources of information in her own footnotes: Rita J. King, CorpWatch, *Big Easy Money: Disaster Profiteering on the American Gulf Coast*, August 2006, www.corpwatch.org; Dan Barry, “A City’s Future, and a Dead Man’s Past,” *New York Times*, August 27, 2006.

⁶³ Naomi Klein, *The Shock Doctrine*, page 412. Klein cites the following sources of information in her own footnotes: Scott Shane and Ron Nixon, “In Washington, Contractors Take on Biggest Role Ever,” *New York Times*, February 4, 2007. The emphasis on *billion* does not appear in Klein’s book; it was added here to emphasize the increased scale between the amount of money that contributors donate to campaigns compared to how much they receive as rewards in later government contracts.

In order to offset the tens of billions going to private companies in contracts and tax breaks, in November 2005 the Republican-controlled Congress announced that it needed to cut \$40 billion from the federal budget. Among the programs that were slashed were student loans, Medicaid and food stamps. In other words, the poorest citizens in the country subsidized the contractor bonanza twice—first when Katrina relief morphed into unregulated corporate handouts, providing neither decent jobs nor functional public services, and second when the few programs that directly assist the unemployed and working poor nationwide were gutted to pay those bloated bills.⁶⁴

Of course, not all of these crises are the result of natural disasters such as Hurricane Katrina. Much of this destruction is man-made, such as the financial boom and crash of 2003-2008. Unfair lending practices and a complicit government permitted a housing “bubble” to occur in the mid-2000s. This, in turn, led to the financial crash and crisis of 2008 that caused 5.1 million home foreclosures in by the end of 2009.⁶⁵ The U.S. government made only the weakest attempt to help its millions of citizens that were on the brink of losing their homes. Instead, the government decided to give a massive “bailout” to the very same banks and insurance companies that created the disaster in the first place! The United States government gave \$182.5 *billion* to A.I.G. (the largest insurer of these failed mortgages),⁶⁶ and the Bush administration spent \$350 *billion* to “stabilize” the very vultures that were picking the bones of bankrupt homeowners throughout the country. If the Federal government worked for its people, one would think that the government would quickly act to “stabilize” those in need; but the

⁶⁴ Naomi Klein, *The Shock Doctrine*, page 413. Klein cites the following sources of information in her own footnotes: Rick Klein, “Senate Votes to Extend Patriot Act for 6 Months,” *Boston Globe*, December 22, 2005.

⁶⁵ The final statistics are now reported as 2.3 million home foreclosures in 2008 and 2.8 million in 2009. “Home Foreclosures Rise 5%,” as reported by *Democracy Now!* on October 15, 2009 on their website, <http://www.democracynow.org/2009/10/15/headlines#19>. This is also reported in “U.S. Housing Program Fails to Stem Foreclosures, Watchdog Finds,” by Lorraine Woellert, published April 20, 2010 by Bloomberg BusinessWeek at <http://www.businessweek.com/news/2010-04-20/u-s-housing-program-fails-to-stem-foreclosures-watchdog-says.html>.

⁶⁶ “AIG CEO Benmosche received \$2.7 million for 2009,” by Stevenson Jacobs, Published April 12, 2010 by *The Associated Press* at http://hosted.ap.org/dynamic/stories/U/US_AIG_EXECUTIVE_COMPENSATION?SITE=ORMED&SECTION=HOME&TEMPLATE=DEFAULT.

government's reaction to the financial crisis in 2008 was to immediately shovel money toward some of the wealthiest companies in the country. If that \$350 billion had been directed to solve the foreclosure crisis by helping the 5.1 million families that lost their homes by the end of 2009, then each homeowner could have received \$104,411! How many families could have been saved by such an act of government sympathy? Instead, the government chose to give money to companies that were threatened with bankruptcy as a result of their own inhumane decisions. The Obama administration set up a \$75 billion program for assisting homeowners beginning in 2009, but "[t]he Congressional Oversight Panel says the Making Home Affordable Program, HAMP, has helped just one borrower for every ten that have lost their homes."⁶⁷ Even when the Federal government steps in to help its people, it is only willing to give assistance to 10% of the people who apply!

Any cursory glance at government policies surrounding Hurricane Katrina and the 2008 financial collapse provide a mountain of evidence for the fact that today's U.S. government is hopelessly corrupt. This overwhelming amount of evidence proves beyond any doubt that today's U.S. government does not work for the people, as generations of political leaders argued it should. Instead, the U.S. government works for those who are already rich enough to "buy access and influence," as former Congressman Heftel wrote. Many political analysts, and even former government leaders, admit that the U.S. government does not work for the general people, but instead for the wealthy elite and their "special interests." Former Senator Bill Bradley recently wrote about the difference between the media's portrayal of "special interests" and the real problem:

The real "special interests" are not single mothers on welfare but wealthy agribusiness and real-estate investors and corporate miners and others who champion the free market until they are asked to do without their subsidies, tax loopholes, and favorable regulations. The sweetheart deals that pervade our laws and regulations should be purged, but once a special provision has lodged in the bowels of bureaucratic regulations, few politicians will take the time or exert

⁶⁷ "Watchdog: Gov't Program Failing to Rescue Struggling Homeowners," as reported by *Democracy Now!*, April 15, 2009 on their website, <http://www.democracynow.org/2010/4/15/headlines#3>.

the energy to find it, much less eliminate it, no matter how much it costs.⁶⁸

Our politicians have no incentive to remove tax and subsidy policies that enrich their political donors because the politicians depend on donors' money for re-election. Any politician who attacks these corrupt policies runs the risk of angering their donors, and the donors may choose to support other candidates. The politician will probably lose their next election without the donors' money, and the donors will simply find another politician who promises to uphold the current corrupt system. We need to alter the campaign donation system if we are going to really change the way our government functions. The immediate question should be how we can cut the connection between big business and politicians, and to establish systems that will result in candidates winning elections by promising to end corruption and waste.

Such large changes to the system can only happen with popular support. The people will have to start a massive social movement and threaten to remove any politician who refuses to support reform from their elected office. One of the best ways to start such a mass movement is to show the people exactly how corrupt the U.S. government has become. Political advocate Ralph Nader points the way forward for those interested in building such a popular movement.

The people scarcely stir. But when a few intrepid souls disclosed that the Pentagon paid \$435 for a \$10 claw hammer, which the contractor billed for the government for under the description of "multi-dimensional, impact generator," the public and editorialists took acid notice. When a \$1,700 toilet seat cover followed, the reaction was vociferous. When spending is broken down and placed within the framework of ordinary experience, civic sparks start to fly and a rumbling from the people can be heard in Washington.⁶⁹

⁶⁸ Bill Bradley, *The New American Story* (New York: Random House, 2007), pages 290-291.

⁶⁹ Ralph Nader, *The Good Fight: Declare Your Independence & Close The Democracy Gap* (New York: Regan Books, 2004), page 32.

This book is intended to act on Nader's suggestion to explain the problem to the general population, and then to suggest common-sense ways to change the government in ways that will likely eliminate the current problems.

All of these problems are merely symptoms (individually bad policies) that are the result of a political disease (bad democracy). In order to solve these long-term problems, we cannot simply fix individually bad symptoms, but must instead attack the disease at its *source*. What do doctors do when a patient is diagnosed with cancer, which often show outward symptoms on the skin? Do the doctors simply treat the symptom on the surface? Do they simply try to treat the scars and abrasions? No! Doctors instead treat the disease that *causes* the symptoms. Doctors usually treat cancer patients with some combination of surgery to cut the disease out, radiation therapy to kill any remnants in the body, and medicine to help the patient's healing. In comparison, it makes little sense to solve our political disease (corrupt democracy) by attacking the symptoms (bad individual policies). Replacing the entire leadership and voting in another political party will not even be enough. Instead, we must attack, destroy, and replace the current campaign donation system because *it* is what ails our politics.

The U.S. government has literally wasted trillions of dollars on corrupt, ineffective, and unjustifiable projects. The extent of this waste will be explained in the next chapter, which focuses on the tremendous growth of the U.S. National Debt over the past several decades. This wasted money is the natural result of a diseased democracy. Solutions for solving the problems and killing the disease of political corruption will be suggested in Part Two.

4

Drowning in Debt

The political disease of corrupted democracy has created a potentially catastrophic National Debt. When arguing for the creation of a National Debt in the 1790s, Secretary of the Treasury Alexander Hamilton argued that the Debt would be a “blessing” to the national economy so long as it did not get “excessive.”⁷⁰ To put it simply, Hamilton said that a National Debt could be useful if the United States used the borrowed money to invest in economic development, but that the Debt could become a burden if it grows so large that paying interest on the Debt would take up a large chunk of the yearly Federal Budget. Today’s United States National Debt is “excessive,” with government watchdog groups often claiming that the United States uses about 20% of its budget to simply pay interest on the Debt.⁷¹ This is unacceptable to any informed, logical American taxpayer. How did we get here?

⁷⁰ Hamilton first made these statements as early as 1781, even while the Revolutionary War against Britain continued. He wrote in a letter to a friend: “A national debt, if it is not excessive, will be to us a national blessing. It will be a powerful cement to our union. It will also create a necessity for keeping up taxation to a degree which, without being oppressive, will be a spur to industry.” Quoted in John Steele Gordon, *Hamilton’s Blessing: The Extraordinary Life and Times of Our National Debt* (New York, Penguin Books: 1997), page 20.

⁷¹ This 20% estimate is taken from the National Priorities Project (www.nationalpriorities.org), “Security Spending Primer: Getting Smart About The Pentagon Budget, 2009” (National Priorities Project, Inc.

The National Debt was not a significant burden to the U.S. economy through most of its first hundred years. The pivotal change from a government that easily paid its yearly bills to a government that is today crippled by Debt occurred through most of the 1900s. The chart below illustrates the major changes in U.S. National Debt since 1916⁷²:

Year	Surplus/Deficit (\$)	% of GNP/GDP	Total National Debt (\$)
1916	48,478,000	2.54%	1,225,146,000
1919	-13,362,623,000	30.34%	25,484,506,000
1932	-2,735,290,000	33.60%	19,487,002,000
1939	-3,862,158,000	44.68%	40,439,532,000
1942	-18,932,861,000	50.16%	72,442,445,000
1946	-17,389,042,000	129.98%	269,422,099,000
1976	-73,732,000,000	36.61%	628,970,000,000
1981	-78,976,000,000	33.84%	994,845,000,000
1985	-212,334,000,000	45.31%	1,817,521,000,000
1991	-269,169,000,000	63.45%	3,598,498,000,000
1994	-203,169,000,000	68.91%	4,643,711,000,000
2008	-459,000,000,000		9,986,000,000,000
2009	-1,841,000,000,000		12,867,000,000,000
2010	-1,258,000,000,000		14,456,000,000,000

1916 is an important year in U.S. financial history because it was the year before the United States entered World War I in Europe. U.S. National Debt was tiny: only 2.54% of the national economy (then defined as “Gross National Product”). The United States Federal Budget also ran a small profit (known as a “surplus”), which means that it was taking in more tax revenues than it was spending. Fighting the war changed all that, to the point that the National Debt exploded by 25 times its 1916 size (from \$1 billion to \$25 billion), and from 2.54% of the economy to a whopping 30.34%! The “war to end all

(Northampton, Massachusetts: 2009), page 39. This document can be viewed at http://www.nationalpriorities.org/Publications/NPP_Security_Spending_Primer.pdf.

⁷² The statistics presented in this chart up to 1994 are taken from John Steele Gordon, *Hamilton’s Blessing*, pages 209-210 (Appendix: Federal Debt Statistics). The statistics from 2008 to 2010 are taken from the “Updated Summary Tables” section of the *Budget of the U.S. Government: Fiscal Year 2010*, page 31 or S-14. The 2010 Budget can be located at <http://www.gpoaccess.gov/usbudget/fy10/browse.html>, while the “Updated Summary Tables” is located at <http://www.gpoaccess.gov/usbudget/fy10/pdf/summary.pdf>. Readers can view U.S. Budgets dating back to 1997 at <http://www.gpoaccess.gov/usbudget/index.html>.

wars” and to make the world “safe for democracy” was extremely expensive for the United States.

The United States paid off about \$6 billion in Debt throughout the 1920s (lowering the Debt from about \$25 billion to about \$19 billion during the economic boom). The Debt by 1932 remained about 30% of the national economy (GNP) only because the Great Depression had shrunk the economy so drastically. Newly-elected President Franklin Roosevelt’s response to the Depression was to stimulate the economy by spending massive amounts of money. The Federal Government could only do this through borrowing, which created more Debt. The “New Deal” of the 1930s therefore resulted in a doubling of the National Debt (from about \$19 billion in 1932 to about \$40 billion in 1939). However, this did not result in a doubling of the Debt’s size relative to the economy because the economy gradually expanded during the middle 1930s (which of course was the New Deal’s goal). The Debt grew to about \$72 billion by the time the New Deal ended; unfortunately, the New Deal ended when the U.S. entered World War II.

This new war was extraordinarily costly for the United States, not only in terms of lives, but also in terms of money. The National Debt quadrupled (grew by 4 times) during the war, which lasted until 1945. At the beginning of Fiscal Year 1946, the National Debt stood at nearly \$270 billion dollars and about 130% of the U.S. economy (according to “Gross National Product”). The National Debt rose from \$19 billion to \$270 billion under the leadership of President Roosevelt, but the United States had accomplished two major things in the world at this time: they fought their own Depression *and* won the deadliest war in human history. Many believed that the human accomplishments were worth the financial costs.

The United States sought to make the world safe for its version of democracy after World War II, which involved a large military buildup and frequent smaller wars. These costs forced the National Debt to grow, but at a far slower pace (about \$360 billion in 30 years, or about \$12 billion per year). This was very small compared to the spending during World War I, the New Deal, and World War II, even as the United States solidified its position as the dominant economic and military power in the world. The Debt started to grow at a faster rate between 1976 and 1981: about \$61 billion per year to

take the total National Debt to nearly \$1 trillion in 1981. These were not all poor investments (though the Vietnam War must be admitted as a mistake). In fact, U.S. leaders had done well to reduce the Debt's size relative to the economy from 130% at the end of World War II down to about 33% in 1981. The total accumulated National Debt of the United States, added up since the 1830s, stood at about \$1 trillion in 1981.

Then the “conservative” party rose in U.S. politics, led by President Ronald Reagan. A new, huge military buildup ensued even as the Reagan administration and Congress lowered tax rates on the wealthiest Americans. The result for the Debt was scary and predictable: the National Debt nearly *doubled* during President Reagan's first term, going from about \$1 trillion to over \$1.8, and from 33% of the economy to 45%. Again, the Debt doubled but its size relative to the economy did not also double because the economy was also growing. But the shocking amount of government spending did not stop; the National Debt *doubled again* by 1991 to about \$3.6 trillion and 63% of the economy. The large growth relative to the economy resulted from the economic recession of the late 1980s and early 1990s: the economy shrank while the Debt grew.

American leaders and voters began to worry that Alexander Hamilton's predictions of the 1790s would come true: the interest payments on the Debt could become dangerous to the overall Federal Budget. Presidents George Bush and Bill Clinton devoted huge amounts of energy to cutting government spending throughout the 1990s. The Debt continued to grow, but at a much slower pace even by 1994 (to “only” \$4.6 trillion and 68% of the economy) and the Federal Government even began to run surpluses again in the late 1990s. Federal spending appeared to be solved, and a major debate of the 2000 Presidential Election was how quickly the Federal Government should move to *pay off* the National Debt.

George W. Bush entered the presidency in January 2001. His administration's first Budgets went into effect in late 2001, just weeks after the September 11 terrorist attacks. The President urged the world to fight a “War on Terror,” which he planned on financing not through tax increases, but through enormous Debt. President Bush's first term took the United States from a 2001 surplus to a \$521 billion shortfall in 2004.⁷³

⁷³ The 2004 shortfall is taken from the “Ensuring Fiscal Responsibility” section of the *Budget of the United States Government: Fiscal Year 2005*, page 37. This document can be found at

This was largely due to the combination of increased spending and falling tax revenues, though the Bush administration's 2005 Budget declared those tax cuts to be “[p]erhaps the best timed [tax cuts] in American history . . .”⁷⁴ The Bush administration tried to argue that “debt doesn’t matter,”⁷⁵ particularly if it is reduced over time. “More important than the deficit projected for any one year is the expected path of the deficit over a period of years and its relationship to the economy. [The 2005] Budget estimates that the deficit will decline sharply from its 2004 peak \$521 billion to \$237 billion in 2009.”⁷⁶

Of course, the Bush predictions of what the Federal Deficit in 2009 would look like were totally wrong. They missed the eventual 2009 deficit *by over a trillion and a half dollars*, by then about 9% of the total National Debt! The National Debt *more than doubled* under Bush's leadership, from about \$5 trillion in 2001 to over \$12 trillion in 2009. It remains extremely frightening that President Barack Obama's prediction is for the National Debt to *double yet again this decade*, from about \$12 trillion in 2009 to almost \$24 trillion in 2019. The Obama administration predicts the yearly Federal Deficit and the overall National Debt to look like this over the next decade⁷⁷:

<http://www.gpoaccess.gov/usbudget/fy05/browse.html> or through the White House archives website, at <http://georgewbush-whitehouse.archives.gov/infocus/budget/2005/index.html>.

⁷⁴ Quoted from the “Overview of the President’s 2005 Budget” section of the *Budget of the United States Government: Fiscal Year 2005*, page 10. This document can be found at <http://www.gpoaccess.gov/usbudget/fy05/browse.html> or through the White House archives website, at <http://georgewbush-whitehouse.archives.gov/infocus/budget/2005/index.html>.

⁷⁵ Jonathan Weisman, “Reagan Policies Gave Green Light to Red Ink,” published January 9, 2004 by *The Washington Post* and currently located at <http://www.washingtonpost.com/ac2/wp-dyn/A26402-2004Jun8?language=printer>. Robert Kuttner, “What Killed Off The GOP Deficit Hawks?” published December 27, 2004 by *BusinessWeek*, http://www.businessweek.com/magazine/content/04_52/b3914021_mz007.htm. Bush's first Treasury Secretary, Paul O'Neill, has also testified to the specificity of Cheney's remark. These statements are revealed during an interview published by CBS News January 11, 2004 as “Bush Sought ‘Way’ to Invade Iraq?” found at <http://www.cbsnews.com/stories/2004/01/09/60minutes/main592330.shtml> and an interview given by journalist Ron Suskin and published by PBS on January 15, 2004 as “Price of Loyalty” located at http://www.pbs.org/newshour/bb/politics/jan-june04/loyalty_01-15.html.

⁷⁶ Quoted from the *Budget of the United States Government: Fiscal Year 2005*, page 37. This document can be found at <http://www.gpoaccess.gov/usbudget/fy05/browse.html> or through the White House archives website, at <http://georgewbush-whitehouse.archives.gov/infocus/budget/2005/index.html>.

⁷⁷ These numbers are taken from the “Updated Summary Tables” section of the *Budget of the U.S. Government: Fiscal Year 2010*, page 31 or S-14. The 2010 Budget can be located at <http://www.gpoaccess.gov/usbudget/fy10/browse.html>, while the “Updated Summary Tables” is located at

Unified budget deficit (in billions of dollars)

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
459	1,841	1,258	929	557	512	536	528	645	675	688	779

Total, gross Federal debt (in billions of dollars)

2008	2009	2010	2011	2012	2013
9,986	12,867	14,456	15,674	16,566	17,440
2014	2015	2016	2017	2018	2019
18,350	19,276	20,255	21,248	22,248	23,290

These numbers should worry every single U.S. citizen, taxpayer, and voter. If 20% of the 2009 U.S. Budget was dedicated to paying interest on the \$12 trillion Debt, how much of the 2019 Budget will have to be dedicated to paying off \$23 trillion in Debt? If tax revenues remain basically the same, does that mean that paying the interest on twice the amount of today's Debt will require the 2019 Budget to also double the percentage it pays to interest? Translation: will the 2019 Budget have to devote 40% of its spending just to pay the interest on \$23 trillion in Debt? What rational person or company thinks it a good idea to devote *half their income* to simply paying the *interest* on their debts? This is a recipe for disaster, even if we assume that the Obama administration's predictions of what the Debt will look like in 2019 actually come true (remember that the Bush administration's prediction of yearly budget shortfalls was *nowhere close* to what actually happened!).

These are not the paranoid delusions of one person, or even one economist, with enough time on their hands to actually calculate these numbers. Economists, politicians, and intellectuals throughout the world are taking note of how deeply the United States is beginning to drown in its Debt. The yearly *Global Competitiveness Report* analyzes international economics and compares the economic, military, social, educational, and medical health of the world's most powerful countries. The *Report* for 2009-10 concludes that the United States Debt is 70.5 % of its national economy (according to

<http://www.gpoaccess.gov/usbudget/fy10/pdf/summary.pdf>. Readers can view U.S. Budgets dating back to 1997 at <http://www.gpoaccess.gov/usbudget/index.html>.

measurements of “Gross Domestic Product”). This leads the *Report* to rank the United States 114th out of the 132 countries whose Debts were studied. Put simply, the U.S. Debt is one of the most crippling in the world; similar to the Debt levels of Sri Lanka, India, Portugal, and Maritania.⁷⁸ The *Report* also analyzes the yearly budget governments, and concludes that the U.S. government’s yearly budget shortfall ranks 122nd best out of 133 countries surveyed. So not only is U.S. Debt crippling its economy, so are its yearly budget deficits. On a yearly basis, the U.S. government’s budget shortfalls are most similar to Kenya and Zimbabwe’s budget problems.⁷⁹ Economists in the United States have even begun predicting that such budget shortfalls will hurt the economic recovery into the near future.⁸⁰

Many Americans argue that the National Debt has grown as the responsibilities of the U.S. government have grown, so they believe that money borrowed was spent well and for the good of the people. This argument is strong when applied to U.S. actions from 1917 until 1946, when the U.S. government accomplished many things: winning World War I, giving jobs to American citizens through the New Deal, and then spending massive amounts of money to win World War II. The United States’ National Debt grew to about \$270 billion in this era. One can even argue that the money borrowed and spent in the thirty years after World War II ended was also a strong investment for the U.S. economy: this money resulted in the eventual U.S. victory in the Cold War (which many scholars have argued was essentially completed by the 1960s because the U.S. had so out-performed the Soviet bloc by then⁸¹) and the creation of a worldwide U.S. economic

⁷⁸ These figures are taken from the World Economic Forum (<http://www.weforum.org/en/index.htm>) and their *Global Competitiveness Report: 2009-10*, page 380. The entire document can be found at <http://www.weforum.org/en/initiatives/gcp/Global%20Competitiveness%20Report/index.htm>.

⁷⁹ World Economic Forum, *Global Competitiveness Report: 2009-10*, page 376. The entire document can be found at <http://www.weforum.org/en/initiatives/gcp/Global%20Competitiveness%20Report/index.htm>.

⁸⁰ The *Associated Press* reported in October 2009 that “More than 80 percent of economists believe the recession is over and an expansion has begun, but they expect the recovery will be slow as worries over unemployment and high federal debt persist.” “Survey: Most economists see recovery beginning,” by Mae Anderson, published October 12, 2009 by the *Associated Press* at http://news.yahoo.com/s/ap/20091012/ap_on_bi_ge/us_economic_recovery.

⁸¹ Cold War historian John Lewis Gaddis argues that “Moscow’s economic, ideological, cultural, and moral example had largely lost its appeal by 1962, leaving only military strength as an effective means of projecting influence.” John Lewis Gaddis, *We Now Know: Rethinking Cold War History* (Oxford and New York: Oxford University Press, 1997), page 297.

empire.⁸² The cost of these accomplishments led to the growth of the U.S. Debt by about \$360 billion, to bring the grand total to nearly \$630 billion. But what has the United States accomplished since then?⁸³ The National Debt has increased from \$630 billion to about \$14.5 trillion, so the National Debt today is *23 times the amount it was in 1976!* What have the American people gained from this spending? What investments has the Federal Government made? Where has the money gone?

It is very difficult to argue that the United States used this money to finally win the Cold War. Most historians agree that the U.S. had surpassed the Soviet Union in almost all important ways by the early 1980s. The only Soviet successes in the 1970s and 1980s was in building up its armed forces to levels similar to the United States. President Reagan's response was to increase military spending until 1985, but historians today do not argue that the U.S. military building convinced the Soviets to not massacre Eastern European protestors in 1989. Instead, many Americans today argue that Reagan's military buildup forced the Soviet government into bankruptcy as they tried to "keep up" with Reagan. However, they refuse to admit that the Soviet economy was already bankrupt and technologically backward (compared to the United States) when Reagan entered office. So the Reagan spending was hardly responsible for ending the Cold War and killing the Soviet Union.

It is also difficult to argue that this massive amount of U.S. Debt was spent on invading third world countries throughout the 1980s, forcing Saddam Huessein's Iraqi Army out of Kuwait in 1991, or ending the Kosovo genocide in 1998. Those military movements were expensive, but none were near the cost of the nearly \$14 trillion of Debt

⁸² Anyone interested in the argument that the United States used the Cold War as a process for creating its own worldwide economic empire is referred to John Perkins, *Secret History of the American Empire: The Truth About Economic Hit Men, Jackals, and How to Change the World* (New York: Plume, 2008).

⁸³ These questions have been asked by many economists, historians, and political scientists. John Steele Gordon has asked similar questions in his book, *Hamilton's Blessing*. "In the 1860s we used the national debt to save the Union. In the 1930s we used it to save the American economy. In the 1940s we used it to save the world." But the United States has since spent huge amounts of money, digging itself into a worsening debt. "And for what? What have we saved—or gained—in exchange for imposing upon the future, generation after generation, interest costs of well over \$1,000 *per person, per year?* The answer, I'm afraid, is little more than the political self-interest of a few thousand people, Democrats and Republicans alike, who held public office during this period." John Steele Gordon, *Hamilton's Blessing*, pages 174-175.

growth since 1976. In comparison, the present occupation of Iraq will have cost “only” \$1 trillion by the end of 2010. And that war and occupation has been going since 2003! The invasion and occupation of Afghanistan has only cost *one-fourth* of that, currently at around \$250 billion. Military spending is not the answer, so where *has* the money gone?

The real answer is that the money has been given to those who are already rich. This has occurred through thirty years of tax breaks for the wealthy (which reached their peak in the 1986 Tax Reform Act, which former Senator Bill Bradley helped to write), the government’s policy of allowing the wealthiest American companies to avoid taxes, and the government’s ongoing policy of funding those company’s research, development, and manufacturing of products. Of course, the ugliest example of such government corruption was the 2008 Trouble Assets Relief Program Act, which was the program of “government bailouts” for the biggest American companies that invested their revenues so poorly that they were threatened with bankruptcy. The Federal Government, *your government*, gave \$700 billion to the richest American companies and insured about \$14 trillion of their investments. This law is perhaps the biggest robbery in human history: the American taxpayer gave truckloads of cash to his wealthiest corporate bosses and demanded no new laws or regulations in return. American politicians are correct when they say that there is a “class warfare” in the United States as a result of the government’s policies of “wealth redistribution.”⁸⁴ The problem is that they are wrong in who is winning: the American people are giving their money directly to the already-rich. Put simply, “class warfare” is on and the rich are destroying the middle-class and poor!

Any rational, educated American citizen or taxpayer should immediately ask: how is it that such things are happening? What is causing this corruption? How can we solve these problems? Former Congressman Cecil Heftel wrote in the late 1990s to answer

⁸⁴ Several Republicans labeled Obama’s budget proposals as “class warfare” because of the slight tax increases that Obama proposed for the wealthiest tax brackets. This has been reported by Maura Reynolds in “Obama’s budget: Taxing for fairness or class warfare?” published February 28, 2010 by *The Los Angeles Times* and today located at <http://articles.latimes.com/2009/feb/28/nation/na-obama-budget28>. Mitch Albom openly criticized Obama’s health care reform as “class warfare” in “Obama turning needed health care reform into class warfare,” published August 3, 2009 by the Fort Worth Business Press at <http://www.fwbusinesspress.com/display.php?id=10725>. Republican presidential nominee John McCain famously argued that Obama’s goal are wealth redistribution, which he simplistically defined as “taking your money and giving it to someone else.” This quote, and many more, from the final weeks of the 2008 presidential race can be read at http://www.boston.com/news/politics/politicalintelligence/2008/10/mccain_slams_ob_3.html.

precisely why this is happening: “Predictably, the cuts in federal spending that have helped to decrease the deficit [in the late 1990s] have come at the expense of those people who don’t make large campaign contributions. Large campaign contributors continue to reap their rewards. We continue to spend more to pay interest on the national debt than we do on all domestic programs combined, aside from Social Security.”⁸⁵ Hefstel reveals that the source of these problems is the broken democracy that rewards rich campaign donors and harms everyone else. The Debt will continue to grow until we force a solution to the corruption of democracy. Part Two of this book proposes six specific things we can do to fix these problems.

⁸⁵ Cecil Hefstel, *End Legalized Bribery: An Ex-Congressman’s Proposal to Clean Up Congress* (Santa Ana, California: Seven Locks Press, 1998), page 48.

Part Two

A Plan for Action

5

Why Amend the Constitution?

The problems with U.S. democracy are easy to point out, but solutions are much more difficult to create. Many politicians, intellectuals, artists, and musicians have pointed out the policy symptoms of this broken democracy, but few have proposed common-sense solutions to the systematic corruption that leads to those bad policies. Most historians of the American Revolution, the French Revolution, and nearly all other political revolutions will tell you that tearing down a broken system is the *easy* part of revolution. Fighting in the streets, tearing down buildings, and forcing corrupt leaders out of office are all relatively easy. The difficult part of revolution is to build a new, better system that guarantees people's natural human rights while at the same time allows such free people to choose a government strong enough to defend those rights. Early leaders of revolutions are usually united because they have a common enemy (the current corrupt government that they want to overthrow), but that unity often breaks down when they start to argue over what new system should replace it.⁸⁶ The French Revolution is often held up as a prototype of this problem because the French people were generally

⁸⁶ The problems of unity and infighting within revolutionary movements are very clearly demonstrated in Crane Brinton's classic study *The Anatomy of Revolution*, which was first published in 1938 and expanded in 1965.

united against the king in 1789, but began killing each other when the debate over a new system began.

Fortunately, today's United States does not have the problem of having to write new laws aimed at guaranteeing the people's rights and freedoms. Most of the Amendments to the U.S. Constitution already do that by guaranteeing the right to choice of religion, free speech, public gathering for protest, an open press, to bear arms, be free of unreasonable government searches of their property and communications, to vote, to refuse to testify against oneself in court, to a trial by a jury made up of one's peers, to not be kept in jail without having been found guilty in court, to not be tortured during government interrogation, and to have equal access to and the protection of law. These are only the first human rights given by the Amendments. We do not need another revolution to build such rights; instead, we just have to force the U.S. government (and state and municipal governments) to follow the rules already written into the Constitution. The United States is supposed to be a "republic," which means that it is supposed to be governed by laws and not by individual leaders.⁸⁷ The United States can be a republic again, and the American people can re-claim their rights, by re-dedicating itself to following its Constitution.

But the United States is also supposed to be a "democracy," which means that the people are supposed to run the government. In modern times, this has meant that people should have the power to choose their government leaders through free and fair elections.⁸⁸ President Abraham Lincoln defined modern democracy as "government of

⁸⁷ Merriam-Webster's definition of "republic" focuses heavily on a political system which governs "according to law." The entire definition can be found at <http://www.merriam-webster.com/dictionary/republic>.

⁸⁸ Merriam-Webster's definition of "democracy" is primarily "government by the people, especially rule of the majority." The entire definition can be found at <http://www.merriam-webster.com/dictionary/democracy>. James Madison discussed the problems of democracy briefly in *The Federalist Number 10*: "A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert result from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths. Theoretic politicians, who have patronized this species of government, have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would, at the same time, be perfectly equalized and assimilated in their possessions, their opinions, and their passions." James Madison, *Federalist Number 10*, first published November 23, 1787. The entire article

the people, by the people, and for the people. . . .”⁸⁹ Today’s United States claims to be a democracy, but it is really only a warped, dysfunctional democracy. The machinery of our democracy may not be completely broken, but it desperately needs to be repaired and updated. One 2008 poll reveals that 94% of the American people do not believe that their government responds to their will but instead only to the interests of the wealthy elite.⁹⁰ This public anger has led to several tragic instances of violence intended to hurt the U.S. government’s power, such as Joseph Stack’s recent crashing of a private plane into an Internal Revenue Service office in Austin, Texas. Anyone that reads his “Manifesto” will immediately understand that his anger toward an unfair political system was his main motivation in causing such violence.⁹¹

The American public is correct in its claim that the government is greedy and corrupt. The public has a mountain of evidence to prove it. The government’s policy decisions prove that something is terribly wrong with this country. But what exactly is wrong? What is causing these horrid policies? Why do we have so much National Debt? What is the *source* of all these problems? Recent politicians have told us that these problems are due to bad, corrupt, ineffective, ignorant, and even stupid people running the government. From Barry Goldwater and Ronald Reagan to Arnold Schwarzenegger and Barack Obama, Republicans and Democrats have run for office claiming that our problems are caused by bad leadership. This continues in 2010, as many candidates run for office saying that we can solve our problems simply by electing different *people* into

can be viewed online at http://thomas.loc.gov/home/histdox/fed_10.html. This quote appears on page 55 of that volume.

⁸⁹ Abraham Lincoln, “Gettysburg Address” in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, (Mineola, New York: Dover Publications, Inc., 2000), page 93. The entire document can be viewed at <http://www.loc.gov/exhibits/gadd/gatr1.html>.

⁹⁰ This statistic is given by leading political analyst and linguist Noam Chomsky in a speech given just after the November 2008 elections called “What’s Next? The Elections, The Economy, and The World.” The entire talk can be viewed, with transcript, at http://www.democracynow.org/2008/11/24/noam_chomsky_what_next_the_elections.

⁹¹ Stack’s Manifesto can be read in many places on the Internet, such as *The Trentonian* at <http://www.trentonian.com/articles/2010/02/18/news/doc4b7d98936b129390024383.txt>, *The Smoking Gun* at <http://www.thesmokinggun.com/archive/years/2010/02/18/102stack1.html>, and *The New York Daily News* at http://www.nydailynews.com/news/national/2010/02/18/2010-02-18_austin_plane_crash_full_text_joe_stack_manifesto_posted_on_website_embeddedartco.html.

government.⁹² They are wrong. The true source of U.S. government corruption is not the bad *people* in office; instead, it is the bad *system* that they use to get there. To put it bluntly, the problem is with how democracy works in the United States. The system for electing leaders is so corrupt that *it does not matter who wins our elections!* The winners of all elections are corrupted *before they even enter office* because they need to raise huge amounts of money to run an effective campaign and gain access to major media. Candidates usually get this mountain of cash from wealthy donors who see their donations as *investments* that they can use to control a winning candidate. Presidents Jimmy Carter, Ronald Reagan, Bill Clinton, George W. Bush, and Barack Obama won election partly by promising “change” to the people, but mostly because they raised large amounts of money from the wealthy elite. They were then controlled by the elite’s demands while in office, and the result is that nothing has changed despite the promises and rhetoric. If the American people want *real* change, they will have to change the *system* of electing leaders.

In order to change the electoral system, we must change (or “amend”) the Constitution. Many will argue that this would be an extreme, dangerous path that we do not need to take in order to improve democracy. However, anyone who has read the Constitution understands that it created a method for changing itself while also building many of the systems that fail the people today. There are three reasons that we should amend the Constitution in order to improve democracy. First, Congress has already tried to pass laws to improve democracy, but many of these have been killed by the U.S. Supreme Court’s claim that such laws are “unconstitutional.” In essence, the increasingly “conservative” Supreme Court has killed reforms that help the people’s democracy by arguing that those laws would hurt the Constitution’s guarantees of freedom. Two recent examples of this are the Court’s 1976 decision in *Buckley v. Valeo* and its 2010 decision in *Citizens United v. FCC*. The Supreme Court has tried to stop logical reforms by using constitutional arguments, so we must amend the Constitution in order to create reforms

⁹² While running for re-election, Texan Governor Rick Perry recently said that he won the Republican primary because “Texas voters said no to Washington bureaucrats.” This is reported in “Gov. Perry Defeats Hutchinson in Texas GOP Primary” by Kelley Shannon, Jay Root, Jim Vertuno, Ramit Plushnick-Masti, Danny Robbins, and Schuyler Dixon, published March 3, 2010 by the *Associated Press* at http://news.yahoo.com/s/ap/20100303/ap_on_el_gu/us_texas_primary_44. This type of “uprising” against government corruption dominates many other political campaigns.

that the Court cannot kill. The second reason is that laws passed by Congress can always be repealed or overwritten by future laws. It is simply too easy for future majorities in Congress to destroy reforms only written by law; but it would be far more difficult for any slight majority to repeal Amendments to the Constitution. Only Amendments can create reliable, long-lasting reform. Of course, the final argument for amending the Constitution is that such moves have worked well in the past. There have been three major eras of Constitutional change: the Bill of Rights in the early 1790s, the attempted eradication of slavery after the U.S. Civil War, and the Progressive Era of the early 1900s. All were very effective in changing the definition of natural human rights, voting powers, and protections that all people living in the United States are supposed to enjoy. Each of these movements was successful in changing how Americans live and how their government operates; their only failures were the result of governments that refused to enforce such rules (as happened to African-American civil rights until the 1960s). Constitutional Amendments are the surest, most reliable means of changing this country for the better.

The writers of the original Constitution intended it to change over time. They knew that it is not a perfect set of rules. Therefore, Article V says:

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress . . .⁹³

The path to amending the Constitution is clear, but it is also difficult. In creating two different paths for proposing Amendments, the Constitution demands that an

⁹³ “The Constitution of the United States” in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton (Mineola, New York: Dover Publications, Inc., 2000), page 21. The entire document can be viewed at http://www.archives.gov/exhibits/charters/constitution_transcript.html.

overwhelming majority of either government leaders (two-thirds of Congress) or the American people (two-thirds of all states) suggest an Amendment. Three-fourths of the states must then vote to approve the Amendment. Such overwhelming agreement is not possible in today's corrupt Federal Government, but the people obviously want to see a government that listens to their demands and works in their interest. It is time for those people to mobilize to support a new series of Constitutional Amendments to improve American democracy. We must mobilize to influence Congress and our state legislatures. We must threaten to remove any state or federal politician who refuses to approve these Amendments. This can be done simply by voting them out at their next re-election campaign. This would be democracy at its best and most legitimate.

We can only rely on Constitutional Amendments to help democracy because the U.S. Supreme Court has often struck down lesser laws as “unconstitutional.” The Court has used its Constitutional powers of judicial review to stop reforms passed by Congress over the past forty years. One of the first, and most important, of this slew of Supreme Court decisions was *Buckley v. Valeo* in 1976. Amongst many other changes, the U.S. Supreme Court declared that money contributions to political campaigns are equal to free speech.⁹⁴ This means that political candidates cannot be restricted in spending as much of their own personal fortune as they desire in running for government office. Former U.S. Senator Bill Bradley describes how this gives the rich far greater chances of winning office than the average American. “The Supreme Court in *Buckley v. Valeo*, a shortsighted 1976 decision, ruled that money spent on a campaign is equivalent to speech and so cannot be limited under the Constitution. The result is that a rich man has a microphone on a cable channel reaching millions and a poor man is left with a megaphone on his front porch reaching his neighbor. And our democracy suffers.”⁹⁵ Such rulings continue today, and in fact are getting far worse for democracy. The

⁹⁴ The “Docket Number” for *Buckley v. Valeo* is 75-436, which makes research on the document far easier. The Supreme Court lists various means for accessing past decisions at <http://www.supremecourtus.gov/opinions/obtainopinions.pdf>. Perhaps the best source on this list is located on Cornell University Law School's website, <http://www.law.cornell.edu/supct/index.html>. The *Buckley v. Valeo* decision can be found at http://www.law.cornell.edu/supct/html/historics/USSC_CR_0424_0001_ZS.html.

⁹⁵ Bill Bradley, *The New American Story* (New York: Random House, 2007), pages 219-220.

Supreme Court's January 2010 decision in *Citizens United v. FCC* removes all restrictions on "independent expenditures" within 60 days of an election.⁹⁶ This means that rich people, and even the companies they work for, can spend as much money as they want on political advertising to defeat or support any given candidate or ballot initiative. How much money will Microsoft, Comcast, and Newscorp spend to ensure that their conglomerations will never be attacked as monopolies? How much will Halliburton, Xe, and Bechtel pay to ensure that they will continue to supply the U.S. military with its weapons (and without the government even taking bids from other companies!)? These Supreme Court decisions are destroying democracy in the United States.

Because it has the power to invalidate laws passed by Congress, the Supreme Court is today the greatest force stopping the growth of U.S. democracy. The only way to legally overcome such resistance is to change the Constitution in ways that the Court cannot overlook. We need Constitutional Amendments that will enhance democracy by giving all candidates for office equal resources and all voters equal access to the polls. The following chapters explain the problems of our election laws and propose the language for Amendments that could remove those obstacles to true democracy.

The Amendment process is the best way forward also because it promises to create the most reliable and long-lasting political reform. Any single law passed by Congress can be overturned by later laws passed by future Congresses. This has happened, and continues to happen, frequently in U.S. politics. Bill Bradley says that this can be a good thing, because it forces politicians to seek bi-partisan support (which means support from both Republicans and Democrats for the law). According to Bradley, this is the only way to guarantee that important laws will not be overturned by later party leaders and politicians.

⁹⁶ The "Docket Number" for *Citizens United v. FCC* is 08-205, which makes research on the document far easier. The full text can be found on the U.S. Supreme Court's website, at <http://www.supremecourtus.gov/opinions/opinions.html> until about the year 2013. The text will then likely be moved off of the Court's website, but can still be accessed through the various means listed at <http://www.supremecourtus.gov/opinions/obtainopinions.pdf>. Perhaps the best source on this list is located on Cornell University Law School's website at <http://www.law.cornell.edu/supct/index.html>. The *Citizens United v. FCC* decision can be found at <http://www.law.cornell.edu/supct/html/08-205.ZS.html>.

[A]bsent filibuster-proof majorities, only the policies for which there is a rough bipartisan consensus will last. In the Senate, for example, if you have a 51-to-49 majority, you can ram something through on a party-line vote, but when the other party comes into power your policy reform is undone. Ultimately, politics is not about one party beating the other but about listening to the American people enough to know what policy changes will command bipartisan support over the long run.⁹⁷

Unfortunately, such a view is riddled with major problems. If laws are so easy to overturn, why should we trust them to empower the fundamental aspects of democracy that are described in the rest of this book? Can we trust politicians elected under a corrupt system to voluntarily change that system and promise not to kill that reform in the future? If we somehow achieve Bradley's hoped-for "filibuster-proof" majority (which is 60 Senators), why stop at simple laws when we already have what approaches a large enough majority to amend the Constitution? Most importantly, So why rely on laws that can be changed when we can amend the Constitution in ways that would be hugely difficult to change? Many laws have changed over time, but the Constitution is only rarely altered. Only one Amendment has been repealed in all of U.S. history: the Eighteenth Amendment which outlawed the use of alcohol in 1919 was repealed in 1933.⁹⁸

Bradley holds onto his hopes for reforms driven by law (rather than Constitutional Amendments) throughout his book, *The New American Story*. "At this time, I believe that, of the two options, public financing has a better chance of becoming law than a constitutional amendment."⁹⁹ He supports the idea of mobilizing people to create bipartisan support for reliable reform laws. However, just because laws have a better chance of passing than Amendments, it remains clear that Amendments are far more likely to effect long-lasting, durable change because they are also far more difficult to

⁹⁷ Bill Bradley, *The New American Story*, pages xii-xiii.

⁹⁸ The Eighteenth and Twenty-first Amendments are listed in "The Constitution of the United States" in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, 25 (Mineola, New York: Dover Publications, Inc., 2000), pages 30-31. The entire document can be viewed at http://www.archives.gov/exhibits/charters/constitution_transcript.html.

⁹⁹ Bill Bradley, *The New American Story*, page 220.

overturn. The Twenty-first Amendment in 1933 was driven by massive voter anger over Prohibition; such anger is not likely to arise over proposals to improve democracy. In fact, evidence continues to indicate that most American voters are angered by the *lack* of reliable change. American voters should not simply support the latest *bi*-partisan catchphrase; instead, they should demand *non*-partisan solutions to open democracy to all parties, all candidates, and all voters.¹⁰⁰

We, the people of the United States, should remember that this process has happened before. The Constitution has undergone three major phases of revision: the Bill of Rights movement of 1789-91 used the Constitution to guarantee its citizens many human rights, the post-Civil War movement to eradicate slavery, and the Progressive Era of the early 1900s that attacked the corrosively consolidated power of the rich business-owners over the working and middle classes. These Constitutional Amendments were largely successful in meeting their many individual goals; their failures were due far more to Federal and State Governments that refused to enforce the new laws. In many ways, these failures continue today, aided by the dominance of Republicans and Democrats that refuse to negotiate or even admit their mistakes. Government's inability to accomplish even the smallest tasks that the people give to it is a symptom of political corruption that U.S. citizens have been fighting since the Revolution against Great Britain in the 1700s. President Theodore Roosevelt clearly recognized the problems that the U.S. people and government face. He said in 1910:

Now, this means that our government, national and state, must be freed from the sinister influence or control of special interests. Exactly as the special interests of cotton and slavery threatened our political integrity before the Civil War, so now the great special business interests too often control and corrupt the men and methods of government for their own

¹⁰⁰ The distinction between *bi*-partisan (which implies the continued dominance of the Republican and Democratic Party) and *non*-partisan (which implies that the major Parties do not have much input into policy debates and political votes) is hugely important. George Farah discusses this difference briefly in his book *No Debate: How the Republican and Democratic parties Secretly Control the Presidential Debates* (New York: Seven Stories Press, 2004). He writes on page 10 that "The CPD [Commission on Presidential Debates], therefore, is not "nonpartisan" but rather "bipartisan," a crucial distinction that determines whether voters have the opportunity to see candidates they want to see and hear about issues they want to hear about." For a general introduction to the presidential debate system and its *bi*-partisan demands, see Chapter One subsections "A Brief History" and "The Bipartisan CPD" pages 4-10. Much of this information is also available at Farah's website, www.opendebates.org.

profit. We must drive the special interests out of politics. That is one of our tasks to-day. . . . For every special interest is entitled to justice, but not one is entitled to a vote in Congress, to a voice on the bench, or to representation in any public office. The Constitution guarantees protection to property, and we must make that promise good. But it does not give the right of suffrage [the right to vote] to any corporation.¹⁰¹

It is particularly telling that a former U.S. President would compare the wealthy elite's dominance over politics to the dominance that slave-owners held over their slaves before the Civil War. Even though the business-owners have a right to protection of their property (their factories, offices, and personal possessions) they do not have a right to control the government through bribery or campaign contributions. As Roosevelt demanded in 1910, we today must seek to “drive the special interests out of politics.” The best and most reliable way to do that is to adopt the Constitutional Amendments proposed throughout this book.

We cannot change the system by refusing to be politically active and just giving up all hope. In order to change the powers that dominate our lives, we must become powerful. We need a grass-roots, active demand for changes to the electoral system. We need to convince government leaders that they will be voted out of office if they refuse to implement our demands. Activists will have to gather in the streets and demonstrate against government structures in ways that have not happened in the United States since the Civil Rights Movement of the 1950s and 1960s. This book proposes a series of Constitutional Amendments that the people can gather around and fight for. The rest of Part Two contains proposals for six Amendments that would dramatically alter the U.S. electoral process, making democracy freer and fairer for all parties, candidates, and voters.

¹⁰¹ Theodore Roosevelt, “The New Nationalism,” a speech given in August 1910 in Osawatomie, Kansas. The full text of the speech can be found at <http://teachingamericanhistory.org/library/index.asp?document=501>.

6

Elections that Empower the Voters

Removing the dominance of money over our political leaders must be the centerpiece of any legal revolution aimed at ending corruption in the Federal government. We must find a way to break the wealthy elite's control over the government, and the best means of doing that is to demand that all campaigns be funded by the government, and by *nobody else*. This means that all private campaign donations must be made illegal, and that all private political advertising must also be stopped. When all candidates for any Federal office (the House of Representatives, the Senate, and the President) are *only* and *equally* funded by the people (through their government), then we can truly say that we live in a democracy.

Unfortunately, we cannot simply demand a few changes in modern laws in order to make campaigns fully funded by the government. This is because the U.S. Supreme Court would likely declare such laws unconstitutional. It has happened before, specifically in the previously-mentioned ruling known as *Buckley v. Valeo*. Former Senator Bill Bradley describes this decision as a disaster for democracy. "The Supreme Court in *Buckley v. Valeo*, a shortsighted 1976 decision, ruled that money spent on a campaign is equivalent to speech and so cannot be limited under the Constitution. The result is that a rich man has a microphone on a cable channel reaching millions and a

poor man is left with a megaphone on his front porch reaching his neighbor. And our democracy suffers.”¹⁰² In essence, because the Court has already declared campaign money as a form of political speech, any future law that seeks to eliminate private funding of campaigns will likely be declared unconstitutional because the First Amendment demands that “Congress shall make no law . . . abridging the freedom of speech. . . .”¹⁰³ In order to overcome this legal blockage to democracy, we must instead demand, write, and pass a new Constitutional Amendment that establishes public (government) funding of campaigns and makes it illegal to give private (personal) money to any political candidate.

As Senator Bradley implied, today’s gross amount of campaign donations are mostly used to buy media advertising time and to pay for the creation of ads. Politicians often say that such advertising is the most effective way of getting their message to the people. However, when one candidate can grossly outspend all others and jackhammer their “message” into the public’s consciousness through repetitive advertising, then that candidate of course has an unfair advantage over all of his or her challengers. Obviously, television advertising is the largest source of political spending. Former Congressman Cecil Heftel revealed this fact in his 1998 book, *End Legalized Bribery*. “The role of money continues to expand in American politics. Because of the ever-increasing importance of television advertisements, it takes more money to compete in elections than it did when I was running for office [in the 1970s and 1980s], and that means more pressure on candidates to raise money. The more money candidates need to raise, the more beholden they become to the interests who finance their elections.”¹⁰⁴ As Congressman Heftel clearly shows, the natural tendency of politicians in such a money-driven system is to raise as much money as possible to pay for the needed advertising. But this creates a systematic problem: candidates make promises to the people to help

¹⁰² Bill Bradley, *The New American Story* (New York: Random House, 2007), pages 219-220.

¹⁰³ “The Constitution of the United States” in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, 25 (Mineola, New York: Dover Publications, Inc., 2000), page 25. The entire document can be viewed at http://www.archives.gov/exhibits/charters/constitution_transcript.html.

¹⁰⁴ Cecil Heftel, *End Legalized Bribery: An Ex-Congressman’s Proposal to Clean Up Congress* (Santa Ana, California: Seven Locks Press, 1998), page 40.

change the way Washington works, but are hamstrung by the wealthy elite who profit off of the present corruption *and* have recently funded the candidate's advertising campaign. The results are obvious. Every winning presidential candidate since 1976, with the exception of George H. W. Bush in 1988, has won with a message of "change." But nothing substantial has changed. Why? Because the incoming presidents knew that they could not implement massive change without upsetting the wealthy who profit off the system. To threaten them means that they would refuse to give money for the president's re-election, and may even spend money to defeat the president's policies. This is why the United States has been stuck in an epidemic rut since the 1970s. The money problem is only getting worse. In 2004, President George W. Bush's re-election campaign raised a record \$367 million dollars, and won. In 2008, Senator Barack Obama raised \$745 million, *more than twice the previous record*, and won.¹⁰⁵ President Obama's Cabinet appointments have already been disappointing to anyone who wanted "change," and we will see what his 2012 re-election focuses on. But can we wait that long to rebuild American democracy by removing private funding and creating full public funding?

The fact that the wealthiest people in the United States give the overwhelming amount of campaign contributions is undeniable. Congressman HefTEL declared that "Since only 1/10 of 1 percent of Americans contribute more than \$200 to any political candidate, the great majority of people are shut out of the political arena where special interests call the tunes."¹⁰⁶ Yes, you read that correctly: only 0.1% of Americans make large campaign contributions. In using their wealth, that 0.1% of Americans decide the country's leadership, set the political agenda, and expect government subsidies, tax breaks, and other favors. Upon seeing such statistics, it is easy to understand how the United States has been run to benefit the wealthiest of its society, while the rest of us are sold out by being left uninsured, threatened with layoffs, and often facing home foreclosure. Congressman HefTEL argued this as well. "Big donors give money to candidates running for office and are repaid tenfold, a hundredfold, even a thousandfold

¹⁰⁵ These statistics are taken from a very reliable and easy-to-use website that tracks fundraising by political candidates, www.opensecrets.org, run by the Center for Responsive Politics. The page that reveals the 2008 fundraising statistics for presidential candidates is <http://www.opensecrets.org/pres08/index.php>. The page for 2004 fundraising statistics is located at <http://www.opensecrets.org/pres04/index.php?cycle=2004>.

¹⁰⁶ Cecil HefTEL, *End Legalized Bribery*, pages 51-52.

in government favors.”¹⁰⁷ Again: “As long as candidates are dependent upon that small fraction of the population, a fair and equitable tax system is not going to get far on the congressional agenda.”¹⁰⁸ Many will say that Heftel’s argument was based on 1990s amounts that are not today’s reality. Those people should also note that Bill Moyers complained of similar numbers in the 2004 elections. “Less than one-half of one percent of all Americans made a political contribution of \$200 or more to a federal candidate in 2004. When the average cost of winning a seat in the House of Representatives has topped \$1 million, we can no longer refer to that chamber as “The People’s House.””¹⁰⁹ This problem must be fixed.

But, again, those who have a normal angry reflex against fundamental change will complain. As the Supreme Court did in the 1976 *Buckley v. Valeo* decision and in the 2010 *Citizens United v. FCC* decision, many will argue that restricting the ability of people to donate money to their favorite candidate is the same as restricting the people’s political freedom. We should remember, however, that the loudest demands for freedom are often made by those who control the system. This happened frequently in the debates on slavery. British scholar Samuel Johnson asked in 1755 “How is it that we hear the loudest yelps for liberty from the drivers of Negroes?”¹¹⁰ How? Why? Because those who demand such liberties are often simply demanding their right to trample and enslave other people. Comparing slavery in 1800s United States to today’s dominance of money over political candidates makes sense when one looks at the statistics. Research performed by Heftel, Moyers, and others have shown that about 0.1% of Americans control the U.S. government. This is comparable to the relatively few southerners that owned slaves before the Civil War: 75% owned zero, 12% owned between one and four, 10% owned between five and nineteen, 2.4% owned between twenty and fifty, and *only*

¹⁰⁷ Cecil Heftel, *End Legalized Bribery*, page 52.

¹⁰⁸ Cecil Heftel, *End Legalized Bribery*, page 70.

¹⁰⁹ Bill Moyers, “A Culture Of Corruption: Let's Save Our Democracy by Getting Money Out of Politics,” published April 1, 2006 by the *Washington Spectator* and viewable at http://www.washingtonspectator.org/Articles/SF_461471500.cfm?ur=20060401cleanmoney_1.cfm&st=%20%20SEARCH%20RESULTS%3A%2020060401CLEANMONEY%20%20BILL%20MOYERS%202006

¹¹⁰ David McCullough, *John Adams* (New York: Simon & Schuster, 2001), page 133.

0.6% owned over fifty human slaves.¹¹¹ This begs a powerful question: if the mass majority of southerners owned zero or very few slaves, and 0.6% owned the most slaves, why did most of the southerners agree to fight the Civil War? Why did so many young men who owned zero slaves volunteer to fight, bleed, and die in a war designed to defend *somebody else's power*? A similarly tiny proportion of wealthy businessmen control our politics today in much the same way: they demand the “right” to control debate by giving huge amounts of money to candidates. If only 0.1% contribute most of the campaign money and set the political agenda, why do the remaining 99.9% accept it? How are the mass majority of the people convinced to defend *somebody else's power*? Why do we allow the wealthy to own our politics just as plantation owners convinced their poor white workers to fight on the front lines of the Civil War?

Far from mobilizing to get rid of the money/campaign system that so clearly works against their own interests, most Americans today believe that they can only impact politics by giving money. When Congressman Joe Wilson yelled “You lie!” at President Obama during Obama’s health-care speech to a Joint Session of Congress on September 9, 2009, he provoked a “fundraising bonanza.” Wilson’s opponents acted quickly, but not through communicating with their representative. Instead, they tapped into the popular anger against Wilson to raise money for his opponent in the upcoming 2010 election. *The Nation* reported the next day that the Democratic candidate, Rob Miller, had raised over \$300,000 in campaign contributions.¹¹² Five days later, the Bloomberg news agency reported that Wilson’s supporters had raised \$1.3 million and his opponent Miller had raised \$1.5 million, raising far more money in just one week than Wilson had won with in his entire 2008 campaign (\$893,218).¹¹³ Americans clearly

¹¹¹ These statistics are taken from a basic college textbook in United States history: David Goldfield, Carl Abbott, Peter H. Argersinger, Virginia DeJohn Anderson, William L. Barney, Jo Ann E. Argersinger, and Robert M. Weir, *The American Journey: A History of the United States, Fifth Edition Combined Volume* (Upper Saddle River, New Jersey: Pearson, 2009), pages 289-291.

¹¹² “Challenger to “You Lie” Congressman Cashes In After Speech,” published by *The Nation*, Thursday, September 10, 2009. The article can be viewed at http://www.thenation.com/blogs/notion/471063/challenger_to_you_lie_congressman_cashes_in_after_speech.

¹¹³ “Democrats to Propose Measure Sanctioning Wilson,” by James Rowley and Jonathan D. Salant. Published September 15, 2009 by Bloomberg.com and available at <http://www.bloomberg.com/apps/news?pid=20601103&sid=axiXq3LBWsko>.

think that the strongest way to impact their politics is to give money to one candidate or the other.

The Joe Wilson experience also proved that politicians are very eager to use any ploy possible to raise campaign cash. With the way American elections function, the candidates' primary goal is to raise as much money as possible. In 2008, Barack Obama raised twice as much money as Republican nominee John McCain, and won.¹¹⁴ Similar numbers exist in the Senate, where candidates spending the most money eventually won 30 of 35 seats (an 86% success rate).¹¹⁵ Also, in the House of Representatives, candidates who outspent their opponents won 397 of 426 seats (93%) whose outcomes were clear on the day after the election.¹¹⁶ We should expect our politicians to be entirely focused on raising campaign donations when money is so obviously used to dominate elections.

In fact, many politicians see the ability to raise money as even more important than the ability to convince people to vote for them. How can this be true in a popular democracy? Because a politician with charisma and logical arguments stands little chance of winning if they cannot raise enough money to pay for a media advertising campaign that gets their message to the voters. And just imagine if that person's opponent(s) are capable of raising huge amounts of money that can be used in a media onslaught! Many politicians have reported that a candidate's best talent must lie in raising campaign cash. "In order to amass that kind of money, you either have to be very wealthy and fund the campaign yourself or spend time every single day raising money. A candidate's most important qualification is often his or her fund-raising ability. Money

¹¹⁴ Center for Responsive Politics, "Banking on Becoming President," <http://www.opensecrets.org/pres08/index.php?cycle=2008>.

¹¹⁵ Center for Responsive Politics, "Winning vs. Spending" for all Senators, located at <http://www.opensecrets.org/bigpicture/bigspenders.php?cycle=2008&Display=A&Sort=D&Memb=S>.

¹¹⁶ "Money Wins Presidency and 9 of 10 Congressional Races in Priciest U.S. Election Ever," published November 5, 2008 by the Communications Department of the Center for Responsive Politics. The full article is located at <http://www.opensecrets.org/news/2008/11/money-wins-white-house-and.html>.

buys the requisite TV and radio ads, direct mail, campaign manpower, targeted outreach.”¹¹⁷

Politicians are so desperate for campaign money that they beg for donations from the wealthy, who agree to give money only in exchange for candidates’ promises to support certain things if they win the election. “The necessity of raising money to run for office is a kind of election in itself. Instead of submitting themselves to voters who need only pull a lever or fill in a ballot or register an opinion, prospective candidates have to submit themselves to wealthy people or to political action committees (PACs) who register their support with cash contributions. These fat cats and PACs exist as an unofficial screening committee of American elections. Candidates who do not garner fat-cat and PAC approval usually do not have the money to wage competitive campaigns and, therefore, do not win public office.”¹¹⁸ Put simply, candidates market themselves to possible cash donors because that money makes or breaks their campaign. The wealthy control our political leaders and the national agenda by only giving money to candidates who agree to support pro-big business policies. Robert Johnson, a former economist at the Senate Banking Committee and the Senate Budget Committee, stated as much when commenting on the Economic Crisis of 2008 and its connection to campaign donations:

Unfortunately, in the United States, one of the reasons we had the [housing] bubble and the crisis was because we have a broken political system, where campaign money, lobbying influence of the financial sector is enormous, and it created bad regulations, bad laws. I’m going back into the Reagan period, Bush the senior, particularly the Clinton era. We’ve made a mess, and now we come back from a crisis where the population knows darn well what a mess we’ve made. But the problem is, at this point, . . . the moneyed interests are still in power. And a large portion of these reforms are either cosmetic or designed by the industry and quite ineffective. . . . My assessment of [House of Representatives Financial Services Committee Chairman] Barney Frank is that he . . . is not adequately representing the American people. He’s in a difficult situation, because we have a structurally dysfunctional money politics system.¹¹⁹

¹¹⁷ Bill Bradley, *The New American Story*, page 209.

¹¹⁸ Cecil Heftel, *End Legalized Bribery*, page 4.

¹¹⁹ From an interview given by Johnson on the television/radio news program *Democracy Now!* originally broadcast November 2, 2009. The entire interview can be seen, with a full transcript, at http://www.democracynow.org/2009/11/2/how_wall_street_and_its_backers.

This is the political analysis given by a former employee of the Senate Banking and Finance Committees, who had a unique inside view of Washington politics. Economists close to the halls of power are now describing U.S. democracy as “dysfunctional.”

Economists are not the only ones who describe our system of electing leaders as “dysfunctional” or in need of structural changes. Progressive politicians have been demanding such reforms since at least the 1890s, at first under the Populist Party.¹²⁰ Surrounded by decades of systematic political corruption, former President Theodore Roosevelt later called for massive changes to the electoral system. “It is necessary that laws should be passed to prohibit the use of corporate funds directly or indirectly for political purposes; it is still more necessary that such laws should be thoroughly enforced. Corporate expenditures for political purposes, and especially such expenditures by public service corporations, have supplied one of the principal sources of corruption in our political affairs.”¹²¹ Roosevelt lived before the mass media of radio, television, and the Internet existed, but he understood that the wealthy invest in politics (by giving donations to candidates) as a way of guaranteeing their own future profits. He saw that the best way out of such a dilemma was to end the ability of wealthy companies to make such donations. Today, we inhabit a different world in which our politicians are similarly dominated by money, but usually as a means of building media advertising campaigns. We need a solution similar to Roosevelt’s idea: eliminate corruption by attacking its goal. To do that, we must amend the Constitution to make all campaigns for Federal offices funded by the government.

What does this mean? What would public funding entail? Publicly-funded campaigns would receive Federal government money as their main source of revenue.

¹²⁰ A good, short history of the Populist Party can be found in Robert C. McMath, Jr., *American Populism: A Social History, 1877-1898* (New York: Hill And Wang, 1993).

¹²¹ Theodore Roosevelt, “The New Nationalism,” a speech given in August 1910 in Osawatomie, Kansas. The full text of the speech can be found at <http://teachingamericanhistory.org/library/index.asp?document=501>.

This would reduce candidates' need to beg for campaign donations from wealthy people and businesses, which would dramatically cut candidates' dependence on the wealthy. Any candidate elected to Federal office would then be far freer in using their own judgment in making policy decisions. If the country's political leadership were freed from their dependence on campaign cash given by the wealthiest 0.1% of Americans, then we could very likely see the disappearance of unfair taxation, government subsidies that seem little more than giveaways to the rich (often known as "corporate welfare"), and far difference ideas on energy production, foreign relations, and international warfare. The key to such political independence from the elite's interests lies in equal funding for all candidates for an office, distributed by the government itself.

There have been many calls through the years for such a program of publicly-funded campaigns. An immediate, and rational, question must be raised in such debates: how much will this cost? Former Congressman Cecil Heftel, writing in 1998, argued that his idea for publicly-funded campaigns would be shockingly cheap. "Studies show that for federal elections—for Congress and the presidency—\$6.50 per citizen per year is all it would take to own our democracy. Two or three dollars would do the trick for state elections."¹²² Paying a mere \$6.50 in taxes per person to remove a dominant cause of corruption seems like an amazing bargain! But that estimate was given in 1998 dollars, so what do thinkers in this decade project? Bill Moyers, writing in 2006, guessed that the cost would be slightly higher: about \$10 per person. "Just think: For about \$10 per taxpayer, per year, we, the people, could buy back our politicians in Congress and the White House with full public funding."¹²³ Again, this seems like a bargain that any logical person would accept. When we calculate that each citizen in the U.S. would spend about \$10 for publicly-funded campaigns, and figure that there are about 300 million U.S. citizens, that adds up to about a \$3 billion cost for each Federal election. Former Senator Bill Bradley suggests two alternatives, each of which are close to the \$3 billion estimate. He suggests that publicly-funded campaigns for federal offices would

¹²² Cecil Heftel, *End Legalized Bribery*, page 14.

¹²³ Bill Moyers, "A Culture Of Corruption."

cost either \$2 billion¹²⁴ or \$3.6 billion.¹²⁵ Bradley even suggests that the Constitution should be amended in order to guarantee that public funding for elections is not attacked and killed at a later time. “Constitutional amendments have long been our way to improve democracy, whether it was expanding the right to vote or directly electing senators. . . . But if you think our democracy is at risk of being offered to the highest bidder, then the constitutional route offers the only certain way of limiting money in politics.”¹²⁶ The larger point, though, is that despite whose plan we want to implement, the benefit of removing the elite’s ability to dominate our politics is easily worth the cost of eliminating corruption (about \$3 billion). This is resoundingly clear when we realize that the Defense Department in the 2010 fiscal year will spend about \$680 billion,¹²⁷ the war in Iraq will cost at least \$1 trillion,¹²⁸ the Federal Budget for 2010 is over \$3.5 trillion,¹²⁹ and the total National Debt is today over \$12 trillion.¹³⁰ Given these numbers,

¹²⁴ Bill Bradley, *The New American Story*, page 181.

¹²⁵ Bill Bradley, *The New American Story*, page 219.

¹²⁶ Bill Bradley, *The New American Story*, page 219.

¹²⁷ Two articles are useful in analyzing the Defense Department’s 2010 budget. The first is “Senate OKs \$626B defense budget,” by David Rogers, published October 6, 2009 by Yahoo! News. The entire article, which can be found at http://news.yahoo.com/s/ap/20091006/ap_on_go_pr_wh/us_obama_ap_poll, reports on the political battles over several controversial defense projects. The second article is “Obama inks defense bill with hate crimes provision,” published October 28, 2009 by The Associated Press at http://hosted.ap.org/dynamic/stories/U/US_OBAMA_DEFENSE?SITE=CACHI&SECTION=HOME&TEMPLATE=DEFAULT. This article gives the final Defense Department total budget as being \$680 billion.

¹²⁸ *The New York Times* has estimated that the cost of the war up to March 2009 was \$860 billion, with at least another \$225 billion being spent until the planned withdrawal of most U.S. troops in 2011. “The Economic Cost of War,” by James Glanz, published by *The New York Times* “Week In Review” February 28, 2009. The entire article can be viewed at http://www.nytimes.com/2009/03/01/weekinreview/01glanz.html?pagewanted=1&_r=1. President Obama admitted that the Iraq War has cost about \$1 trillion dollars in his National Address announcing increased troop deployments to Afghanistan, given December 1, 2009. *U.S. News & World Report* published a full transcription of the speech at <http://www.usnews.com/articles/news/2009/03/27/president-obamas-speech-on-afghanistan-and-pakistan.html>.

¹²⁹ The U.S. Federal Government’s Fiscal Year 2010 Budget can be found online at <http://www.whitehouse.gov/omb/budget/>. The Summary Tables can be found at <http://www.whitehouse.gov/omb/budget/fy2010/assets/summary.pdf>. All of these documents can be saved to your own computer.

¹³⁰ “US set to hit national debt limit in December,” published November 4, 2009 by AFP. This short article can be found at <http://www.google.com/hostednews/afp/article/ALeqM5iafzaHhbJPNFs6DBVwLDbf9iS7cg>.

\$3 billion every two years is literally a drop in an ocean of government spending. It is time for the citizens of the United States to take control over that ocean.

The United States would not be the first country to take such control over their political process. France and Germany have already created systems that give large amounts of public money to candidates and/or parties.¹³¹ These countries have seen a general increase in people's control over their government, which of course is the major goal of representative democracy. Several European countries have determined that the cost is worth the benefit, and some have even concluded that simply giving government money to official campaigns is not enough. Again, France and Germany are the leading examples of countries that have taken the additional step of limiting campaign donations and advertising. As discussed in the introduction, simply giving money to an official campaign will not make politicians completely independent of the wealthy elite. Even if politicians get public funding, they may still rely on the wealthy to donate huge amounts of money, which could allow any one candidate to grossly outspend their opponent. The elite can also form outside groups to publicly advocate for their election (or for the defeat of any opposition candidates). Such groups usually spend huge amounts of money on media advertising, which U.S. law has defined as "independent expenditure."¹³² In order to fully defeat the ability of the wealthy elite to control our politicians with money, we must amend the Constitution in three important ways: to create public financing for all Federal offices, to make it illegal for any person or group to give private money to candidates or campaigns, and to make it illegal for any private entity to create and/or broadcast political advertising using any publicly-owned utility (which would automatically include television, radio, billboards on public land, or posters on any government or municipal vehicle such as busses). The result would be to make all

¹³¹ Even the U.S. Congress realizes the importance knowing the subtle differences between U.S. election laws and those of other powerful countries. The Library of Congress website lists a general overview of several countries' election laws, including those of France and Germany, at <http://www.loc.gov/law/help/campaign-finance/index.php>.

¹³² The most recent definition of "independent expenditure" and of their funding limits are given in the "Bipartisan Campaign Reform Act of 2002," which can be found at <http://thomas.loc.gov/cgi-bin/query/z?c107:H.R.2356.ENR>. This law changed many rules regarding U.S. federal elections. The details of these and other changes can be found in The Federal Election Campaign Laws, viewable at <http://www.fec.gov/law/feca/feca.pdf>.

candidates for any single office completely equal in the amount of campaign money they can raise and spend, which will eliminate the ability of the wealthiest people in the country to dominate politics, and turn control over the government back to the common voters. Former Senator Bill Bradley tells us precisely why we must take such steps: “Money in politics is like ants in your kitchen. If you don’t block all the holes, some will find a way in.”¹³³ Today, we must take the necessarily radical step of blocking all of the holes.

Such changes will not happen easily. The wealthy who now control government, along with the politicians who rely on money to stay in power, will not give up their profits without a fight. A massive grassroots movement is the only way to break the horribly corrupt system of cash and influence in Washington. This book’s purpose is to give the people a practical, logical, and easy-to-read plan to demand their representatives to support. We must threaten our public representatives with removal from office if they refuse to support a Constitutional Amendment that creates publicly-financed elections, ends private donations, and destroys political advertising in media. Far and above any other campaign demand, we must tell our politicians that we will refuse to vote for any candidate who refuses to support this Amendment. Former Congressman Heftel revealed exactly why such public pressure is crucial. “Members of Congress thrive on routine and tradition. They have no incentive to change the system that brought them power. On the other hand, they are sensitive to public opinion and to their place in history. They will muster political will when voters show political will and demand that things change.”¹³⁴ Those in power absolutely love a calm, uninformed, undemanding, and completely docile population because such people do not get involved in politics. These populations just accept whatever they get, sometimes with a little bit of complaint, but no organized movement to change anything. Americans must stop allowing their government to push them around. It is time to get involved, make demands, and follow through on demands by voting some representatives who refuse change out of office.

¹³³ Bill Bradley, *The New American Story*, page 209.

¹³⁴ Cecil Heftel, *End Legalized Bribery*, page 11.

Many Americans will resist joining such a movement because they have gotten too used to not paying attention, being politically lazy, and allowing others to control events. Many Americans will, and do, justify this by saying that the system is too corrupt to be changed, that it is too big and powerful to alter. This is an insult to anyone who believes in democracy, and a blatant slap in the face to anyone with knowledge of the American Revolution. Americans of that generation fought the most powerful Empire in the world at that time, sacrificed for six bloody years, and won through sheer determination to never be conquered. Americans today just have to take an hour or so out of their day to listen to objective news broadcasts, talk to their friends, contact their representatives, and vote on election days. Congressman Heftel again led the way in criticizing political laziness and despair. “The cynicism of those who oppose campaign finance reform appalls me. I have no faith that Congress will ever pass campaign finance reform unless the public demands it and shows itself willing to toss out of office those who stand against it.”¹³⁵ Lifelong consumer advocate, frequent presidential candidate, and outspoken political activist Ralph Nader strikes a similar tone in his own condemnation of the American electorate. “[T]o throw up one’s hands in defeat guarantees anguish and deprivation. Individual obligations absorb daily time and attention, of course, but ignoring our civic obligation, our public citizen duties, profoundly affects our daily lives as well.”¹³⁶ In the end, this syndrome of helplessness “feeds on its own futility.”¹³⁷ T 6

The time is now. But what exactly should Americans fight for? What should they demand when they contact their representatives? What proposal should they threaten their political leaders with removal from office for refusing to support? The following is my proposal for the precise text of a Constitutional Amendment aimed at creating publicly-financed federal elections, ending the private donations system, and destroying political advertising through mass media:

¹³⁵ Cecil Heftel, *End Legalized Bribery*, page 128.

¹³⁶ Ralph Nader, *The Good Fight: Declare Your Independence & Close The Democracy Gap* (New York: Regan Books, 2004), page 5.

¹³⁷ Ralph Nader, *The Good Fight*, page 6.

Section 1. All candidates for elected office in the United States Federal Government shall have their campaigns funded entirely and only by the Federal Government, in equal amounts determined by Congress. Congress shall set these funding amounts with yearly legislation, to be enacted by a two-thirds vote in each house of Congress. Such legislation shall only affect the year in which it is passed. If Congress is undecided as to the amount for any particular year, that year's funding levels shall automatically revert to the amount used in the immediately preceding year. This amendment shall apply not only to candidates nominated by political parties, but also to independent candidates that run for office as unaffiliated with any party.

Section 2. Candidates for elected office in the United States Federal Government are hereby prohibited from receiving campaign contributions of money, supplies, infrastructure, or services of any kind from private entities. Private entities shall include, but not be limited to, any individual person, business, or corporation. Candidates are also hereby prohibited from receiving contributions from any group, organization, charity, foundation, or any similar collection of individuals with the lone exclusion of the Federal Government through the system established in Section 1 of this Amendment. Because Section 1 of this Amendment shall provide all necessary funding for campaigns, any resources gained from private entities or groups are deemed unnecessary, and are hereby defined as felonious crimes against the Constitution of the United States. Persons found guilty of such crimes shall be punished according to legislation enacted by Congress.

Section 3. Candidates for elected office in the United States Federal Government are hereby prohibited from soliciting, creating, buying, or otherwise using any publicly-owned utilities for any type of political advertising. Private citizens and groups are also prohibited from using such utilities for any type of political advertising. Publicly-owned utilities shall include, but not be limited to, television and radio frequencies or spectra; any vehicles owned or operated by municipal, state, or federal governments; or any buildings or other infrastructure owned by municipal, state, or federal government and any lands immediately adjacent to such infrastructure.

Section 4. Congress shall have power to enforce these articles by appropriate legislation.

Of course, such massive changes to U.S. politics will meet determined resistance from those who profit off of the present system (those 0.1% that Congressman Heftel

described) and others who have been deceived into thinking that the present system supports democracy. One can quickly predict the several major arguments that may be brought to defeat the Amendment: that it would be far too expensive, that it would hurt citizens' freedom of speech, that it would hurt a person's ability to support the candidate of their choice, that it could invade the private lives of American citizens, or that it would hurt Americans' ability to get political information. Each of these arguments should be swiftly defeated in any logical argument.

The first complaint is that publicly-financed campaigns would be too expensive. However, the estimates cited earlier in this chapter show that implementing publicly-funded campaigns would cost about \$3 billion every two years. This is a tiny amount compared to other Federal government expenses. If used in pursuit of citizens taking full control over their politics, it is a downright bargain. Even better: the \$3 billion estimate also predicted that most of that money would be spent on political advertising to keep up with those candidates who refuse to take public money. Because this Amendment also outlaws the current advertising system, *most of the \$3 billion will be unnecessary!* Congress could instead choose to only fund a candidate's travel schedule, public appearances, and small amenities such as wardrobe, hotel rooms, and meals. Therefore, the final cost for public ownership of campaigns could fall dramatically, depending on what Congress decides is absolutely necessary for political campaigns, and will destroy any complaints about the costs.

Others will complain that the Amendment would hurt Americans' freedom of speech, particularly by limiting their access to political debate. This line of thought does not take into account that the Amendment would only limit citizens' ability to win elections by outspending their opponents, which only hurts the ability of the wealthy to dominate politics. The removal of that power will *protect* popular democracy by making all citizens equal in their ability to influence government. The new rules would not hurt anyone's ability to hold debates in private or public settings, from small groups of neighbors to large rallies. Democracy depends upon free and open debate, but is hurt by the wealthiest 0.1% of the population being able to frame debates through their access to media advertising. The new laws may even inspire people to reconnect with their neighbors and communities, instead of relying on television for their political awareness.

Another complaint could be that it would hurt Americans' ability to support the candidate of their choice. This is ridiculous. The vast majority of citizens (99.9%, according to the sources examined in this chapter) only voice their support through discussion with friends or through voting. These powers are not only kept in place, but are actually increased in relation to the absence of money and advertising. Citizens who want to give material support to certain candidates or issues could still do so by volunteering their time and energy in the campaign itself. Citizen groups could continue to organize to discuss issues on street corners, pass out buttons and bumper stickers, and organize rallies. No citizen should ever be stopped from exercising these basic democratic rights.

Supporters of the current system will also argue that this Amendment will invade Americans' private lives by stopping them from expressing political opinions. This claim is also plainly false. The Amendment focuses only on removing the wealthy elite's ability to dominate our electoral process with their money, infrastructure, and other materials from private jets to personal mailing lists. In order to ensure that the wealthy cannot continue to use highway billboards, signs on the sides of public buildings, or even ads on the sides of municipal busses, the Amendment seeks to separate private political advertising from publicly-owned infrastructure. These changes would not, and should never be construed to attempt to, stop individuals from expressing opinions in places unrelated to publicly-owned utilities. Citizens can continue to express opinions on their person (clothing, hats, buttons, etc.) or property (signs in your front yard, posters, bumper-stickers, etc.).

The final complaint would probably demand that the Amendment will hurt Americans' ability to get political information. However, this line of thought would seemingly ignore the fact that the Amendment's changes only affect a candidate or committee's ability to drown useful pieces of information in a sea of media advertising and propaganda. Even after the Amendment takes effect, citizens will continue to have easy access to candidate opinions and rallies through open Internet access to candidate websites, local political organizing, and general civic attentiveness. The next chapter will propose further changes aimed at leveling the amount of media time candidates can get on privately-owned news networks.

This Constitutional Amendment aims at enhancing democracy by making our political leaders answerable to the general voter, not merely to the 0.1% of voters who today give large amounts of campaign cash to a chosen candidate. The common citizens must talk to their friends and neighbors, begin a community-based movement, and make public demands that legislators introduce and support this Amendment. Any political candidate running for Federal office must be threatened with losing votes for refusing to support this movement. We must alter the system that corrupts our leaders *before* they enter office. Trusting the existing system to promote dynamic leaders capable of creating the great policy changes that need to occur is extreme folly at best, and is a debt-ridden suicide pact at worst.

7

Rebuild the Fairness Doctrine

Removing the ability of political contributions (mostly in campaign cash) to corrupt our government is only one major part of the solution to the problems facing our political candidates. Another step must be taken to ensure that every candidate for any given office has an equal opportunity to get their ideas across to the voters. A groundbreaking proposal was given in Chapter Six to eliminate the power of money to drown out certain arguments; this chapter will propose a platform for candidates to speak to the people.

We know that the modern American public receives most of its political information through media companies such as CNN, ABC, NBC, CBS, and FOX. This has led to a major battle amongst media “personalities” to define the news media as either “too liberal” or “too conservative.”¹³⁸ Few Americans take the time today to read transcripts of political speeches or look up a candidate’s statements on a campaign website, much less critically analyze what candidates are talking about. Most Americans

¹³⁸ The “too liberal” accusation often comes from such self-avowed conservative pundits as Sarah Palin, Bill O’Reilly, and Rush Limbaugh. The “too conservative” accusation is documented in several outstanding documentary films such as *Manufacturing Consent: Noam Chomsky and the Media* (directed by Peter Wintonick, 1992), *War Made Easy: How President and Pundits keep Spinning Us to Death* (directed by Loretta Alper, 2007), and *Orwell Rolls in His Grave* (directed by Robert Kane Pappas, 2004).

instead simply accept the biased opinions of media pundits. The people need better and more reliable access to candidate speeches and statements, and all candidates for any elected office should have an equal opportunity to present their case to the voters, if we are to truly empower democracy in the United States.

Former U.S. Senator Bill Bradley revealed media bias and power when discussing his 2000 Presidential campaign in his book *The New American Story*. “I ran [for president] in 2000 and got knocked out early. Even though my loss in New Hampshire was the narrowest in the state’s presidential primary history and the delegate count after Iowa and New Hampshire stood at only 42 delegates for Al Gore and 27 for me out of a total of 2,169 needed for the nomination, the press declared it over. My long-shot race against an incumbent vice-president had missed.”¹³⁹ Why did the media declare his attempt defeated at such an early juncture in the overall campaign? Perhaps because the media did not want a realistic challenge to then-Vice President Al Gore. Perhaps they saw the possibility of a President Bradley as a potential threat to their economic interests. Or perhaps the media just wanted to prove how much they can control popular opinion. Their goal is not as important for this book; the mere fact that the media was able to kill his campaign by its own decision is what really matters!

Of course, Bill Bradley was not unaware of the fact that the media killed his campaign after only two primaries. He wrote on the media’s ability to dominate primaries: “All of [the campaign] has to be packaged so as to get the attention of the press, whose appetite is unquenchable. The press, not the political bosses, now determine the victor in a presidential primary. They know it, and you know it.”¹⁴⁰ This, again, opens the question of how much democracy truly exists in the United States if a conspiracy of media companies can so easily manipulate the voters into believing that a certain candidate is a loser before most people even vote! To solve such problems and rebuild democracy, Bradley suggests that we move to “reduce the role of money in elections by adopting public financing of elections or a constitutional amendment that allows limits on spending; require TV stations to carry a designated amount of issue-

¹³⁹ Bill Bradley, *The New American Story* (New York: Random House, 2007), pages 194-195.

¹⁴⁰ Bill Bradley, *The New American Story*, page 196.

specific and political programming in exchange for their licenses; find the economic leverage to do the same thing for cable TV; and encourage social networking on the Internet, which will make citizen involvement and action easier.”¹⁴¹ The Constitutional Amendment proposed in Chapter Six would easily accomplish the public financing side of Bradley’s suggestion; we now must figure out how to reliably get “issue-specific and political programming” to the voters. And we must not forget that all candidates for a given office should receive an equal and unbiased amount of time to talk to the public.

Even Bill Bradley, a three-term Senator from New Jersey who obviously learned to survive and win multiple elections in such a media-saturated political environment, understands that democracy needs equal media time given to each candidate. His book contains a short demand that media conglomerates be broken up and news media give equal access to candidates in exchange for their federal broadcasting license. “What we can do about the failure of the media to play a constructive role in our democracy is reinstate the fairness doctrine, break up the concentration of media power, realize the potential of the Internet (the citizens’ medium) through social-political networking, require that a specific amount of time be devoted to public issues and campaigns in exchange for a federal broadcast license, find the economic leverage to do the same thing for cable TV”¹⁴² What is this “fairness doctrine” he cites as the *leading* cornerstone of a functioning democracy? Sadly, few Americans today can answer that question. The Fairness Doctrine was a law that demanded any broadcast station advocating a certain view on a political issue had to give free airtime to spokespeople for an opposing view. This law was intended to guarantee that the American people could hear at least two arguments regarding any issue so that the public would have a minimum of information on which to base personal opinions. The Fairness Doctrine was enforced by the Federal Communications Commission (F.C.C.), which oversees media ownership and broadcast rules. The F.C.C. voted *unanimously* to end the Fairness Doctrine under orders from the Ronald Reagan Administration in 1987, even though the Doctrine had been upheld by decades of lawsuits. The U.S. Supreme Court even upheld the Fairness Doctrine in 1969,

¹⁴¹ Bill Bradley, *The New American Story*, pages 322-323.

¹⁴² Bill Bradley, *The New American Story*, page 220.

in *Red Lion Broadcasting Co. v. FCC*. The Supreme Court ruled that the Fairness Doctrine is constitutional under the First Amendment because it helps to provide an “uninhibited marketplace of ideas . . . rather than to countenance monopolization of the market.”¹⁴³

Why would a presidential administration and a commission responsible for overseeing the media push to eliminate the Fairness Doctrine? Why would they choose to drive such a dagger into the heart of democracy? And why would a Democratic-controlled Congress allow a Republican president to do this without putting up a massive political fight? The answer is money: the media industry funneled so much money (in the form of campaign contributions) that it basically bought the elimination of such policies. Former Congressman Cecil Heftel described the scene in his 1998 book, *End Legalized Bribery*. “The “public interest” was undermined by the Reagan administration’s free market economic policies and by the political contributions many congressional Democrats accepted. In 1987, the FCC unanimously voted to stop enforcing the Fairness Doctrine. The ruling stated that the doctrine was administrative law and so did not have the protection of congressional legislation. Congress, still controlled by the Democrats, immediately voted to enact the doctrine into law, but because many Democrats voted with the Reagan administration, supporters of the doctrine lacked the votes to override Reagan’s presidential veto.”¹⁴⁴ The F.C.C., propelled by the amount of campaign cash flowing to its political allies in the Republican and Democratic parties, voted to end a Doctrine that was costing media owners money. Instead of giving free time to two sides of a political argument, most owners prefer to give time to the political ideas that support their company’s profit margins while replacing the Fairness Doctrine’s mandated counter-arguments with advertisements which bring in even more money. Large portions of these increased profits are then distributed to the next political candidates in order to ensure that the Fairness Doctrine is never again considered important. Congressman Heftel puts this problem into very simple language: “Because the television industry has invested so heavily in Congress

¹⁴³ As quoted in Cecil Heftel, *End Legalized Bribery: An Ex-Congressman’s Proposal to Clean Up Congress* (Santa Ana, California: Seven Locks Press, 1998), page 132.

¹⁴⁴ Cecil Heftel, *End Legalized Bribery*, page 133.

and the presidency over the years, it has effectively stripped the Federal Communications Commission (FCC) of its regulatory power.”¹⁴⁵ And he gives stats for the 1996 campaigns: \$23.7 million to congressional candidates, another \$22.1 million in soft money to both parties.¹⁴⁶ The problem continues to get worse, even as the American public remains unaware that the problem *exists!*

Reinstituting the Fairness Doctrine could be a step in a democratic direction, but the American people need much more than to see two different views on political issues. Instead, we should go beyond the Fairness Doctrine (which merely demanded that an opposing viewpoint be given an equal amount of time) to demand that media companies give equal time to *all* candidates for *any* election that they choose to cover. Giving equal time to Republicans and Democrats would not be enough to truly rebuild democracy; instead, we must demand that *all* candidates receive that same amount of time. This must include all party candidates (such as the Green Party, the American Independent Party, the Libertarian Party, et cetera) and any independent candidates on the ballot for any election being reported on. Media companies should be forced to accept this demand when they receive broadcasting licenses from the government. This new, more powerful Fairness Doctrine will ensure that a variety of views, policies, and proposed solutions are capable of reaching the public at large. It would also very likely lead to the end of the Republican and Democratic stranglehold on U.S. politics simply because their ideas are the only ones being broadcast through today’s major media outlets. Citizens who feel disgusted with Washington D.C.’s inability to solve problems in recent decades should mobilize to demand this new Fairness Doctrine.

The public should demand this because, from the beginning, the Federal Government has made it clear that the public owns the broadcast airwaves. Cecil Heftel points out several laws and rulings that have established this fact since radio first became profitable in the 1920s. The Radio Act of 1927 requires broadcasters to uphold the “public interest, convenience, and necessity” and established that Congress could make rules governing media responsibilities. Section 301(a) of the Communications Act of

¹⁴⁵ Cecil Heftel, *End Legalized Bribery*, page 131.

¹⁴⁶ Cecil Heftel, *End Legalized Bribery*, page 131.

1934 “asserts government ownership of the airwaves and says that licensees may use—but never own—the airwaves.” Section 313(a)7 of the 1971 Campaign Finance Reform Act says that “broadcasters must fulfill the public trust by making time available—free or for money—to all federal candidates.” And the 1981 *CBS v. FCC* Supreme Court decision upheld the 1971 change to make such time available.¹⁴⁷ There is literally nothing new or revolutionary about the idea that the airwaves are public property and that companies can only use those airwaves if given permission (licenses) by the government. The government has so far been giving these licenses away for free. Media companies pay nothing, *zero dollars*, to get a license.¹⁴⁸ It is time for the public to assert its ownership powers by demanding that broadcasters give free and equal time to *all* candidates for *any* election that their channel chooses to report on!

Former Congressman Heftel also demands this when describing his own plan for using the media to improve U.S. democracy. “[C]andidates with the proven popular support to qualify for public financing would not have to pay for broadcast advertising but would instead be given a specified amount of free time on radio and/or television to make their case before the people. The broadcast industry may not like this idea, but as a [radio station owner] myself, I know that we can afford it. Besides, providing some free time in support of democracy is a small return for what the broadcasters currently get—free use of the public airwaves.”¹⁴⁹ Heftel demands that media companies seeking a broadcasting license (for use of publicly-owned airwaves) promise to help the public’s democracy by agreeing to give free media time to political candidates. Of course, the F.C.C. would have to be re-empowered to investigate media companies to ensure that the company follows the agreement. Punishments for breaking the contract should not only include fines (which any large media company could easily pay, so would only be a “slap on the wrist”) or even possible criminal charges that could result in jail time. At the very least, companies found guilty of breaking their contract with the public should have their broadcasting license revoked.

¹⁴⁷ Cecil Heftel, *End Legalized Bribery*, pages 17-18.

¹⁴⁸ For more information on the fact that broadcasters current pay nothing for the right to use publicly-owned airwaves, see <http://www.stopbigmedia.com/=atstake> or www.freepress.net.

¹⁴⁹ Cecil Heftel, *End Legalized Bribery*, page 17.

Unfortunately, the F.C.C. (or any newly-created body) may eventually prove unreliable in their task of enforcing such contracts. Remember that the very same F.C.C. voted *unanimously* to end the Fairness Doctrine in 1987! The F.C.C., or any other political body, could again come under similar pressure to allow media companies to get away with ignoring their responsibilities to democracy. In order to guard against this possibility, the public should demand that media companies pay a large fee to get a broadcasting license. This fee would be *in addition* to the promise of free media time for political candidates. All revenues obtained from such fees should be used to fund the construction and operation of public broadcasting stations throughout the country entirely dedicated to giving political candidates a specified amount of time each day. These stations could function in ways similar to current Public Broadcasting Stations (that have run educational programming such as *Sesame Street*, *American Experience*, and *Frontline* for the past few decades). The stations could be broadcast to certain areas according to congressional district, zip code, or even city much like pay-per-view or on-demand television works (except the costs would be paid by tax revenues, so the channels would be free to the public). Or a few public stations in each state could use the new digital spectrum, which allows broadcasters to put out several signals. Each signal could be used to cover elections within specific districts or cities. Revenues from the license fees should also be used to give every candidate in every election in the country a specified amount of Internet space to build a website for making their policy ideas public. Each candidate should also be given a small staff to run the website, perform updates, and repair possible cyber-attacks launched by the opponents of democracy.

Many people will react to these proposals by complaining that it will be far too expensive. However, any rational review of the yearly profits these media companies make would immediately reveal the amount of revenue which could be gained by even a 5% licensing fee. Ralph Nader gives a revealing estimate of how much the digital spectrum alone is estimated to be worth: “In 1996, The Federal Communications Commission (FCC) gave away what then presidential candidate Bob Dole estimated to be a \$75 billion asset of the American people—the digital spectrum—to the broadcast industry. Dole attacked this heist in a rare expression of anticorporate outrage and demanded congressional action. . . . This enormous giveaway wasn’t an issue in the

presidential campaign; Clinton couldn't be bothered since after all it was his FCC that made the decision. Dole did not press the matter."¹⁵⁰ Of course, the heist itself is yet another example of the failure of American politics, but the major importance for this chapter lies in the digital spectrum's estimated value in 1996 dollars. A 5% tax on \$75 billion would create \$3.75 billion in revenue! And that is only a tax on *one part* of the profits being made by broadcasters! The American people should demand that such an investment be made in democracy, and American broadcasters should be willing to give this amount to support the democracy that has up to now defended their ability to make unbelievable profits without having to pay fees.

The investment is necessary. We see this proven in every recent election cycle. The Republican and Democratic candidates for President won over 99% of the popular vote in 2008, despite the fact that several other candidates were also on the ballot.¹⁵¹ How can only two out of eight or nine candidates get so much of the vote? The answer lies in the fact that mainstream American media refused to cover any other candidates, and only the Republican and Democrat were invited to the televised Presidential Debates. Only two candidates from other parties have been allowed to participate in Presidential Debates since 1980, and both those candidates received a large percentage of the vote simply because voters were aware of their ideas.¹⁵² The problem of television was also exhibited in the 2010 Massachusetts Senate race (for Senator Ted Kennedy's vacant seat), in which the Democratic Party faulted its candidate for failing to get on television early and often enough. Party strategists blamed her loss to an unknown Republican on her lack of television advertising and appearances far more than her opponent's policy

¹⁵⁰ Ralph Nader, *The Good Fight: Declare Your Independence & Close The Democracy Gap* (New York: Regan Books, 2004), pages 30-31.

¹⁵¹ One needs to merely look at the voting results maps on *The New York Times* website, which gives national results mixed at <http://elections.nytimes.com/2008/results/president/explorer.html> and state-by-state results at <http://elections.nytimes.com/2008/results/president/votes.html>.

¹⁵² For more information on the corrupt practices of the Commission on Presidential Debates, see George Farah, *No Debate: How the Republican and Democratic parties Secretly Control the Presidential Debates* (New York: Seven Stories Press, 2004). Farah describes the first round of modern presidential debates in 1980 as a clear victory for independent candidate John B. Anderson: "After the first debate, Anderson climbed from 15 to 19 percent in most national polls . . ." (page 25). Farah later describes how Ross Perot's vote totals dramatically increased as a result of his inclusion in the 1992 Presidential Debates: "Still, Perot was universally deemed the winner of two (out of three) presidential debates, and he rapidly climbed from 7 percent in predebate polls to 19 percent on Election Day—the largest demonstrable gain for any candidate in the history of presidential debates." (page 54)

ideas. “[P]ollster Celinda Lake acknowledged some missteps on the part of the campaign, such as failing to have enough money to go on the air early on to more sharply define [the Republican opponent] Brown. . . . After winning a four-way primary with 47 percent of the vote, [Democratic candidate] Coakley cut back on her appearances and disappeared entirely Christmas week, confident she needed only community and political activists and their networks in what was projected to be a low-turnout special election.”¹⁵³ This proves that candidates need equal media access: Democrats lost seat that they had held for 57 years in one of the most liberal states because the candidate did not get on TV often enough!

The solution to these democratic shortcomings lies in the passage of a Constitutional Amendment focused on declaring once and for all that the airwaves are public property, that the Federal Government should operate public television stations and Internet sites to ensure that all candidates have equal access to media, and that private media are required to give equal coverage to all candidates in any election they choose to report on. Such an Amendment would look like this:

Section 1. The people of the United States hereby declare that all broadcast airwaves, digital spectra, and any other such media broadcast system located within the various states, territories, or protectorates of the United States are the exclusive property of the United States’ people. They are to be considered public property in all legal manners, and the Federal Government is hereby empowered to regulate, tax, and otherwise oversee media companies that use such airwaves. The ability to use such airwaves for private broadcasting (including by privately-owned companies) are permissible only when individuals or companies receive a yearly Federal Broadcasting License, for which private entities must pay a yearly fee. The Federal Government shall establish a Federal Communications Commission to enforce laws passed by Congress related to these powers. Members of the Federal Communications Commission shall be nominated by the President of the United States and approved by the House of Representatives.

¹⁵³ “Dems cast blame at each other over Senate campaign,” by Laurie Kellman, Glen Johnson, Beth Fouhy and Bob Salsberg, published January 19, 2010 by the Associated Press at http://hosted.ap.org/dynamic/stories/U/US_MASSACHUSETTS_SENATE_BLAME_GAME?SITE=MAQ_UI&SECTION=HOME&TEMPLATE=DEFAULT

Section 2. The Federal Government shall establish, fund, and operate a Public Broadcasting Network to ensure that all candidates on the ballot in any federal, state, county, or municipal election shall have an equal opportunity to speak to their populations. The Public Broadcasting Network shall operate one television station for each election taking place in any one year. Each station shall give an equal amount of hours per day to each candidate on the ballot in that election. The exclusion of any candidate from their equal access rights shall be considered a felony and punishable by laws passed by Congress and signed by the President of the United States.

Each candidate shall also be given access to an Internet website of a certain size and given a certain number of staff employees for making their getting their message to the public. Congress shall determine the sizes of the Internet site and the amount of staff that each candidate shall receive. Each candidate shall have the power to reject any of the staff members appointed to them for any reason, and any vacancies so created shall be filled by a new staff member approved by the candidate for the same position. The candidate must send written notification of such rejections of website staff members to the Federal Communications Commission in order to obtain the replacement staff. All candidate websites for any individual election shall have consistent URL locations; the candidate's name shall create the only change in URL.

The Public Broadcasting Network and candidate websites shall be paid for through revenues received from fees paid by private broadcasting companies when acquiring or renewing yearly Federal Broadcasting Licenses. Congress shall set the fee rates by law. Fees shall result from the amount of people living within a company's broadcast range; the companies with the largest potential audience shall pay the largest fees. The Federal Communications Commission shall be responsible for giving yearly estimates of the cost of the Public Broadcasting Network and all necessary candidate websites to Congress; Congress is required to ensure that the License fees will produce enough revenue to fund the Public Broadcasting Network and all necessary candidate websites for each individual year. Broadcasting on the public airwaves without a Federal Broadcasting License shall be considered a felony punishable by laws passed by Congress and signed by the President of the United States.

Section 3. The Federal Communications Commission shall enforce a Fairness Doctrine upon privately-owned media companies. The Fairness Doctrine demands that any media outlet reporting on any individual candidate or political party in any election in the United States must give an equal amount of time to all other candidates or parties that appear on the ballot for that particular office. Furthermore, the Fairness Doctrine demands that any privately-owned media company employing a pundit discussion must include at least one opposing opinion. The Federal Communications Commission shall be responsible for monitoring political

content and presentations in order to ensure that privately-owned media outlets adhere to the Fairness Doctrine. The Federal Communications Commission shall have the power to prosecute Fairness Doctrine offenders. Any entities found guilty of such violations shall have their Federal Broadcasting License immediately revoked, and may be further punished through fines and/or incarceration, according to laws passed by Congress.

Section 4. Congress shall have power to enforce these articles by appropriate legislation.

Of course, the success of such an Amendment would depend entirely on the passage of an Amendment aimed at establishing public funding for candidates, eliminating private contributions, and eliminating political advertising (all described in Chapter Six). The Public Funding and the Fairness Doctrine Amendments must be passed at the same time because they both aim at destroying the wealthy elite's ability to dominate our political debates. Passing one Amendment without the other would do little to alter today's reality of political leaders following demands made by the wealthy. The Fairness Doctrine Amendment aims at giving candidates an equal opportunity to talk to the population, which will be meaningless if the wealthy can still use campaign contributions and advertising to drown out any individual candidate. As a frequently ignored and overwhelmed presidential candidate, Ralph Nader has detailed knowledge of these problems. He writes that the United States needs to have a real political debate if it is going to solve its economic, social, and international problems. He continues to hope for a "movement to take control of politics through public financing, a series of commonsense electoral reforms, and establishments of the people's own radio, television, cable, and network stations."¹⁵⁴ Chapters Six and Seven have proposed detailed Amendments that would create a lively democracy by implementing Nader's general goals.

Passing these Amendments will not be easy, but they are vital to democracy. Only a mass movement of citizens has a chance to convince politicians to support the Amendments. Privately-owned media companies (which today control political debate in

¹⁵⁴ Ralph Nader, *The Good Fight*, page 34.

the U.S.) will not want to report on such a movement that would obviously threaten their entrenched power. However, Americans should take inspiration from the fact that many other countries have instituted several very similar laws, against the odds of corporate media resistance. As former Congressman Cecil Heftel wrote, “Every European democracy gives candidates and their parties free time to present their messages. Free media should not be a controversial issue. Broadcaster greed makes it an issue and broadcaster money prevents it from happening.”¹⁵⁵ But we know that those powers can, and *must*, be overcome.

¹⁵⁵ Cecil Heftel, *End Legalized Bribery*, page 132.

8

Replace the Electoral College

The Electoral College was created at the Constitutional Convention in 1787 for a simple reason: the writers of the Constitution did not trust the common people to make a good choice for President of the United States. Most U.S. citizens of that time were uneducated, and often could not read even simple words, so the writers did not think that voting for such a powerful position (the President) should be left to the common masses. Instead, the Constitution demanded that each State choose the best and smartest from each community to be an “Elector.” Put simply, towns were told to select the smartest person around, usually a reputable doctor or lawyer who was educated enough to think clearly about who should be President, and that one person would carry the larger population’s decision. The idea was similar to sending representatives to a state or national capitol: local representatives go to the capitol to cast the community’s vote on laws. The only difference is that the “Elector” only cast the community’s vote *once*: for who should be President of the United States. The “Electoral College” is still in place today, despite how much the United States has changed in the past two hundred twenty years. We should replace this outdated system for several important reasons: the theory is so old that it is meaningless for modern educated society, it fails in practice (by putting

presidents in office who actually gained *less* votes than other candidates), and because it hurts the ability of new parties to win presidential elections.

The Constitution creates the Electoral College in Article II, Section 1, which reads: “Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress”¹⁵⁶ This means that each State receives as many “Electors” to vote for the President as they have seats in Congress, and that each State gets to decide how they appoint these Electors. Different states created many different ways of choosing Electors, but by the 1830s most came to accept the idea that the popular vote should determine who would cast the states’ ballots for President. We have largely the same system today: individual voters get to choose who they think should be President, that popular vote is added up in your state, and a winner is chosen in each state. The state legislatures then choose “Electors” from one party or another, depending on which candidate won the popular vote. For instance, the Democratic Party’s nominee (Barack Obama) received more individual votes in California for President than any other candidate, so the California state legislature awarded all of its “Electors” to the Democratic Party. Of course, the legislature wanted to ensure that these “Electors” would actually vote for Obama, so these “Electors” are usually chosen from among Democratic Party officials and fundraisers who raised huge amounts of money for Obama’s campaign. These people have already expressed their allegiance to Obama, so are very unlikely to vote for someone else when they vote as “Electors.” It is very rare for an “Electors” to vote for someone else, and it is also very rare for a state to choose to split its electors amongst more than one party.¹⁵⁷

¹⁵⁶ “The Constitution of the United States” in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, (Mineola, New York: Dover Publications, Inc., 2000), page 17. The entire document can be viewed at http://www.archives.gov/exhibits/charters/constitution_transcript.html.

¹⁵⁷ Nebraska was a notable exception in the 2008 presidential election. Republican John McCain won the overall popular vote in Nebraska, but Democrat Barack Obama gained one Electoral Vote in the state because Nebraska chooses its Electors based on who wins in each of its congressional districts. This can be seen at *The New York Times*’ official voting results website, located at <http://elections.nytimes.com/2008/results/president/votes.html>.

This perverse system gives the *appearance* that Presidents win their office based on the popular votes cast by individual voters throughout the country, but the connection between the “Popular Vote” and who really wins presidential elections is slim. It may have made sense to create these “Electors” back in the 1700s, when a huge amount of American voters could hardly read, but today’s modern educated population is far different from the 1700s. Today’s population can mostly read and can build their own ideas as to what government should be doing. The Electoral College is so outdated that it should be replaced entirely by a Popular Vote. Most modern countries have a simple electoral law: whoever gets the most votes from the general population wins the election. The Electoral College can be seen as a stumbling first step in creating democracy in the United States, much like a baby’s first attempt at walking. Today’s United States citizens are much more educated and confident as a democracy, so the program used to achieve the first step should be replaced.

The Electoral College is not only unnecessary for today’s democracy, but it also actively *hurts* democracy by putting Presidents in office that do not get the most votes. This has happened four times in U.S. history since the 1820s, when popular voting records were first reliably kept throughout the country. The following table¹⁵⁸ shows the four instances in which a candidate “won” the presidential election even though he received *fewer* votes than his opponent:

Year	Candidate	Votes	Popular Vote %	Electoral Votes
1824 ¹⁵⁹	John Quincy Adams	108,740	30.5%	84
	Andrew Jackson	153,544	43.1%	99

¹⁵⁸ This information is adapted from a basic college textbook in United States history: David Goldfield, Carl Abbott, Peter H. Argersinger, Virginia DeJohn Anderson, William L. Barney, Jo Ann E. Argersinger, and Robert M. Weir, *The American Journey: A History of the United States, Fifth Edition Combined Volume* (Upper Saddle River, New Jersey: Pearson, 2009), pages A-12—A-15.

¹⁵⁹ 1824 was an exceptional election because it was the only election in U.S. history in which a single candidate failed to gain a majority of Electoral Votes. This was because four final candidates, all running as Republicans, split the Electoral College. General Andrew Jackson won the most Electoral Votes, but not a majority, so the presidential election went to the House of Representatives, as directed by the Twelfth Amendment to the Constitution (which had replaced Article I, Section 1, Paragraph 3 of the original Constitution). Secretary of State John Quincy Adams then won the election because he had the most supporters in the House of Representatives.

1876	Rutherford Hayes	4,036,572	48%	185
	Samuel Tilden	4,284,020	51%	184
1888	Benjamin Harrison	5,447,129	47.9%	233
	Grover Cleveland	5,537,857	48.6%	168
2000	George W. Bush	50,459,624	47.9%	271
	Al Gore	51,003,328	49.4%	266

The “winner” of each election is listed on the top, but the candidate on the bottom received the most votes in each year and was denied the presidency! How can this happen in a “democracy”? The answer lies in the fact that U.S. Presidents are not chosen by votes cast by the people, but instead by votes cast by “Electors” that are chosen by the states. The Constitution said in Article II, Section 1, Paragraph 3 (and reinforced in the Twelfth Amendment) that Presidents are chosen by a majority of *Electors*. The Constitution gives Electors to states based on how many representatives that state has in Congress, which means that the states with the biggest populations get the most Electors (since all states get an equal number of Senators). Therefore, in order to win a majority of Electors, a presidential candidate only needs to win in a few of the most populated states.

Today, a presidential candidate only needs to win a *slim* majority of votes in eleven states (California, Texas, New York, Florida, Illinois, Pennsylvania, Ohio, Michigan, New Jersey, North Carolina, and Georgia) in order to win the majority of *Electors*, and win the election. For example, if the Republican candidate gets one million and one votes (1,000,001) in each of those states while the Democratic candidate *only one fewer votes* (1,000,000), then the Republican will win the election. The Democratic candidate could get *every single vote* in the other *39 states* and *still lose the election!* In theory, it is mathematically possible for the 2012 presidential election (or any other election under these rules) to look like this¹⁶⁰:

¹⁶⁰ These numbers are gleaned from *The New York Times* website, which gives the 2008 presidential election results at <http://elections.nytimes.com/2008/results/president/explorer.html>. State-by-state results are used to estimate voter turnout in all of the most populated states, and can be found at <http://elections.nytimes.com/2008/results/president/votes.html>.

Year	Candidate	Votes ¹⁶¹	Popular Vote %	Electoral Votes
2012	Winner	33,000,011	27%	271
	Second Place	92,000,000	73%	266

This is an obviously flawed system that needs to be changed to ensure the accuracy of U.S. presidential elections. The candidates who receive the most votes should get into office; any other result is a crime against democracy. Any citizen who wants a truly reliable democracy to take hold in the United States should support a Constitutional Amendment to eliminate the Electoral College.

The Electoral College is also a problem for democracy because it has the potential to deny the likelihood of any new party or independent candidate to win a presidential election. In effect, the Electoral College has created the complete dominance of only two political parties (today’s Republicans and Democrats). Democracy advocate and frequent presidential candidate Ralph Nader has often called this a “political duopoly.” Nader argues that the continuing dominance of only two parties convinces many people to ignore smaller parties, and even to become angry when smaller parties “siphon” votes from the two dominant parties. This convinces many Republican and Democratic voters to accept laws that limit and destroy the ability of small parties to succeed in elections. “One latter-day effect [of the Electoral College] was to desensitize many civil libertarians to the rights and virtues of small parties or independent candidates who may siphon votes from their cherished Republican or Democratic Party. Dissent tends to produce discomfort, which in turn gives rise to intolerance, an unseemly willingness to look the other way as the two major parties pass law after law in state after state to exclude multi-

¹⁶¹ This calculation was arrived at by using voting numbers from the *New York Times* website given in Footnote #160. About 125 million votes were cast in the 2008 presidential election, with about 66 million of them being cast in the 11 most populated states. If we assume that the Winning Candidate gets only one more vote than the Second Place Candidate in each of those 11 states, then the Winner would receive 33,000,011 votes compared to 33,000,000 votes for the Second Place Candidate. The Winning Candidate would only get 33,000,011 votes while the Second Place Candidate would get 92,000,000 votes (half of the votes from the 11 most populated states plus all 59,000,000 votes from all other states.) Therefore, the Second Place Candidate would lose the election despite getting about 73% of people’s votes in the whole country.

party competition.”¹⁶² Nader has repeatedly argued over the past few decades that the “duopoly” of Republicans and Democrats is really a simple conspiracy to kill any chance of a new party rising to power.

A deeper look at the history of U.S. presidential elections gives much proof for Ralph Nader’s claims. The following table¹⁶³ reveals the history of “third party” candidates since the 1820s. The table shows what percentage of the Popular Vote that these “alternative” candidates received, how many Electors voted for them, and what percentage of the Electoral Vote each candidate received (which is important to see if getting a large Popular Vote directly led to getting a similar amount of Electoral Votes).

Year	Candidate	Votes	Popular Vote %	Electoral Votes (%)
1824 ¹⁶⁴	William Crawford	46,618	13.1%	41 (15.7%)
	Henry Clay	47,136	13.2%	37 (14.2%)
1832	William Wirt	33,108	2.6%	7 (2.4%)
1844	James G. Birney	62,300	2.3%	0
1848	Martin Van Buren	291,263	10.1%	0
1852	John P. Hale	155,825	5%	0
1856	Millard Fillmore	871,731	21.6%	8 (2.7%)
1860	John C. Breckenridge	848,356	18.1%	72 (23.8%)
	John Bell	592,906	12.6%	39 (12.9%)
1880	James B. Weaver	308,578	3.4 %	0
1884	Benjamin F. Butler	175,370	1.8%	0

¹⁶² Ralph Nader, *The Good Fight: Declare Your Independence & Close The Democracy Gap* (New York: Regan Books, 2004), page 24.

¹⁶³ Again this information is adapted from David Goldfield, et. al., *The American Journey*, pages A-12—A-15. The only alterations are my addition of the Elector Vote %, which was performed with a simple calculation: Electoral Votes the candidate received divided by total Electoral Votes received by all candidates.

¹⁶⁴ Again, the 1824 election was exceptional in that no candidate won a majority of Electoral Votes. See Footnote #159 for a more detailed explanation.

1888	Clinton B. Fisk	249,506	2.2%	0
1892	James B. Weaver	1,029,846	8.5%	22 (5%)
	John Bidwell	264,133	2.2%	0
1904	Eugene V. Debs	402,283	3%	0
	Silas C. Swallow	258,536	1.9%	0
1908	Eugene V. Debs	420,793	2.8%	0
	Eugene W. Chaffin	253,840	1.7%	0
1912	Theodore Roosevelt	4,118,571	27.4%	88 (16.6%)
	Eugene V. Debs	900,672	6%	0
1916	A. L. Benson	585,113	3.2%	0
1920	Eugene V. Debs	919,799	3.4%	0
1924	Robert M. La Follette	4,831,289	16.6%	13 (2.4%)
1932	Norman Thomas	881,951	2.2%	0
1936	William Lemke	882,479	1.9%	0
1948	J. Strom Thurmond	1,169,063	2.4%	39 (7.3%)
	Henry A. Wallace	1,157,172	2.4%	0
1968	George C. Wallace	9,906,473	13.5%	46 (8.6%)
1992	H. Ross Perot	19,237,247	19%	0
1996	H. Ross Perot	7,866,284	8%	0
2000	Ralph Nader	2,882,985	2.7%	0

I purposely limited this table to only include candidates who received at least 1.7% of the popular vote (which was the average gap between presidential candidates in the first table in this chapter). When looking at the statistical history of these “alternative” candidates, one counts 31 times in which such candidates won more than 1.7% of the popular vote. “Electors” then voted for those candidates only 11 times, which is only one-third of the

time! All other candidates were completely shut out of the Electoral College, which means that the citizens who voted for that candidate were *ignored* by the people choosing the President of the United States! By far the ugliest example of this failure of democracy occurred in 1992, when Ross Perot gained 19% of the popular vote but was not rewarded by a single Elector. Despite what one personally thinks about Ross Perot's political ideas, it is impossible to deny that the 19% of Americans that voted for him were effectively silenced and repressed by the Electoral College. That is nearly *one in five* Americans who votes *did not matter*!

A closer study of the previous table reveals other reasons that we should replace the Electoral College. First, in the 11 instances where an “alternative” candidate actually received Electoral Votes, only 4 of those candidates received a percentage of Electoral Votes (given in parentheses in the Electoral Vote column) that resembled their Popular Vote percentage. Of all the candidates who have received Electoral Votes, only William Crawford and Henry Clay in 1824,¹⁶⁵ William Wirt in 1832, and John Bell in 1860 received Electoral Vote percentages that were close to their Popular Vote percentages. This means that, even in rare instances where “alternative” candidates receive *any* Electoral Votes, those that they *do* get some are usually disconnected from the percentage of citizens who voted for them. Translation: Electoral Votes usually do not resemble the will of U.S. citizens. The most disgusting examples of this voter repression occurred in 1856 (when Millard Fillmore received 21.6% of the Popular Vote but gained only 2.7% of the Electoral Vote), 1912 (when Theodore Roosevelt received 27.4% of the Popular Vote but gained only 16.6% of the Electoral Vote), 1924 (when Robert La Follette received 16.6% of the Popular Vote but gained only 2.4 % of the Electoral Vote), and 1968 (when George C. Wallace received 13.5% of the Popular Vote but gained only 8.6% of the Electoral Vote). This is yet another democratic failure of the Electoral College.

One should also immediately notice that no candidate for President that has received over 1.7% of the Popular Vote since 1968 has received *any* Electoral Votes. That is *40 years* of presidential elections *entirely* dominated by Republicans and

¹⁶⁵ Again, an exceptional election, as described in Footnote #159.

Democrats. Independent candidates and new parties have been completely shut out of the Electoral College. In fact, the only two presidential candidates to receive any Electoral Votes since 1928 were two Southern candidates (Strom Thurmond in 1948 and George Wallace in 1968) that ran on racist, pro-segregation policies. Their racism was distressing in itself, but more important to our study of U.S. democratic structures is the fact that they relied entirely on *regional* policies. That is, these two candidates received most of their support (and Popular Votes) in the South, where white supremacists were motivated mostly by keeping segregation in place. As a direct result of these entirely *regional* policies, these candidates had little chance of winning majorities in non-Southern states. Of course, this means that these candidates had little chance of winning the *national* Electoral College, despite how much support they received from any single *region* (in these cases, the South). Translation: a candidate can only get enough of a following to affect the Electoral College by promoting purely regional policies, but in doing so they are basically guaranteed to lose the overall Electoral College. We see the natural result in all recent U.S. presidential elections: Republicans and Democrats dominate the Electoral College, with almost no opposition.

What should citizens do to rebuild fairness in U.S. presidential elections? Clearly, we need to end the Electoral College method and replace it with something simpler that empowers the average voter. This will obviously require a Constitutional Amendment, because the Constitution created the Electoral College in 1787. To begin a new system, the Amendment should also lay out improvements. An important example could be the French system for electing presidents: with several political parties running candidates, they hold a series of run-offs until one candidate receives a majority of the Popular Vote. This could be very useful in the United States, particularly if ideas from other chapters in this book become part of the Constitution: elimination of political advertising, public funding of all candidates for Federal office, equal media access for all candidates, a rebuilt Fairness Doctrine, and National Voting Days. The combination of these ideas could lead to a blossoming of several parties in U.S. politics, but we would still want the President to be elected by a majority of voters. The French run-off system offers a very strong possibility.

Taken together, a Constitutional Amendment aimed at replacing the Electoral College should be written along these lines:

Section 1. Paragraphs 2, 3, and 4 of Section 1, Article II of this Constitution are hereby repealed. Amendment Twelve is also hereby repealed.

Section 2. The President and Vice-President of the United States of America shall only be elected by the Popular Vote of citizens registered to vote. Citizens shall vote for the President and Vice-President with a same single vote on the Federal ballot.

The President and Vice-President shall be elected by winning a majority of all votes cast for those offices. If no candidate pair win a majority of votes on National Voting Day (the first Monday in September), then that shall trigger a Run-off Election exactly two weeks later (the third Monday in September). Only the candidates who receive the four highest vote amounts for President and Vice-President shall be included on the ballot for the Run-off Election. If no candidate pair win a majority of votes in the run-off, then that shall trigger a Second Run-off Election exactly two weeks later (either the fifth Monday in September or the first Monday in October). Only the candidates who received the two highest vote amounts in the Run-off Election shall be included on the ballot for the Second Run-off Election. Both Run-off Election days shall be considered National Voting Days as described in this Constitution, and all rights and privileges enjoyed by the people of the United States as a result of these National Holidays shall not be abridged or denied for any purpose.

9

Create a National Voting Day

Once citizens have created Federal election systems that guarantee diversity of candidates and an open debate, through the ideas put forward in Chapters Six and Seven, the next step will be to ensure that those citizens can also make it to the polls on Election Day. Voter turnout in U.S. federal elections since 1960 has hovered between 50 and 60 percent,¹⁶⁶ a pathetically low turnout for a country that openly proclaims itself to be the world's most powerful democracy (while many U.S. citizens further demand that the United States is the world's *best* democracy)! Why is voter turnout usually so low in the U.S.? What must we do to fix such an important problem in our democracy? This chapter will attack these questions directly and propose common-sense solutions.

The Constitution originally allowed each state to choose its own voting day, saying “The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof. . . .”¹⁶⁷

¹⁶⁶ There are many sources of this information. One of the most concise and therefore easiest to read is the “United States Election Project” run by Dr. Michael McDonald at George Mason University. It is located at <http://elections.gmu.edu/index.html>, with its main “Voter Turnout” page at http://elections.gmu.edu/voter_turnout.htm.

¹⁶⁷ This is written in Article I, Section 4 of “The Constitution of the United States” in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, 25

Most states chose early November for their vote. Why early November? The answer is because the Constitution originally commanded that Congress hold its first meeting of each term “on the first Monday in December”¹⁶⁸ because most of the original politicians were large landowners who wanted to be on their farms for the harvest. The men who wrote the Constitution believed that Congress would only have a few months of debate and voting until all national business was finished, which meant that these landowners could often return home in time for spring planting. In order for the congressional session to begin on time in December, the elections had to be concluded by early November in order to allow the government men about a month to travel by horse and buggy across the early winter terrain. Such a treacherous journey could take up to a month, if a person was traveling through the snow from the southern states of Virginia, the Carolinas, or Georgia to the first capital in New York City. The states often chose Tuesdays in early November because they did not want voting day to land on the first Monday of the month, when many landowners would focus on paying their monthly bills and balancing their finances. Tuesday was specifically chosen because it could often take landowners a couple of days’ travel (again, by the horse and buggy that were common until train travel) to get from their homes to the polling place. Weekends could not be chosen because this was a hugely religious society when the Constitution was written, and the founders did not want people to miss church services on Sundays. So, if a potential voter set out for the polling place after leaving Sunday church meetings, he could likely cast his vote two days later, on Tuesday.¹⁶⁹

The problem for the modern-day U.S. voter is obvious: we no longer live in societies dominated by farmers that take a couple of days to reach their voting stations. The modern American voter most often works in an office or industrial setting, or from their own home. Most voters own cars and there are usually mass transit systems (busses, trains, or subways) that are capable of taking them from one part of town to

(Mineola, New York: Dover Publications, Inc., 2000), page 13.. The entire document can be viewed at http://www.archives.gov/exhibits/charters/constitution_transcript.html.

¹⁶⁸ “The Constitution of the United States,” Article I, Section 4, page 13.

¹⁶⁹ This description of the relation between church services and voting is given in Bill Bradley, *The New American Story* (New York: Random House, 2007), pages 208-209.

another. In fact, there are so many polling places open in modern elections that the common voter usually need only walk a mile to cast their vote. To put it bluntly: there is no logical reason to keep a voting day conceived in past centuries when the restrictions from back then no longer exist today.

Not only is it senseless to keep an outdated system in place, but is it also harmful to our modern democracy, as former U.S. Senator Bill Bradley describes in vivid detail. “Tuesday is an inconvenient day for voting. Imagine men or women who have to be at work by 8:00 a.m. and get docked or possibly fired if they’re late. They get up an hour early to get to the polls, which open at 7:00 a.m. Upon arrival, they find a long line. It moves slowly. They have to leave to get to work before they reach the voting booth. By the time they come back at the end of the day, if they make it through the traffic in time or manage to arrange for someone to pick up the kids from after-school activities, there are even longer lines of people just like them who are trying to vote after work.”¹⁷⁰

Bradley’s final question on the topic shockingly reveals the failure of U.S. democracy in this area: “Why do we make a citizen’s most sacred democratic duty so inconvenient to fulfill?”¹⁷¹ He then goes on to cite a 2005 study that declared that 94% of Americans consider voting “an important civic duty that everyone should do,” but that over one-third of non-voters say they do not vote because they are working or do not have the time.¹⁷² Such results are an embarrassment to anyone that thinks the United States is a great democracy.

What can we do to improve our citizens’ access to the ballot box? Bill Bradley’s suggestion is to move voting day from Tuesday to an entire weekend. “The antidote to nonvoting is to make voting easier. Election Day should be moved from Tuesday to Saturday and Sunday. If we give people two days on a weekend, turnout should increase.”¹⁷³ This would very likely make voting easier for the professional class of teachers, bankers, government employees, industrial workers, and many others who work

¹⁷⁰ Bill Bradley, *The New American Story*, page 208.

¹⁷¹ Bill Bradley, *The New American Story*, page 208.

¹⁷² Bill Bradley, *The New American Story*, page 209.

¹⁷³ Bill Bradley, *The New American Story*, page 218.

Monday-to-Friday jobs. Unfortunately, it will leave out college students, retail, and service workers who often work on weekends for extra income. Another shortcoming is that weekend voting days would fail to highlight voting as a civic duty: the professional class who enjoy weekends and the rest who usually work weekends would not be impacted because their weekly routine would not change. Instead, we should move to create a national holiday for voting.

A National Voting Day would also meet Bradley's demand that the professional class be available to vote; they would be given the day off by their employers at government offices, schools, colleges, banks, post offices, and any other major institution that recognizes national holidays such as the Fourth of July. A National Voting Day could also impact the college students, retail workers, and service employees who normally work weekends because they get paid an extra amount of money per hour for working on a holiday. Such an increase in employee pay rates could convince many businesses to close their doors, freeing all of their employees to vote at their convenience. Any legal change that creates a National Voting Day would have to admit that some businesses would want to stay open (just as on the Fourth of July), so such changes should also include language to guarantee any worker the right to refuse to work on Voting Day. Democracy would not be served if many of our citizens are forced to work long hours by their bosses.

While we are working to change the day of the week which we vote, we might also consider changing the time of year. As already noted, the original voting day was set in early November to give enough time for government officials to make it to the capitol within a month. We largely do not have those problems with the use of modern train and jet-plane travel. Why keep the early November date when we so commonly see voters standing in line in freezing conditions throughout much of the country? Why not move Voting Day to the late summer, when temperatures are more comfortable for voters who may have to stand in line? We could move Voting Day to what is currently Labor Day (the first Monday of September); we could rename it National Voting Day and have the same yearly weekend celebrations of freedom from work, but in the future we could also celebrate our fulfillment of our roles as vigilant citizens! Or we could moving Voting Day to coincide with our celebration of the Constitution (September 17), which could

remind us of our duties as citizens while also openly celebrating democracy's beginning in the modern world and its protection by the highest laws of the land!

As we consider the many benefits of moving National Voting Day to another part of the year and a different day of the week, we may also want to think about setting all state primary votes on the same day. One of the major problems in U.S. democracy is that the primary voting dates are set by each individual state, and are often purposely spread out over several months. States now openly compete with one another for the opportunity to be the first state to hold a presidential primary because the mainstream media has an unquenchable focus on that state, which increases that state's tax revenue. This strange system results in small states with low populations holding their primary vote first. The winners of such early votes often are portrayed as the "favorite" to win a party nomination, which gives that candidate an aura of power that attracts more media attention. More media attention gets them more votes in the next wave of primaries. Put simply, the early primary system sets up a "snowball effect" of one candidate being portrayed as dominating a race even if they have only won a few small states such as New Hampshire, Iowa, or North Carolina. Remember Bill Bradley's statement on how he "lost" the Democratic Party's presidential nomination to Al Gore in 2000: "I ran [for president] in 2000 and got knocked out early. Even though my loss in New Hampshire was the narrowest in the state's presidential primary history and the delegate count after Iowa and New Hampshire stood at only 42 delegates for Al Gore and 27 for me out of a total of 2,169 needed for the nomination, the press declared it over. My long-shot race against an incumbent vice-president had missed."¹⁷⁴ If we are seeking to make democracy an equal race amongst candidates, then we must also create a type of National Primary Voting Day that would place primary voting in each state on the same day. No candidate would be able to grow such a "snowball" advantage in this new system. Again, we should aim to have the Primary Voting Day at a time which the weather is often warm enough to allow voters to stand in line in reasonable comfort; some time in May could serve well. If the National Primary Voting Day is set in May and the National Voting Day is set in September, then this would create a full summer of open political debate

¹⁷⁴ Bill Bradley, *The New American Story*, pages 194-195.

throughout the country. This would easily be enough time to discuss important issues, educate the populace, and decide on future policies.

Added up, the many proposals given so far in this chapter would create a Constitutional Amendment that should look something like this:

Section 1. Article I, Section 4 of the Constitution of the United States of America is hereby repealed and replaced with the following three paragraphs: All States within the United States of America shall adhere to a National Primary Voting Day on the last Monday of May in any national election year. Each state shall hold its party primary votes for United States Representative, United States Senator, and President of the United States on this day.

All States within the United States of America shall adhere to a National Voting Day on the first Monday of September in any national election year. Each state shall hold its popular votes for United States Representative, United States Senator, and President of the United States on this day. If no candidate pair for President and Vice President of the United States received a majority of Popular Votes for their offices, then a Run-off Voting Day shall be held exactly two weeks after National Voting Day (which shall occur on the third Monday of September in any presidential election year). If no candidate pair for President and Vice President of the United States received a majority of Popular Votes for their offices in the Run-off, then a Second Run-off Voting Day shall be held exactly two weeks after National Run-off Voting Day (which shall occur on the fifth Monday of September or the first Monday of October in any presidential election year).

The Congress shall assemble at least once in every Year, and such Meeting, along with tenures of elected office, shall begin on days prescribed by the Twentieth Amendment to this Constitution.

Section 2. Whereas the National Primary Voting Day, National Voting Day, and either of the two possible National Run-off Voting Days are hereby established as Federal holidays, all workers employed within the United States and paid by hourly wage shall receive a wage at twice the normal rate of pay for any enumerated hours of work performed on either of these two days. Further, because voting is regarded as the citizens' highest duty to the nation, all workers within the United States shall retain the right to refuse to work on either of those two days and it shall be illegal for any employer to reject such requests or to later punish the employee for having made such a request. Any employee exercising this right must do so by submitting a written declaration of intent to their employer no more than seven days in advance of the holiday. Such

declarations must be signed by an immediate supervisor in order to be valid and enforceable.

Section 3. Congress shall have power to enforce these articles by appropriate legislation.

Former Senator Bill Bradley also proposes taking the best ideas that each state has created to expand democracy and implement them at a national level. “Other suggestions to make voting easier include allowing drop-by voting, in which people can come for three weeks before the election to cast their votes at certain secure polling places, as they do in California, or making it simpler for people to vote by mail, as they do in Oregon, or giving voters the right to register even on Election Day, as they do in Minnesota.”¹⁷⁵ All these ideas could be implemented by laws passed in Congress, but for now we should instead focus on creating a National Voting Days. Creating these national holidays will go a long way to making democracy equally accessible to all citizens who want to vote. Bill Bradley gives powerful advice for creating general solutions to today’s problems: “The answer to the problem of democracy is more democracy, not less democracy.”¹⁷⁶ The proposals made in this chapter would establish such greater democracy.

¹⁷⁵ Bill Bradley, *The New American Story*, page 218.

¹⁷⁶ Bill Bradley, *The New American Story*, page 218.

10

Build Electoral Oversight

Citizens cannot rest on the accomplishment of building a National Voting Day; we must also ensure that democracy occurs when we vote. There are far too many problems and questions surrounding how we vote, how votes are counted, and how official results are compiled in today's U.S. elections. Anyone that investigates voting processes and records in modern American elections will quickly realize that the ballot box is not as safe from fraud as most citizens believe.¹⁷⁷ We need to create another Constitutional Amendment to ensure that ballots look the same, are counted the same, and that rules for disputed elections are the same throughout the country. The Amendment should further demand that voting machines give paper receipts for each and every vote it counts and that citizens have the ability to verify that their vote was properly counted by using Internet databases. These are all common-sense solutions that would largely solve today's questions that swirl around the accuracy of voting in the United States.

¹⁷⁷ A good introduction to this topic is Greg Palast, *The Best Democracy Money Can Buy: The Truth About Corporate Cons, Globalization, and High-Finance Fraudsters* (New York: Penguin, 2003). Palast's various other writings can be found at his website, www.gregpalast.com.

The first goal should be to create ballots that look the same throughout the country. The problem of individual states using vastly different ballots was highlighted by the recount catastrophe during the presidential election in 2000. These problems continue today and can be easily solved by creating Federal Ballots that list candidates for all federal offices (President, Senator, and Representative) in exactly the same way. Of course, many will argue that this would impinge the authority of individual states to create and oversee their own elections. However, there is already Constitutional precedent for allowing such Federal oversight. Article I, Section 8 of the Constitution says that the Federal Government is empowered to regulate interstate trade: “The Congress shall have the Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, and in any Department or Office thereof.”¹⁷⁸ Since the voting machines used by individual states are usually moved from one state to another, this gives the Federal Government authority to demand that their ballots be approved by Federal authorities such as Congress. Further, Section 1 of the National Voting Day Amendment gives Congress the authority to enforce and oversee voting, which can also empower it to be the final decision-maker regarding how the ballot should look. Perhaps the best way to avoid controversy would be to include language in the Amendment that gives Congress the power to set the ballot’s layout.

While we are redesigning the ballot in many places, we might also consider removing the party affiliations that each candidate today has listed below his or her name. Research and polling often reveal that a large amount of U.S. citizens vote for candidates from one party or another only because they are a member of that certain party. This is a dangerous gamble because the voter is in effect giving their support to candidates whom they know very little about, and have not researched. We can easily remove this possibility by making it illegal to write a candidate’s party below their name. This will

¹⁷⁸ “The Constitution of the United States” in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, (Mineola, New York: Dover Publications, Inc., 2000), pages 14-15. The entire document can be viewed at http://www.archives.gov/exhibits/charters/constitution_transcript.html.

force voters to perform at least minimal research into candidates. Of course, if they want to vote for a random candidate, then that will always be an option. Each ballot should also have a random Ballot Serial Number printed largely and clearly at the top of the ballot.

Not only should the ballots look exactly the same, but they should also be counted with precisely the same methods throughout the country. Today's U.S. elections use a chaotic patchwork of different voting machines, different settings on the machines, different default processes in case the machines fail, and different procedures for settling disputed elections. This chaos must end by bringing all of these systems under one rational, easy-to-understand order. The exact same voting and vote-counting machines must be used throughout the entire country. All voting machines must give the voter a printed receipt of all votes cast (and all votes left empty) when voting is complete. Each receipt should have a random Receipt Serial Number printed largely and clearly at the top. Today's accusations of massive voting fraud committing by machines that tamper with ballots or even ignore ballots cause massive destruction to people's faith in democracy. The horribly unreliable system for voting and vote-counting today allow people who dislike certain government leaders to claim that those leaders won elections only by committing fraud. These accusations are often seen as credible simply because it is so *easy* to commit fraud in today's system. The possibility for and the consistent accusations of fraud debase democracy. Any leader elected with our current system is open to these accusations, which destroys their legitimacy and ability to govern. The easiest, quickest, and most common-sense way to eliminate these accusations is to create and implement a better, more reliable, and more open voting and vote-counting system. Such reliability will in part come from voters' ability to independently verify that their votes were accurately counted.

The easiest way to allow voters to verify that their votes were accurately counted will rely heavily on the Internet. Previous paragraphs proposed that each Ballot have a random Serial Number printed at the top, and that each voting machine receipt have a similarly random Receipt Serial Number printed at its top. A good way to ensure accurate vote-counting would be to create an Internet database which citizens can log in to 24 hours after the polls close. The voter would enter the database by typing the

random Ballot Serial Number and random Receipt Serial Number into login fields. Upon entering the database, the voter would be able to review the records for those serial numbers. The records will display all candidates, propositions, and results from the ballot. Voters can review these records to verify that the machine counted and registered their votes correctly. There should also be a “link” for those who want to contact the Federal Elections Commission to register complaints or the possibility of vote fraud. Neither the serial numbers nor the Internet database would violate the “secret ballot” traditions of the United States because serial numbers would be randomly assigned and could not be traced without the voters’ permission.

Of course, relying simply on the Internet for individual voter review will not be enough. Voters should be encouraged to talk to their friends and neighbors to get a feeling for how their community voted, and then measure that against the official results. Any major disparities should immediately be investigated. All major news sources (included independent or publicly-operated media) should continue performing “exit polls” to predict how many citizens voted and what the statistical results should be. Again, any and all major disparities should be investigated by a federal entity such as the Federal Elections Commission, or even by Congress itself.

Taken together, these various common-sense proposals would create a Constitutional Amendment that would look something like this:

Section 1. All voting ballots for Federal Government offices shall be created, approved, and distributed to registered voters by the Congress of the United States. All ballots must look precisely the same for all federal offices, with state and municipal offices varying only according to the names and amount of candidates running in each state, county, city, et cetera. All ballots shall contain the names of candidates only; no party affiliations, independency, or lack thereof shall be printed at any place on a ballot. All ballots shall have a random Ballot Serial Number printed at the top of the ballot. The Ballot Serial Number section shall be perforated; voters shall be able and obligated to remove their Ballot Serial Number after voting.

Section 2. All voting in the United States of America shall use the same voting machines and all voting processes shall be made uniform throughout the United States. Congress shall have the power to award construction contracts to voting-machine makers, approve the final

machines, and oversee their distribution throughout the United States in preparation of all Voting Days. All voting machines shall print out a receipt for the voter to take after voting is completed. Such receipts shall contain a random Receipt Serial Number clearly and largely printed at the top of the receipt. All voters shall be obligated to take their receipt with them as they leave the polling room.

The Congress is hereby obligated to create an Internet Voting Database for all elections occurring in the United States, its various states, or any other of its territories. These Databases must allow citizens to enter their Ballot Serial Number and Receipt Serial Number in order to gain access to the Database. The Database shall then display the voting record for those particular Serial Numbers to allow voters to verify that their votes have been accurately counted. The Database shall also provide Internet links for voters to register complaints to the Federal Government regarding voting irregularity or possible fraud.

Section 3. The process for candidates to register complaint regarding and formally contend the vote-count and other results of their individual election shall be made uniform through the entire United States, its various states, and all other of its territories. The methods for settling disputed elections shall also be made uniform throughout the United States, its various states, and all other territories. Congress shall legislate the process for contention and resolution of electoral disputes.

Former Senator Bill Bradley argues that the Internet's power should be used beyond the ability of citizens to check on their voting record. He argues that the Federal Government's entire budget be placed on the Internet, with keyword search features that could resemble the main features of Google's internet search engine. "Finally, the entire federal budget should be on the Internet, with keyword accessibility. For example, if you searched for "breast cancer" or "housing," you would be directed to all the places in the federal budget where money is spent for those purposes. That way, citizens could have the information with which to understand the trade-offs in taxes and spending and hold their legislators accountable."¹⁷⁹ Such a plan could be hugely beneficial to democracy because any citizen could quickly understand where and how their tax monies are being spent. He had earlier argued that citizens are willing to pay taxes if they think the money

¹⁷⁹ Bill Bradley, *The New American Story* (New York: Random House, 2007), page 84.

is spent well and wisely, and that the current popular hatred of increasing taxes results from the public perception that their money is being spent on corrupt, corrosive projects that do not benefit most people. Bradley later hopes that such Internet access will provide citizens with “a link to the bills that authorized and appropriated the spending and then a link to the floor debate on the bills and who ultimately voted for them. Such transparency would go a long way toward demystifying federal spending.”¹⁸⁰ The results of such a system would allow citizens to understand precisely what their representatives have (and have not) voted for, and access to representatives’ statements on why they voted that way. The combination of enforcing an end to political advertising, federal funding of all candidates, a strengthened Fairness Doctrine, national voting holidays, assurance of vote-counting accuracy, and such free and open access to representatives’ voting records and Federal Budget spending would create a dramatically improved democracy. We must therefore move to include Senator Bradley’s proposals in this Oversight Amendment:

Section 4. The entire Federal Government Budget shall be placed on the Internet, through the Congressional Budget Office’s official website. Any discrepancies between the actual Budget and the information given on the website shall be considered a felony, and investigations into such purposeful discrepancies shall be overseen by Congress. The House of Representatives shall serve as Jury in such investigations, with a two-thirds vote required for conviction. The Senate shall recommend a punishment for those found guilty, and the President of the United States shall enforce such recommendations.

Further, the Budget’s website shall be searchable using keyword searches, or any such technology that may arise to make searching easier or more powerful. The results of keyword searches must display all Departments of the Federal Government that have spent money on issues entered into the search, along with all monies allocated for the Fiscal Year and spent to date in each Department. All search results shall also contain links to the relevant legislation that authorized or otherwise appropriated the spending of money in that particular search result, along with links to the floor vote results on such legislation. All search results shall further contain links to any floor debates and Executive statements regarding the authorization or appropriation regarding the search result.

¹⁸⁰ Bill Bradley, *The New American Story*, page 293.

Section 5. Congress shall have power to enforce these articles by appropriate legislation.

11

Stop Gerrymandering

One of the largest crimes committed against democracy in the United States is called “Gerrymandering.” This is a conspiracy between the two major political parties, Republicans and Democrats, to draw congressional districts in ways that guarantee the dominance of one party or the other. This is a problem not only because it suppresses the likely vote for all smaller parties, but also because it is ignored by mainstream media in the United States. Most U.S. citizens are not aware of this problem, and many do not even know what the term “Gerrymandering” means. Before proposing solutions, the people must first understand the history and results of the problem.

The original version of the United States Constitution, written in 1787 and ratified by most states in 1788, split the Legislative branch of government (Congress) into two houses: the Senate and the House of Representatives. Two members from each state sit in the Senate. The most heavily populated states, in an attempt to keep political control in their own hands, demanded that the House of Representatives be based on population (rather than the Senate’s state equality). Therefore, the Constitution demanded that each state be split into districts of no less than 30,000 people.¹⁸¹ These districts would elect

¹⁸¹ Article I, Section 2, Paragraph 3 of the Constitution states “The number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative” “The

members to the House of Representatives. This was a decent idea when the U.S. population was relatively small; the first Houses of Representatives only had 65 members.¹⁸² But when the population grew, the House membership grew quickly with it. The House contained 435 members in 1911, and was threatening to get so large that its members would not be able to sit in one hall for debate.

The House of Representatives in 1929 decided to limit its size to 435 members with the Permanent Apportionment Act of 1929, which also guaranteed each state at least one member. However, this raised a new problem: what should happen to the House when populations shift? Should House districts (often referred to today as “congressional districts”) be frozen in their 1929 form? That would clearly not be empowering democracy if populations later shifted away from their 1929 disbursement amongst the states. For example, California today has by far the largest population of any state, so it gets 53 House members, more than any other state (Texas is next with 32 House members). But it had a much smaller population in 1929, so sticking to the 1929 disbursement would have given California only 11 House members even though its population has grown tremendously since. Therefore, U.S. leaders continued the Constitutional policy of taking a “census” (population count) every ten years to determine what population shifts had occurred, and that congressional districts be redrawn every ten years to reflect the changes in state population.¹⁸³ A 1941 law gave each *state legislature*

Constitution of the United States” in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton, 25 (Mineola, New York: Dover Publications, Inc., 2000), page 12. The entire document can be viewed at http://www.archives.gov/exhibits/charters/constitution_transcript.html.

¹⁸² Continuing from the sentence cited in the previous footnote, the Constitution set the first allocation of each state’s House membership as follows: “the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantation one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Caroline five, and Georgia three.” “The Constitution of the United States,” Article I, Section 3, Paragraph 3, page 12.

¹⁸³ Article I, Section 3, Paragraph 3 of the Constitution states “The actual Enumeration [distribution of Representatives according to changing state populations] shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct.” This means that the first census had to be taken within three years of the first Congress (which began in 1789), and that it must be repeated every ten years from that date. Notably, the Constitution did not give any precise rules as to how the congressional districts should be drawn or what body should draw them; it only stated that a law should be passed to determine those procedures. “The Constitution of the United States,” Article I, Section 3, Paragraph 3, page 12.

the power to redraw their congressional maps after each census. This was an excellent idea because they realized that current House members could not be trusted to redraw the state map because they would very likely do so in ways that would largely guarantee their own re-election.

Unfortunately, a very similar problem has arisen over the past century: congressional districts are now redrawn to guarantee the victory of one party. Whereas in 1941 it was feared that House members would redraw districts to guarantee their own re-election, that job today is performed by a conspiracy within a political party. Political parties place immense pressure on their state legislators to redraw state congressional districts that favor only their party. State legislators do this either by creating many districts that have more registered voters for their party than any other, or by bringing together several of the opposition party's strong communities into one district (thereby allowing them to dominate one House seat instead of impacting several different elections). For example, a state legislature controlled by the Democratic Party often redraws congressional districts around areas where there are far more registered Democrats than registered Republicans. Those same Democrats will also try to draw one district around several Republican strongholds in order to limit the amount of seats that Republicans are likely to win in congressional elections. If Democrats win most elections in the House of Representatives, the power of the Democratic Party will grow and its leaders may be able to enact an agenda that does not reflect the will of the U.S. population. Perhaps the most egregious of this corrupt system was the attempt by Representative Tom DeLay to redraw Texas' congressional districts in 2002 to favor the Republican Party.¹⁸⁴ This corrupt practice of redrawing congressional maps to favor one party is commonly called "Gerrymandering."

Gerrymandering is a threat to democracy because it creates the likelihood of a dictatorship run by one party rather than the free and fair elections that are the hallmark of democracy. As Ralph Nader points out, the U.S. government is today dominated by what he calls a "duopoly," in which only two parties (Republicans and Democrats)

¹⁸⁴ An excellent history of DeLay's attempt at Texas redistricting is given in the documentary film *The Big Buy: How Tom DeLay Stole Congress* (2006, directed by Mark Birnbaum and Jim Schermbeck).

dominate national politics. These two parties conspire to implement highly similar policies (such as foreign occupations, untaxed international trade, media conglomeration, and domestic bank bailouts) while distracting the public by focusing its attention on less important controversies (such as sex scandals, funding for the arts, and gays in the military). “The two-party duopoly is redistricting the nation’s congressional and state legislative districts into one-party districts. Ninety-five percent of congressional districts are now seen by both parties as safe, not competitive. About 40 percent of state legislative seats are so “safe” that no opponent from the other major party even challenges the incumbent. Entire states are effectively becoming one-party states.”¹⁸⁵ Former U.S. Senator Bill Bradley agrees that Gerrymandering has built a system in which both major parties are beginning to control entire states. “Over the last twenty-five years, increased precision from computer modeling, efforts to create black districts in order to comply with the Voting Rights Act, and the natural tendency of incumbents to improve their prospects have created a House of Representatives in which barely more than 10 percent of the 435 seats are regularly contested.”¹⁸⁶ Statistics since 1998 prove Nader and Bradley’s claims correct. The independent, non-partisan Center for Responsive Politics reported on November 5, 2008 (the day after Barack Obama won the presidential election) that a huge majority of sitting Representatives and Senators won re-election. “Overall, 95 percent of House incumbents and 93 percent of senators won re-election on Tuesday. . . . In the prior 10 years and five election cycles, an average of 97 percent of House members and 86 percent of senators won re-election.”¹⁸⁷ This should force any patriotic, democracy-loving American to deeply question how much democracy exists in the United States today. How can it be that about 90% of the national legislature is re-elected when around 90% of the U.S. population believes that their government serves wealthy “special interests” rather than the needs of the people? Such a combination

¹⁸⁵ Ralph Nader, *The Good Fight: Declare Your Independence & Close The Democracy Gap* (New York: Regan Books, 2004), page 25.

¹⁸⁶ Bill Bradley, *The New American Story* (New York: Random House, 2007), pages 202-203.

¹⁸⁷ “Money Wins Presidency and 9 of 10 Congressional Races in Priciest U.S. Election Ever,” published November 5, 2008 by the Communications Department of the Center for Responsive Politics. The full article is located at <http://www.opensecrets.org/news/2008/11/money-wins-white-house-and.html>.

would seem to describe a dictatorship of the wealthy, not any legitimate democracy. Gerrymandering (along with the dominance of money, media, Tuesday voting, an inherently conservative Electoral College, and the current lack of oversight) is to blame for such strangulation of democracy.

Gerrymandering of congressional districts is not just theoretically bad for democracy; it is also dangerous to the safety of all U.S. citizens. Again, Bill Bradley reveals exactly how politicians from a Gerrymandered district often completely ignore the will of around 1/3 of their voters. “If a candidate runs in a district where 52 percent of the registered voters belong to one party and 48 percent to the other, that candidate has to pay attention to the views of constituents in the other party. He or she needs their votes. The effect of this process is to moderate extreme positions. The political skill required is consensus building. By contrast, if the candidate is in a district that is divided 60-40, he or she doesn’t even have to acknowledge the existence of people in the other party, much less pay attention to their views.”¹⁸⁸ Bradley argues that competitive districts foster an atmosphere of rational discussion, consensus building with candidates and voters who have different views, and a general relaxation of political rhetoric in favor of logical debate. On the other hand, Gerrymandered districts often guarantee that the candidate from a certain party will win a general election, so that candidate can choose to completely ignore the demands of the other party’s voters. For example, politicians from party-dominated districts such as the Democratic-controlled San Francisco County, California or the Republican-controlled Glasscock County, Texas do not even have to listen to the other party’s arguments.¹⁸⁹ That opposition is in effect silenced until they can somehow overcome Gerrymandering to approach a voting majority.

Not only are opposition parties effectively silenced, but candidates in Gerrymandered districts are also taken hostage by extremists within the dominant party. “The general election in such districts is guaranteed for the candidate by the disparity in

¹⁸⁸ Bill Bradley, *The New American Story*, page 203.

¹⁸⁹ Again, studying the results of the 2008 presidential election clearly shows that the Democratic candidate won 84% of the vote in San Francisco County, California, while the Republican candidate won 90% of the vote in Glasscock County, Texas. These statistics are available from *The New York Times* Website last updated December 9, 2008. It can be viewed at <http://elections.nytimes.com/2008/results/president/map.html>.

registered voters; the worry is the primary. If the candidate is a moderate, a primary challenge may erupt from one of the rabid interest group purists. In a primary with a small turnout (and most of them are), the purists can mobilize enough votes to give any candidate heartburn and in some cases enough to defeat him or her. To avoid that outcome, candidates bow to the most extreme elements in their coalition.”¹⁹⁰ Bradley explains that Gerrymandered districts are *designed* to crush the power of opposition parties, but there is also secondary result. If there is no threat in the general election, then the candidate’s biggest worry arises in their own party primary, where any fanatical faction in a small area can motivate enough voters to remove any candidate who rejects their extreme views. For example, imagine a field of Republican candidates in a heavily Gerrymandered district of Oklahoma. That group of candidates will naturally have a few moderates, while perhaps a few others are conservative extremists. The moderate candidates can be politically threatened by extremists who motivate voters by appealing to uncompromising, irrational support for foreign wars. Even if the moderate candidates do not agree with those political promises, moderates have to at least give hints that they will abide by those demands. If moderate candidates fail to hint at such policies, their extremist opponents can win a closely contested primary. This creates a very real danger not just for people living in that district, but in the entire country: the country can quickly become controlled by hard-line supporters of wars which anger foreign populations enough to support terrorist-style attacks against U.S. targets. Therefore, Gerrymandering is more than just a political theory backed up by a few key statistics; it is instead a serious threat to the safety, well-being, and happiness of the entire nation. Its effects are expanded across the entire planet when one realizes that the U.S. is the dominant military and economic power of our time, its reach capable of penetrating into every human society that exists.

Many solutions to Gerrymandering and its horrid results have been offered over time. Bill Bradley even offered his own suggestion in his recent book on politics, *The New American Story*. “Congressional district lines should be drawn by nonpartisan commissions with representatives appointed by the state legislature, the governor, and

¹⁹⁰ Bill Bradley, *The New American Story*, page 203.

various civic organizations, such as the League of Women Voters. The charge to the commissions should be to draw lines that cross as few township or city lines as possible and produce districts that, if possible, have roughly equal numbers of Republicans and Democrats.”¹⁹¹ This suggestion starts out well, with the focus on creating a nonpartisan commission to redraw congressional districts, and continues with the demand that it cut through few community borders. The idea falters, though, when Bradley suggests that Republicans and Democrats should continue to dominate local (and therefore national) politics by ensuring that equal numbers of each party are included in each district. Instead, the goal should include the destruction of any individual party’s power by creating *nonpartisan* districts in which candidates from *all* parties have a reasonable chance of winning elections. Bradley continues: “Instead of the new district plan being ratified by the state legislature, it should be submitted to the electorate as a whole for approval. A second possibility would be to submit it to a panel of three federal judges.”¹⁹² Here, Bradley discusses the possibilities of who should have the power to accept or reject the new district maps drawn by his proposed nonpartisan commission. The new map could be approved either by a statewide election or an independent panel of federal judges. Each plan is flawed: the elections could be won by voters dedicated entirely to the dominance of one party instead of building a stronger democracy, and the panel of federal judges could have similar preference for a single party.

The Voting and Democracy Research Center recently offered a slightly better option. Their “Model State Redistricting Reform Criteria” demanded that the Federal Government run the process of redrawing congressional districts.¹⁹³ Following the Constitution, the Criteria requests that the census continue to be taken every ten years and that congressional redistricting follow in the year after, in “each year ending in one.” (For example, the census would be taken in 2010, 2020, et cetera, and redistricting would occur in 2011, 2021, and so on.) Each state’s Supreme Court would be responsible for nominating a pool of 36 potential commission members by the end of the census year

¹⁹¹ Bill Bradley, *The New American Story*, pages 217-218.

¹⁹² Bill Bradley, *The New American Story*, page 218.

¹⁹³ The Voting and Democracy Research Center’s main Internet page is located at www.fairvote.org, while their specific Criteria can be found at <http://archive.fairvote.org/index.php?page=1429>.

(2010, 2020, et cetera). The pool would be limited to retired federal or state judges who would swear an oath to not run for political office, be an officer of a political party, or be a paid lobbyist for at least five years after serving on the commission. The pool must be made up of 12 registered members of the state's biggest political party, 12 members of the state's second biggest political party, and 12 members not affiliated with either of the state's two biggest political parties. This equality in the pool would likely result in equal membership on the final commission. The final commission would be chosen at random by the state Supreme Court, with members from each set of 12 being on the final commission. The commission would then redraw the congressional map of their state according to several strict rules to ensure competitive districts, open public feedback on the process, and respect for city and county lines. The state commission would then submit its results to the U.S. House of Representatives and Senate, who would vote to accept or reject the new map without being allowed to change it in any way.

There are many positive aspects of the Voting and Democracy Research Center's Redistricting Criteria, particularly its process for ensuring a reasonable amount of commissioner independence from any particular political party and its demands for keeping districts competitive and amongst existing communities. Every citizen should be encouraged to read, imagine, and discuss the possible results of the Criteria. However, its major shortcoming lies in its willingness to rely on the U.S. Congress for final acceptance of the new district maps. This power should never be given to the politicians in the House of Representatives who would immediately be affected by the new maps. The power of acceptance should be kept at the state level, as Bill Bradley suggested in his offer for a statewide election.

The best solution lies somewhere between the Research Center's Criteria for commissioner independence and Bradley's hope for a more local system for accepting the new district maps. The strongest proposal to end Gerrymandering would split the powers of "redistricting" into the three major levels of government in the United States: national, state, and local (on the city level). Legislatures should be used at each level, in order to avoid personal political decisions by mere individuals such as presidents, governors, or mayors. The U.S. Senate should be given the power of running the U.S. census every ten years (2010, 2020, et cetera) and determining how many members each state should be

given in the House of Representatives. Each state legislature should be given the power of nominating commission pools and then creating the commissions, as described in the Research Center's Criteria. The Criteria for drawing the district maps according to competitiveness, voter feedback, city unity, and all other rules should also be loaded into the binding legal agreement. However, approval of the new district maps should not be given to the national Congress or the Courts; we should instead give that power to local bodies for approval. The most reliable of these local bodies are individual City Councils, usually the legislative body of individual cities and towns. The rate of approval amongst the various City Councils of each state should be set very high, perhaps even 90%, because the new district maps will have a massive impact on national politics in all aspects of foreign and domestic policymaking. If 90% of a state's City Councils vote to accept the new district maps, then the Governor of the state would sign his verification of their vote and ordinary government business could continue.

Many will of course ask why we should give so much power to local leaders who are often unaffiliated with any major political party. The answer is exactly because City Councils are usually nonpartisan (making them independent of large party control) and are often most heavily pressured by community activists and citizen groups. City Councils are the lowest tier of American government, which makes them the place where the "common citizen" has the best chance of winning elected office. Their members are closely accessible to their voting public through frequent community meetings and publicly-held votes. Placing affirmation in the City Councils will bring pressure to keep congressional districts consistent with city borders and give proportional representation to minorities because city governments are most accessible to local activists whose interest should be community solidarity.

Many critics may complain that this plan will locate far too much power in the City Councils. One possible problem is that City Councils could include some members who want to empower one party over others, and could constantly vote to reject the commission's map proposals in order to delay redistricting in order to keep that party in power in the House of Representatives. What could prevent City Councils from simply refusing to create new maps and complaining of deadlock? To solve such partisan deadlocks, a Constitutional Amendment could also prohibit the Federal Government from

giving money to any state in a redistricting year (a year ending in one) until the City Councils of that state accept the new congressional district map and the state's Governor signs a verification form. States and cities today rely heavily on Federal Government money, so halting that spending could cripple state and city budgets in a matter of months. This threat will motivate state redistricting commissions, City Councils, and governors to finish redistricting quickly because they will be handcuffed in most economic matters!

U.S. citizens who care about protecting their democracy against the corruption and dangers of Gerrymandering should demand that their legislators support the following proposal for a Constitutional Amendment:

Section 1. The House of Representatives in the United States Congress is hereby limited to 435 members. Representatives shall be elected from the many states according to each state's population relative to the rest of the states. Each state shall be guaranteed at least one seat in the House of Representatives. The United States Senate shall perform a census in every year ending with zero to determine the populations of each state and of the United States combined. The Senate shall then by law distribute the 435 House of Representative seats amongst the many states strictly according to each state's population in proportion of the United States' overall population. The Senate is required to complete this distribution law by the end of every year ending in zero, and such law must be passed by a two-thirds vote in the Senate and signed by the President of the United States. The President shall then notify each state, in writing and within seven days of having signed the law, instructing each state as to how many seats in the House of Representatives it shall receive until the next census.

Section 2. The new congressional district maps for each state, if necessary, shall be drawn by a Redistricting Commission under each state's authority. Upon receiving written notification by the President of the United States, each individual state shall begin to convene a pool of 36 possible Redistricting Commissioners. The Supreme Court of each state shall be responsible for naming members of the pool. A person is eligible to be a member of the commission if the person is a retired state judge or a federal judge who has served in a federal court in the same state and has retired or taken senior status, has never held a partisan public office, and has not changed their political party affiliation indicated in the person's voter registration records during the five years immediately preceding appointment. Of the 36 members of the Commissioner Pool, 4 shall be registered members of the state's most populous political party, 4 shall be registered members of the state's second-most populous political party, 4

shall be registered members of the state's third-most populous political party, 4 shall be registered members of the state's fourth-most populous political party, 4 shall be registered members of the state's fifth-most populous political party, 4 shall be registered members of the state's sixth-most populous political party, and the remaining 12 shall be unregistered with any political party. In years where qualified potential Commissioners (as defined above in Section 2 of this Amendment) cannot be found to fill each of these party memberships, then any such vacant seats in the pool shall be filled by qualified potential Commissioners unregistered with any party.

A final Redistricting Commission must be made up of ten members chosen by lot from amongst the established pool. Each of the six largest political parties shall receive one seat on the Commission, with each party having its member chosen by lot from amongst their 4 registered members in the pool, and the remaining four Commission seats shall be filled by lot from amongst the 12 members unregistered with any political party. In years where qualified Commissioners cannot be found to fill each party's seat, any such empty seats shall be filled by Commissioners unregistered with any party. Any openings on the Commission made necessary by illness, death, injury, or any such circumstance unrelated to political pressure shall be filled by another Commissioner registered with the same party as the original Commissioner. If such a qualified Commissioner cannot be found in any given year, then any such vacant Commission seat shall be filled by a qualified Commissioner unregistered with any political party.

The Redistricting Commission of ten members shall then commence redrawing congressional districts according to the number of Representatives determined by the census, Senate, and President of the United States and duly appointed to each state. The Commission must approve its state's new congressional district map with at least eight of its ten possible votes. Each Commissioner shall have one vote in this process.

Section 3. The Redistricting Commission of each state shall draw congressional districts according to the following criteria:

a) Districts shall be drawn in compliance with the United States Constitution and the federal Voting Rights Act (42 U.S.C. §1973 et seq). The commission may create plans containing multi-member districts with a proportional voting system, single member districts, or a combination thereof. Each such district shall have a population per representative as nearly equal as practicable.

b) To the greatest extent possible, the commission shall maximize both representativeness and, where practicable, competitiveness, though neither goal shall be superior to the other. A representative plan is one where racial groups and other communities of interest are able to elect representatives in proportion to their percentage of the voting age

population. If it is impracticable to draw competitive districts in the state, the commission shall not use party registration information.

c) The commission shall hold at least three public hearings throughout the state for receiving and considering proposed redistricting plans and public comment from any member of the Legislative Assembly or the public.

d) In no circumstance shall the commission know or take into account the address of any individual, including an officeholder.

e) Information concerning party registration and historical election returns shall only be used once a plan has been drawn, and shall only be used to test the plan for compliance with the stated goals of this article.

f) Each district shall be as contiguous and compact as practicable. With respect to compactness, to the extent practicable a contiguous area of population shall not be bypassed to incorporate an area of population more distant. Respect for contiguous and compact districts shall be secondary to the goals of representativeness and competitiveness.

g) District boundaries shall conform to the existing geographic boundaries of a county, city, or city and county, and shall preserve identifiable communities of interest to the greatest extent possible. A redistricting plan shall provide for the most whole counties and the fewest county fragments possible, and the most whole cities and fewest city fragments possible. For the purposes of this section, communities of interest are defined by similarities in social, cultural, ethnic, and economic interest, school districts, and other formal relationships between municipalities.

Section 4. When the Redistricting Commission has attained at least eight votes in favor of its state congressional district map, then the map shall be made public and sent in writing to the City Council of every city, town, and township within the state. No City Council shall be capable of proposing alterations or amendments to the map. Each City Council shall hold a vote to accept or reject the Redistricting Commission's map. City Councils shall require a majority vote for approval. The map shall be considered approved when nine-tenths of the City Councils in the state approve the map.

If the City Councils attain the required nine-tenths vote, the map shall be sent on to the state capital, verified by the state Governor, and forwarded to the national capitol for implementation beginning in the elections scheduled for each year ending in two. They shall be implemented for a lifespan of ten years, by which time another census, redistricting, and implementation should occur.

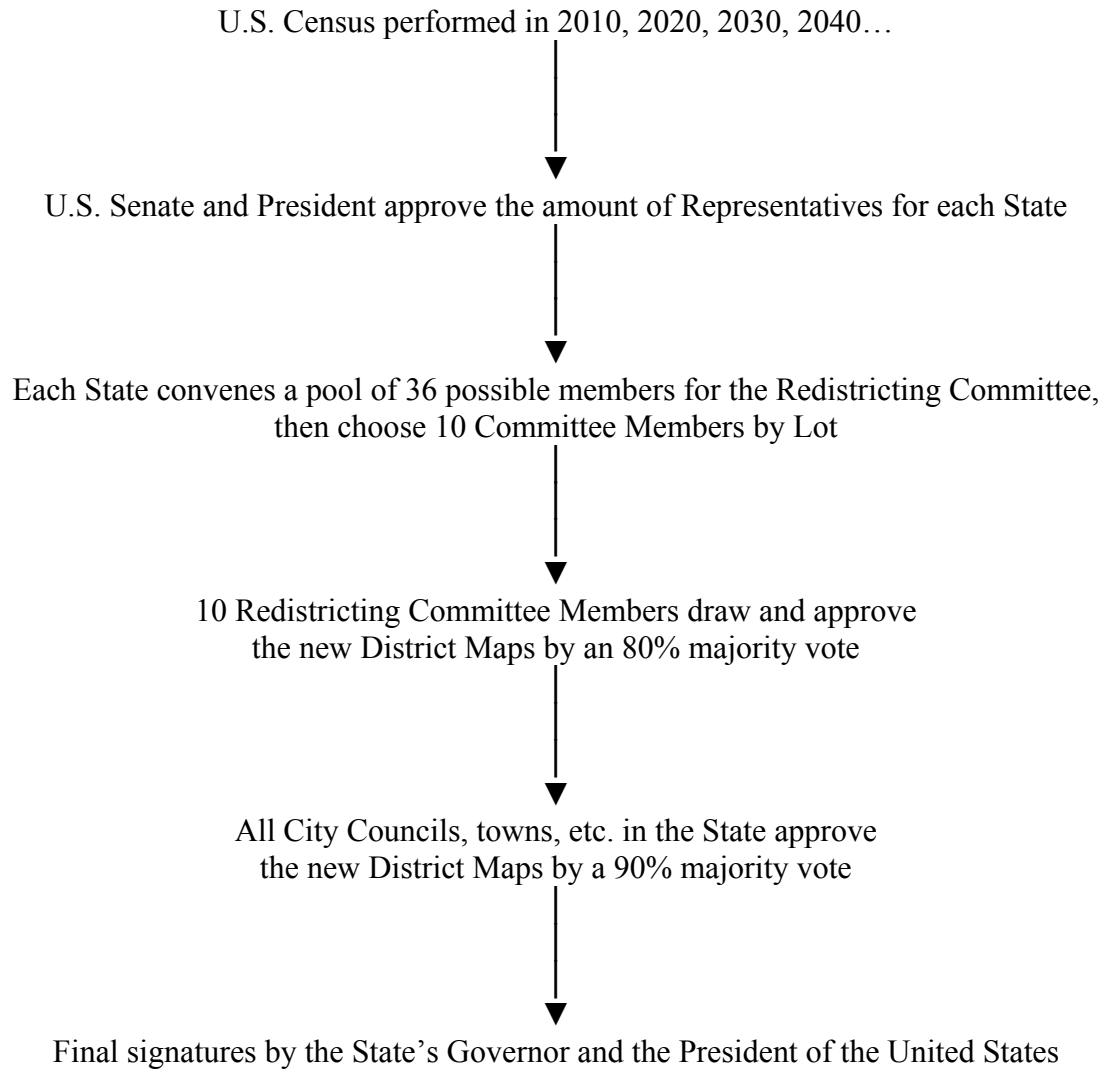
If the City Councils reject the Commission's map by failing to attain the nine-tenth's vote, the map shall be returned to the Redistricting Commission, accompanied by a list of grievances that each City Council voting in the negative shall have written. The Commission shall then reconvene, alter the map in the ways that they view as necessary, and

resubmit the newest map to the City Councils. This process shall continue until the City Councils attain the necessary nine-tenths vote of approval.

The Federal Government shall be banned from transferring or loaning any monies to any individual state from the time that that state's Commission has submitted its first written proposal for a state's congressional district map to the time that the City Councils attain the required nine-tenth's vote of approval. The Federal Government shall likewise be prohibited from similarly disbursing any monies to any city so long as the redistricting process is ongoing. The Federal Government may only renew the transfer of money to states and cities upon receipt of the state Governor's written verification of a new district map, and the subsequent written verification from the President of the United States.

Section 5. Congress shall have power to enforce these articles by appropriate legislation.

The following diagram is provided to illustrate how this complex process would look:



Part Three

Possible Results

12

The Possibility of Violence

The first part of this book argued that today's American democracy is dysfunctional, while the second part listed six changes to the Constitution that the people should support to end the dysfunction. Fortunately, the writers of the original Constitution were smart enough to understand that it would *have to* change over time, so they included a process for "amendment." That process is listed in Article V:

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress . . .¹⁹⁴

¹⁹⁴ "The Constitution of the United States" in *The Declaration of Independence and Other Great Documents of American History, 1775-1865*, edited by John Grafton (Mineola, New York: Dover Publications, Inc., 2000), page 21. The entire document can be viewed at http://www.archives.gov/exhibits/charters/constitution_transcript.html.

This means that there are two steps in amending the Constitution: proposal of an amendment and ratification (which means acceptance) of the amendment. Proposals can be made by either a two-thirds vote in both the House of Representatives and the Senate, or a proposal can be made when two-thirds of the States agree on a proposal and send it to Washington, D.C. When official proposals are made, they are debated and approved at the state level (with three-fourths of the State Legislatures voting to accept the amendment).

Since this system is already in place, the only way to legally change the Constitution is to work within this system. Obviously, that means that the people who want to build a real, reliable democracy must convince their political leaders to fulfill their demands. Many Americans understand how difficult it will be to convince our elected leaders to take such bold steps when they today seem incapable of solving *any* national problems. The only answer to such a dilemma is for the people to bring massive amounts of pressure against their politicians to vote for the six Constitutional Amendments suggested in this book. Put simply, Americans have to contact their state leaders, Congressional Representative, and Senators. We have to tell them that we will vote them out of office if they refuse to support these Amendments. Americans will have to create a large “grass-roots” movement of voters demanding the improvement of democracy. Such a movement will naturally rely heavily on mass protests and public demonstrations. We will probably also have to vote several politicians out of office in order to send a strong enough message to the politicians whose re-election campaigns draw near. This process has worked well in the past, particularly during the Progressive Era of the early 1900s.

However, the mass protest movement also can lead to a new problem: the possibility of violence. Such violence will most likely not be started by peaceful protestors, public marches, and citizens demanding legal changes to the Constitution. Instead, violence will probably be started by police forces under orders to stop protests and disperse large crowds. The people understand that their government currently serves the interests of the wealthy, and that the connection between government and the wealthy elite relies on the corruption of campaign contributions, access to media, Gerrymandering, and fraudulent elections. We *know* this to be true, and that we have to

gather in mass numbers to demand an end to this dysfunctional democracy.

Unfortunately, the wealthy elite *also* know this to be true, and they will likely use violence to end our protests, marches, and other attempts at changing the system that keeps the wealthy in power. Of course, the wealthy have learned that they cannot just send out private security forces to harm protestors, as business-owners did during the 1800s and early 1900s. Instead, they will probably try to use police forces (and maybe even the national military) to destroy peaceful protests, like southerners did during the Civil Rights Movement of the 1950s and 1960s. The wealthy elite will then claim that their use of such police brutality against peaceful protestors is in the interest of keeping lawful stability.

Therefore, the people must admit to themselves that violence is likely to break out during mass protests. We should know that we may be victimized by the police if we show up. We must understand that personal bravery during social movements does not merely come from the willingness to demand change, but also in the willingness to get hurt while making those demands. The attacks by authorities might be violent, and we must be willing to stand up to that violence. Government authorities will attack political demonstrators through arrest, beatings, and possibly even mass shootings. Mass arrests will most likely be the government's first strategy because it is the least violent way of stopping protests. Protestors, though, should resist being arrested because the Constitution guarantees them the right to gather publicly to demand a redress of grievances. The First Amendment to the U.S. Constitution says "Congress shall make no law . . . abridging . . . the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."¹⁹⁵ Protestors might even consider printing this message on t-shirts and pickets to use in the protest itself. This might inspire police to avoid violent attack. Even if the attack happens, the hypocrisy of police brutality against protestors in defense of law enforcement will be made that much clearer for television cameras to broadcast.

¹⁹⁵ "The Constitution of the United States," Amendment I, page 25. The entire document can be viewed at http://www.archives.gov/exhibits/charters/constitution_transcript.html.

We Must NEVER Use Violence

Protestors have every right to defend themselves against government brutality. However, such violence by protestors must be limited to self-defense. We must *never* argue for a pre-emptive attack against the government, its law enforcement bodies, or its leaders. We can never enflame popular hatreds to the point of physical violence against the people we oppose. Instead, the movement must be peaceful and democratic: we can only threaten to remove leaders from their offices by voting in elections. That threat is powerful if we can mobilize enough popular support; after all, we have 99% of the votes!

Our threat of violence must be purely defensive – we can *NEVER* advocate the murder of leaders who reject our demands. We can *NEVER* threaten to destroy their property. That could lead to slaughter of anybody who disagrees, much like the “Reign of Terror” during the French Revolution¹⁹⁶ or the “War of Annihilation” in World War Two.¹⁹⁷ Politicians and statesmen alike agree on this; even some of the most “liberal” leaders of the past hundred years refuse to support the use of violence. Former President Theodore Roosevelt offered one of the first modern rejections of popular violence to achieve social change:

[I]n the interest of the workingman himself we need to set our faces like flint against mob violence just as against corporate greed; against violence and injustice and lawlessness by wage workers just as much as against lawless cunning and greed and selfish arrogance of employers. If I could ask but one thing of my fellow countrymen, my request would be that, whenever they go in for reform, they remember the two sides, and that they always exact justice from one side as much as from the other. I have small use for the public servant who can always see and denounce the corruption of the capitalist, but who cannot persuade himself, especially before election, to say a word about lawless mob violence. And I have equally small use for the man, be he a judge on the bench, or editor of a

¹⁹⁶ Those interested in the Reign of Terror should see William Doyle, *The Oxford History Of The French Revolution: Second Edition* (New York: Oxford University Press, 2002), particularly Chapter 3 “Crisis and Collapse; 1776-1788,” Chapter 11 “Government by Terror: 1793-1794,” and Chapter 12 “Thermidor: 1794-1795.”

¹⁹⁷ Those interested in the idea of World War Two being a “war of annihilation” should see Mark Mazower, *Dark Continent: Europe’s Twentieth Century* (New York: Vintage Books, 1998), particularly “Chapter 5: Hitler’s New Order, 1938-45.”

great paper, or wealthy and influential private citizen, who can see clearly enough and denounce the lawlessness of mob violence, but whose eyes are closed so that he is blind when the question is one of corruption in business on a gigantic scale. Also remember what I said about excess in reformer and reactionary alike. If the reactionary man, who thinks of nothing but the rights of property, could have his way, he would bring about a revolution; and one of my chief fears in connection with progress comes because I do not want to see our people, for lack of proper leadership, compelled to follow men whose intentions are excellent, but whose eyes are a little too wild to make it really safe to trust them.¹⁹⁸

Roosevelt here warns American reformers that they should remember the delicate balance of the needs of workers and employers. Both groups, as humans, deserve to have their lives, freedom, and property protected by government. The threat of mob violence directed against the rich can be just as hurtful to general society as today's corrupt and dysfunctional democracy. Mob violence, once it starts, can catch like wildfire and destroy many innocent people along with a few guilty. Reform should be kept legal and peaceful; that is one major reason why this book chooses to focus on Constitutional Amendments as the means of improving democracy.

These sentiments are echoed by today's "liberal" leaders. Filmmaker Michael Moore recently rejected the right of people to violently attack political leaders, even those leaders who have implemented policies that Moore has publicly attacked. "I have never uttered the words 'I hate George W. Bush.' I have never uttered those words, as much as I fought the guy, as much as I hated what he did. I never hated him as a person, and still don't to this day I don't want to live like that. And I don't want to live in a world like that and I don't want to contribute to a world like that."¹⁹⁹ Moore realizes that we should attack policies, not the politicians who implement them. Attacking people can lead to violence that could threaten all of society. President Barack Obama understood

¹⁹⁸ Theodore Roosevelt, "The New Nationalism," a speech given in August 1910 in Osawatomie, Kansas. The full text of the speech can be found at <http://teachingamericanhistory.org/library/index.asp?document=501>.

¹⁹⁹ This quote is taken from an interview Michael Moore gave while promoting his 2009 film, *Capitalism: A Love Story*. The interview was titled "Michael Moore on Obama, Media & Movie" and was first broadcast on LinkTV, October 8, 2009.

this as he quoted Martin Luther King, Jr. when accepting the Nobel Prize for Peace in December 2009. “Violence never brings permanent peace. It solves no social problem: it merely creates new and more complicated ones.”²⁰⁰ Our reform movement should reject violence in all of its forms, except in self-defense when attacked by police.

This advice is sound not just on a humanitarian level, but also as a legal strategy. The Constitution is the legitimate source of legal power and human rights in the United States, but it also clearly says that anyone acting in revolution forfeits those rights. Article II, Section 9 of the Constitution says “The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.”²⁰¹ Habeas Corpus is the legal tradition that says government must provide evidence for arresting a person, and that the person is entitled to a trial to determine their guilt or innocence. Habeas Corpus basically guarantees that the government does not have the power to arrest or detain people, throw them in jail, and leave them in jail forever. Protestors must *NEVER* say they want to overthrow the Federal government because such a movement could be labeled “rebellion” by government leaders, which they could then use to suspend Habeas Corpus, arrest protestors, and jail them forever. This has happened before in U.S. history: President Lincoln used these powers to arrest and jail Confederate sympathizers during the U.S. Civil War.²⁰² To avoid giving the government such a useful excuse, protestors should instead argue that they merely want to *amend* the Constitution, which is an entirely legal and acceptable social demand.

We understand that we are threatened with violence when we begin mass popular protests. We know that the people who control this country through political corruption

²⁰⁰ Barack Obama, “Nobel Prize Acceptance Speech,” December 10, 2009, reproduced at the White House archives <http://www.whitehouse.gov/the-press-office/remarks-president-acceptance-nobel-peace-prize> and as reported by *The New York Times* at <http://www.nytimes.com/2009/12/11/world/europe/11prexy.text.html>.

²⁰¹ “The Constitution of the United States,” Article I, Section 9, page 16. The entire document can be viewed at http://www.archives.gov/exhibits/charters/constitution_transcript.html.

²⁰² Those interested in the suspension of Habeas Corpus during the Civil War should read Phillip Shaw Paludan, *The Presidency of Abraham Lincoln* (Lawrence, Kansas: University Press of Kansas, 1994) pages 71-83 and Doris Kearns Goodwin, *Team of Rivals: The Political Genius of Abraham Lincoln* (New York: Simon & Schuster, 2005) pages 354-355.

will resist having their power taken away. We know that they may try to use violence to intimidate our movement. But we must also realize that the biggest social gains this country has ever attempted were all supported by mass social movements that withstood the threat of violence: the American Revolution, the destruction of slavery during the Civil War, the Progressive Era, and the Civil Rights Movement. These were all examples of common citizens standing up in mass numbers to rid their government of obvious flaws. We know that protestors will be hurt, and some will even be killed, in such uprisings. Thomas Jefferson knew it in 1787, when farmers in Massachusetts rose up against unfair banking practices. Several farmers were killed, but Jefferson wrote that this was an accepted part of social revolution. “The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants.”²⁰³ Jefferson emphasized that tyrants, dictators, and the corrupt powers that enforce their demands will not be the only people hurt in popular uprisings seeking to defend the people’s liberties. The movement will also take casualties if violence erupts. These “patriots” are brave men and women who accepted the risks inherent in protest, and they deserve our admiration for having given their lives pursuing goals that could make this country a better place. The people, and their government, will only be saved by their dedication and willingness to make such personal sacrifice.

²⁰³ Quoted in Merrill D. Peterson, *Thomas Jefferson and the New Nation* (New York: Oxford University Press, 1970), page 359.

13

Getting Rid of Political Parties?

Most people who watch American politics over a period of time come to believe that the dominance of political parties hurts democracy. The theory of democracy believes that the most stable governments are those that do what the people want, since people are unlikely to rebel against a government that listens and responds to their demands. The problem with many of today's democracies is that they come to be dominated by political parties to the point that governments responds to the demands of party leaders rather than to the needs of its people. This has grown to be an epidemic in United States' politics, causing many of its current economic and military catastrophes. Some thinkers have argued that political parties should be outlawed in order to break their power. This chapter will prove that we do not need to completely eliminate parties; instead, we just need to end their ability to dominate lawmakers. Amending the Constitution in the ways discussed in Part Two of this book will naturally destroy the power of today's political parties.

Why are political parties such a destructive problem in the first place? Why do parties want things that are so different from the needs of the people they are supposed to represent? The answer lies in the fact that political parties are only driven by one overwhelming goal: to stay in power (or to get power if they are currently a minority

party). In governments run by democracy and voting, staying in power means winning the next election. That is the main objective of all political parties. Parties are therefore built for short-term goals rather than long-term accomplishments. Parties usually do not consider long-term strategies or even the long-term results of what they are doing today. Political parties simply are not built to solve long-term problems related to economics, taxation, environment, education, healthcare, foreign policy, etc. Today's parties largely resemble business corporations in their similar obsession with short-term goals. Corporations push their executives to use short-term strategies to increase profits today, tomorrow, and next quarter, but rarely think beyond that. Stockholders demand short-term profits over long-term planning because they do not want to see the prices of their stock collapse today. However, the long-term stability of the company is threatened by the short-term obsession of its leaders and owners.²⁰⁴ Political parties are much the same in their short-term obsession with winning the next election, rather than creating long-term policies to guarantee social stability. Only rare politicians or business executives take action to solve long-term problems, though nearly all *claim* to do so.

Of course, this creates a major problem for the party: their obsession with the short-term goal of winning the next election is almost always opposed to the people's long-term needs. The people want reliable healthcare, quality education, fair tax rates, equal economic opportunity, social justice, an end to pollution, reliable retirement plans, and a military capable of defending the nation without oppressing other peoples. The American people are constantly angry that their political leaders seem not only incapable of accomplishing these things, but often also completely *uninterested* in such needs. Even President Barack Obama, whom the American people generally see as wanting to fix long-term problems, immediately abandoned government-paid, universal health care as a possibility because he said it is "too risky."²⁰⁵ He then abandoned the "public

²⁰⁴ This is easily proven by the short-term profit obsessions of the American automotive and financial industries. Major companies like General Motors and Ford refused to begin building hybrid or fully-electric cars because they believed that the American consumer was only interested in the short-term. They did not realize that American consumers would flock to such cars when gasoline prices rise. The major financial firms destroyed themselves with their short-term obsession for profit in the "sub-prime" loan industry. Of course, both of these long-term miscalculations destroyed these automotive and financial companies, who were only saved by the U.S. government's "bailout" policies of 2008 and 2009.

²⁰⁵ President Obama stated that a "single-payer" system "could very well make sense" but "we don't want a huge disruption as we go into healthcare reform where, suddenly, we are trying to completely reinvent 1/6

option,” which was one of his major campaign promises in 2008. The Republican Party is absolutely giddy at the fact that the American population now believes that Obama and the Democrats are incapable or uninterested in solving a major social problem. Republicans predicted throughout 2009 and 2010 that voter anger will put the Republican Party back in power, even though similar anger at Republicans under President George W. Bush’s leadership gave rise to Obama in the first place!

These are not new problems. The threat that organized parties pose to democracy has been debated in the United States since the weeks after the Constitution was written, while the states debated accepting the Constitution. James Madison, arguing for acceptance of the Constitution, wrote in November 1787 that party loyalties pose grave threats to democracy. Like many other late 1700s thinkers, Madison used the word “faction” to describe what we today think of as “parties.” He said that these problems must be solved immediately. “There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.”²⁰⁶ He goes on to say that freedom is the source of parties (faction). When people have the freedom to choose their own political ideas, they will naturally form parties of people who share similar opinions. If freedom and liberty cause parties to form, then the only way to fully kill off parties is to remove political freedom. However, removing freedom would kill democracy. Madison admits that the cause of parties is impossible to avoid or destroy. Madison then concluded: “The inference to which we are brought is, that the CAUSES of faction cannot be removed, and that relief is only to be sought in the means of controlling

of the economy.” This story was heavily reported by *Democracy Now!* in their “Headlines for May 15, 2009” at <http://www.democracynow.org/2009/5/15/headlines#2>. President Obama later reiterated his refusal to support the “single-payer” system because he thought it would be “too disruptive.” These statements were reported by *The New York Times* in “Obama’s Health Care Town Hall in Portsmouth” originally published on August 11, 2009 at http://www.nytimes.com/2009/08/12/us/politics/12obama.text.html?pagewanted=1&_r=1. This quote is found on page 8 of the series, http://www.nytimes.com/2009/08/12/us/politics/12obama.text.html?pagewanted=8&_r=1.

²⁰⁶ James Madison, *Federalist Number 10*, first published November 23, 1787. The entire article can be viewed online at http://thomas.loc.gov/home/histdox/fed_10.html. All of the Federalist essays can be found in Alexander Hamilton, James Madison, and John Jay, *The Federalist Papers with an Introduction* by Gary Wills (New York: Bantam Classic, 2003). This quote appears on page 51 of that volume.

its EFFECTS.”²⁰⁷ If we cannot avoid the causes of parties (faction), then we should focus our energy on hurting the effects of parties. The biggest effect, in the 1700s and today, is the ability of parties to dominate their members to the point that party leaders can force through legislation by forcing their members to vote one way or another. The ability of today’s Democratic and Republican Parties to control their members is a major source of the U.S. government’s apparent inability to solve national problems.

Today, party domination over individual members is so complete that our elected representatives (Members of Congress and Senators) resemble soldiers that follow orders issued from generals, rather than being representatives of communities with an ability to think for themselves. How have the parties taken such overwhelming control over their members? Former Congressman Cecil Heftel gives us an insider’s look into the power politics that dominate Washington, D.C.:

In Congress, the system is based on following the leaders: the speaker, the party whips, and the heads of the various committees and subcommittees. And following their leadership almost always means voting to spend money. [As a Congressman,] I knew that if I bucked the party leaders on the spending bills that they wanted, I could expect to get no assistance from them in passing the bills that I wanted. If I didn’t play by the rules of their game, I would be sitting on the bench for the rest of my time in Congress—with no influence at all.²⁰⁸

According to Congressman Heftel, parties dominate their members by demanding support for the party’s big policies in return for the possibility of supporting a member’s ideas. Many will argue that this type of deal-making is natural to politics. The problem is that the party leaders exert far more power in these types of deals because they can crush any individual member that tries to become independent. The only way for individual members to get their ideas heard (much less voted on and passed!) is to work through this party machine. Members who refuse to accept the party’s demands are

²⁰⁷ James Madison, *Federalist Number 10*, page 54 of the Bantam volume. The entire article can be viewed online at http://thomas.loc.gov/home/histdox/fed_10.html.

²⁰⁸ Cecil Heftel, *End Legalized Bribery: An Ex-Congressman’s Proposal to Clean Up Congress* (Santa Ana, California: Seven Locks Press, 1998), page 47.

usually punished at the committee level (which is the first group to study and vote on possible laws). “Committee members who go against committee chairs risk forfeiting the leadership’s support for their own bills. That’s how independent members are punished. Powerful committee chairmen like [John] Dingell play a game of punishment and reward and can also direct [campaign] contributions to those members who are willing to play their game.”²⁰⁹ Congressman Heftel reveals that party leaders (who are almost always appointed to be committee chairmen) use the reward/punishment scheme in combination with the need to raise campaign cash to convince all potentially independent thinkers to adhere to the party’s demands.

Sadly, this type of pressure still works today to manipulate our representatives. Most laws passed by Congress are passed by “party-line votes,” which means that very few Republicans vote for laws proposed by Democrats, and very few Democrats vote for laws proposed by Republicans. Representatives that are supposed to be independent thinkers in supporting the demands of the communities who elected them are today clearly controlled by the major party leaders. The most extreme example of this has been the healthcare debate of 2009 and 2010, which led to laws being passed by almost entirely “party-line votes.”²¹⁰

One possible solution to this problem would be to completely eliminate the ability to join political parties. As James Madison argued in 1787, that would hurt American

²⁰⁹ Cecil Heftel, *End Legalized Bribery*, page 117.

²¹⁰ The bill that passed the health care form in the Senate was the Health Care and Education Reconciliation Act of 2010 (H.R. 4812, Vote Number 105). The Senate vote occurred March 25, 2010. A full list of votes can be found at http://www.senate.gov/pagelayout/legislative/a_three_sections_with_tasers/votes.htm. The Roll Call vote for this particular bill can be found at http://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=111&session=2&vote=00105, which reveals that 54 of 57 Democrats and both Independents voted to pass while 3 Democrats joined with every single of the 40 Republicans voted to reject the bill.

There were two bills that passed the health care reform in the House of Representatives: the Patient Protection and Affordable Care Act of 2010 (H.R. 3590, Roll Call 165) and the Reconciliation Act of 2010 (H.R. 4872, Roll Call 167). Both House votes occurred March 21, 2010. A full list of votes can be found on the “Roll Call Votes” link of the House webpage, <http://www.house.gov/>. The Roll Call vote for the Patient Protection and Affordable Care Act of 2010 can be found at <http://clerk.house.gov/evs/2010/roll165.xml>, which reveals that 219 of 253 Democrats voted to pass while every single of the 178 Republicans voted to reject the bill. The Roll Call vote for the the Reconciliation Act of 2010 can be found at <http://clerk.house.gov/evs/2010/roll167.xml>, which reveals that 220 of 253 Democrats voted to pass while every single of the 178 Republican votes to reject the bill.

political freedom to the point that the people may rebel against the Federal government. Removing liberty at that level would not serve democracy; in fact, it could easily open the door to dictatorship.²¹¹ Madison was correct in cautioning us against such a path, and in saying that a better way to hurt parties is to control their “effects.” Today, that means stopping a party’s ability to dominate its own members and force laws through on “party-line votes.” We can do that by breaking the two-party system led by the Democratic and Republican Parties. This will likely happen after we finish changing the Constitution in the ways suggested throughout this book.

James Madison even predicted that, since we cannot stop parties from forming, having many political parties would be the next best choice.²¹² Madison feared the dominance that parties could wield over representatives if there were few parties.

. . . [T]he fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other.²¹³

²¹¹ Many 20th century dictatorships quickly moved to eliminate other political parties after assuming power. This occurred in the Soviet Union (which made the Communist Party the only legal political party), Hitler’s Germany (which made the Nazi Party the only legal party) and Saddam Huessein’s Iraq (which made the Baath Party the only legal party).

²¹² Madison’s argument had defined “parties” as conflicts of local economic interests, rather than today’s version of political parties (Republicans and Democrats). Madison therefore theorized that the solution to the problem of “parties” was to create a large country in which no local or city economic interest could come to dominate the entire nation’s politics. He concluded that “The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States.” This has been proven wrong by the rise of a two-party system (Federalists and Democratic-Republicans) by the late 1790s. That two-party system continues to rule today, with Republicans and Democrats running the government. James Madison, *Federalist Number 10*, pages 57-58 of the Bantam volume. The entire article can be viewed online at http://thomas.loc.gov/home/histdox/fed_10.html.

²¹³ James Madison, *Federalist Number 10*, page 57 of the Bantam volume. The entire article can be viewed online at http://thomas.loc.gov/home/histdox/fed_10.html.

If there are many parties, then no single party can rise to dominate all others and then dominate its own members. Madison stated this even more bluntly later in *Federalist Number 10*: “[Is there a] greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties comprised within the Union, increase this security.”²¹⁴ According to James Madison, the growth of many political parties is the greatest safeguard against political oppression that the Constitutional system can have.

Modern political thinkers constantly draw the same conclusions as Madison had in 1787. Ralph Nader recently wrote about the general problem of only two parties having complete dominance in elections and government.

When just two parties control the electoral scene, they tend to converge. They are dialing for the same commercial interest dollars [for campaign contributions] and recruiting mostly candidates willing to grovel and make quid pro quo deals. The parties naturally become more cautious toward the powers-that-be and develop a strategy of protective imitation toward one another. . . . More and more the major parties become Coke and Pepsi, frantically highlighting their dwindling differences and masking their growing similarities.²¹⁵

The Democratic and Republican Parties today conspire to kill off any “alternative” party’s attempt to rise to prominence. Ralph Nader has devoted much of the past two decades in studying this topic, which he calls the American “duopoly” that uses an attitude of “political bigotry” toward other parties. Nader, and others, argue that the best way to end this two-party system is to adopt public financing for all elections.

Former Congressman Heftel also wrote that public financing is the major step that needs to be taken in attempting to break the two-party system. Like Nader, he describes the current system’s faults:

²¹⁴ James Madison, *Federalist Number 10*, page 57 of the Bantam volume. The entire article can be viewed online at http://thomas.loc.gov/home/histdox/fed_10.html.

²¹⁵ Ralph Nader, *The Good Fight: Declare Your Independence & Close The Democracy Gap* (New York: Regan Books, 2004), pages 24-25.

Something is obviously wrong, but the flaw is not with individual [lawmakers'] ethics. The flaw is with the institutional dependence on money. Even though I was a member of Congress, I was dead in the water when auto industry lobbyists were against me. In the same way, when health insurance lobbyists were against [Committee Chairman John] Dingell, he was dead in the water. No matter which committee is involved, the shots get called by the lobbyists representing contributors and by the members of Congress who take [campaign] donations from those contributors. The public is as powerless as members who oppose monied interests.²¹⁶

Building a public financing system for all elections is the first step in breaking the power of the wealthy to dictate laws to government leaders, and the first step in empowering the average voter. When we destroy the power of wealth to dictate laws, we will likely also break the current two-party system. Heftel goes on to describe the close connection between special interest money and party leaders.

The experience I had with Dingell's House Energy and Commerce Committee gave me insight into the coziness between key legislators and special interest lobbyists. The rule is this: In any clash between the public interest [what the average citizen wants] and special interests [what the rich business-owners want], the special interests will prevail. They provide the money that elects members of Congress. Voters, who know very little about what goes on behind the scenes in Congress, do not get heard.²¹⁷

Again, Heftel reveals the intimate connection between money and party bosses. We must destroy that connection. That is the major step that will kill the ability of party leaders to dominate their own members of Congress. If we remove the ability of party leaders to threaten their own members by withholding money and influence, then lawmakers can be independent enough to finally start passing laws and regulations to help the average American voter. The power of party leaders to run the government will collapse.

²¹⁶ Cecil Heftel, *End Legalized Bribery*, page 118.

²¹⁷ Cecil Heftel, *End Legalized Bribery*, page 118.

The best way to break party domination of individual members is to eliminate the campaign contributions that party leaders rely on to get elected. Party leaders distribute influence and money only to lawmakers who support the party in all votes. However, we need to go further than Heftel's plan to merely create an option for candidates to choose publicly-funded campaigns. We also need to outlaw political advertising, along with ending private contributions and ensuring equal media access. We should remove all party affiliations from ballots in order to destroy any single party's ability to win elections by simple party affiliation. Today's "alternative" party candidates and independent candidates must be given equal opportunity to win elections if we want the United States to be a real, reliable democracy. Part Two of this book proposed and discussed all these ideas in detail.

Eliminating the reliance on money will kill the ability of party leaders to dominate members and control committees because it is unlikely that any one party will win a majority in Congress. Free elections among candidates using equal resources will allow many parties, along with independent candidates, to win elections. In fact, that is the most likely result of true democracy. These independently-minded lawmakers should refuse to automatically appoint senior members of *any* party to be committee chairmen. No single committee should have a majority of members from one party because that party will move to control laws, just as occurs today. We do not need to make political parties illegal because we can end their dominance over Congress, and over their own members, by fixing the system we use to elect our lawmakers.

14

The Empowered Voter

The powers of wealth and media ownership dominate American politics today. They run the country by giving money to political candidates (campaign funding) and restricting media access to only a few candidates (for example, only the Republican and Democratic Party nominees were allowed into the 2008 Presidential Debates, even though several other parties and candidates were on the ballot). Democracy not only suffers, but dies when only wealthiest 1% of the population determines which candidates have a “real chance” of winning an election. It is true that the American people have the final say in elections, since they are the ones that cast the final vote. However, it is also true that they largely vote for candidates that have been *pre-chosen by the wealthy elite*. The American people realize this problem; this is a major reason why only between one-third (33%) and one-half (50%) of registered voters actually vote on election day.²¹⁸ Many refuse to vote because they say there is no “real choice” on the ballot. Today’s American electoral system favors the wealthy, and the American people know it.

²¹⁸ There are many sources of this information. One of the most concise and therefore easiest to read is the “United States Election Project” run by Dr. Michael McDonald at George Mason University. It is located at <http://elections.gmu.edu/index.html>, with its main “Voter Turnout” page at http://elections.gmu.edu/voter_turnout.htm.

The only way to solve this problem is to start a mass popular movement to demand change. Such movements have been successful in amending the Constitution in the past; the most recent being the Progressive Era of the early 1900s and the Civil Rights Movement of the 1950s and 1960s. These popular demands clearly changed American law and society for the betterment of most people. American democracy is desperate for a similar movement today. Our movement must demand the equal funding, accessible information, fair media coverage, removal of manipulative marketing tactics, holding elections on days which the masses can participate, and ensuring that there is fair competition amongst all candidates for all offices. This will protect and expand democracy to truly reflect the people's needs and desires. As former U.S. Senator Bill Bradley recently wrote, "The answer to the problem of democracy is more democracy, not less democracy."²¹⁹

Passing the many Constitutional Amendments recommended in this book will give the American people the opportunity to learn about all candidates and choose the ones they want to lead the country. The American voter will have the opportunity to be far better educated on problems facing the country and proposals from all candidates and all political parties. Such highly-educated citizens should vote according to politicians' past actions (or promises if that politicians has no voting record), rather than on emotional ties. In essence, citizens should vote for POLICIES instead of a candidate's personality or image. Anything less is a watering-down of democracy. We do not need mythical heroes or cultural icons to lead the United States into the future. Instead, we need intelligent, uncorrupted lawmakers and intelligent, dedicated law-enforcers. We will only get such men and women through free, fair elections and an intelligent, objective vote on policy ideas.

Voters can become so educated, intelligent, and interested in their government that they may frequently notice that their elected officials commonly break promises made during their campaign. If the public sees that an elected official is not fulfilling their campaign promises (the basis for their popular support and election to office), then the people should mobilize to remove that official from office. This is the best way to

²¹⁹ Bill Bradley, *The New American Story* (New York: Random House, 2007), page 218.

ensure that candidates fulfill their mandates if elected. Officials are far more likely to push to fulfill their promises if they see that the people are watching and ready to replace unreliable law-makers or law-enforcers. This is not a new idea; it reaches at least as far back as John Locke's early writings on the social contract.

[T]here remains still *in the People a Supreme Power* to remove or *alter the Legislative*, when they find the *Legislative* act contrary to the trust reposed in them. For all *Power given with trust* for the attaining an *end*, being limited by that end, whenever that end is manifestly neglected, or opposed, the *trust* must necessarily be *forfeited*, and the Power devolve into the hands of those that gave it, who may place it anew where they shall think best for their safety and security. . . .²²⁰

Locke here states that the people always retain the power to change their government when that government fails to fulfill its promises of protecting the people's safety and security. When the people choose to change government, the people then should decide on what government shall replace it.

Of course, it can easily be argued that Locke was writing about full-scale revolution against a government, much as the American Revolution accomplished against Great Britain in the late 1700s. However, Americans since then have taken the extra step in accusing politicians who fail to fulfill their campaign promises as breaking a trust with their voters. Former President Theodore Roosevelt advised the American people of such problems in 1910: "A broken promise is bad enough in private life. It is worse in the field of politics. No man is worth his salt in public life who makes on the stump a pledge which he does not keep after election; and, if he makes such a pledge and does not keep it, hunt him out of public life."²²¹ Roosevelt here demands that the American voting

²²⁰ John Locke, "The Second Treatise of Government," in *Two Treatises of Government*, Edited with an Introduction and Notes by Peter Laslett. (Cambridge: Cambridge University Press, 1992), Book II, Chapter XIII, Section 149, page 367.

²²¹ Theodore Roosevelt, "The New Nationalism," a speech given in August 1910 in Osawatomie, Kansas. The full text of the speech can be found at <http://teachingamericanhistory.org/library/index.asp?document=501>.

public remove any elected official who fails to fulfill his or her campaign promises. Ralph Nader has recently predicted that today's dysfunctional American democracy cannot be fixed without political leaders that truly represent the people who elect them: "Without such civic engagement, and without candidates for office who faithfully represent their constituents, our broken politics cannot be repaired."²²²

People who vote according to the policies they want and then closely watch what their elected officials do can have profound effects on American government. When combined with a series of Constitutional Amendments that make all elections fair for all candidates, the corrupt powers that today dominate U.S. politics will likely collapse. Individual law-makers (Members of Congress and the State Legislatures) and law-enforcers (Presidents, Governors, and Judges) would feel far more pressure from their voters to fulfill campaign promises than from political party bosses to vote along "party lines" if voters actively threaten to remove them from office. If the party bosses cannot force their members to vote along "party lines," then political parties will lose their ability to force through legislation that the American people do not want. Party power would further collapse if parties are banned from giving candidates access to campaign money – parties would have no leverage to demand individual law-makers to vote along "party lines." Without the power to get the people they want elected and to force representatives to vote how the party wants, political parties will become voluntary societies rather than the corrupt and oppressive machines they are today.

Put simply, the movements to empower voters, improve democracy, kill party politics, and free the American government from being controlled by the wealthy elite *all have the same goals*: passage of the many Constitutional Amendments proposed in Part Two of this book. It will take a mass movement like the Civil Rights Movement of the mid-1990s. It will be difficult. It will demand much time and energy. It is necessary. It will be worth our sacrifice.

²²² Ralph Nader, *The Good Fight: Declare Your Independence & Close The Democracy Gap* (New York: Regan Books, 2004), page 8.

Conclusion

A New Stability

Anybody that has watched politics in the United States for the past three decades knows that there are major problems with the U.S. government. It has proven itself incapable of solving big problems such as its economic dependence on oil, its disastrous health care insurance system, or its failed youth education systems. Unbelievably, these problems have grown worse even as the U.S. government spends more and more money (and takes on an ever-increasing National Debt) on its political and social failures. The major reason that our government spends huge amounts of money on such failures is that our political leaders are indebted to the wealthy elite through the campaign donation system. Consider this: nearly every single U.S. President since 1980 has won election by promising to bring real, powerful change to Washington, D.C. Presidents Jimmy Carter, Ronald Reagan, Bill Clinton, George W. Bush, and Barack Obama have all won elections with this theme (George Bush in 1988 is the only exception to this general history, and he mostly promised to continue the changes brought by Ronald Reagan). None of these presidents has been able to bring the change that the American people so desperately want. Why? Because they take money from wealthy individuals and businesses to win their elections, then understand that those big donors expect to receive big favors when it

comes time to write and enforce laws regarding taxes, health care insurance, retirement safety, energy sources, public education, and foreign policy.

Americans today know that our system for electing leaders through such cash gifts is a huge failure. We also know that the politicians who win *through* this system are the least likely to *change* the system. Why would they want to change a game that they so recently won? It would be like a Superbowl-winning quarterback asking to change the rules to eliminate his ability to throw the football! Is he likely to do this? Of course not! Why would he want to change the rules that gave him an advantage over other players, and which gave him so much power? To even *suggest* it would be *against his interest*! The same thing happens every day in American politics: why should we trust the winners of elections to change the way campaigns and elections are run? Former Congressman Cecil Heftel quickly explains this problem, and suggests a way to fix it: “Members of Congress thrive on routine and tradition. They have no incentive to change the system that brought them power. On the other hand, they are sensitive to public opinion and to their place in history. They will muster political will when voters show political will and demand that things change.”²²³ Members of Congress, Senators, and Presidents all listen to public demands while running for office, so we have to show them that we will vote them out of office if they refuse to improve our democracy. The best way to prove our willingness to vote them out of office is to actually do so: we need to show them that they will lose their next election if they do not support the Constitutional Amendments proposed in this book.

Many people in the United States are so angry at the corrupt political system that they simply refuse to vote, participate in, or even listen to political debates. U.S. voter turnout over the last several decades has hovered between 50% and 67%, which means that somewhere between one-half and one-third of registered voters refuse to participate at any given time.²²⁴ Some people argue that any voter who refused to participate

²²³ Cecil Heftel, *End Legalized Bribery: An Ex-Congressman's Proposal to Clean Up Congress* (Santa Ana, California: Seven Locks Press, 1998), page 11.

²²⁴ There are many sources of this information. One of the most concise and therefore easiest to read is the “United States Election Project” run by Dr. Michael McDonald at George Mason University. It is located at <http://elections.gmu.edu/index.html>, with its main “Voter Turnout” page at http://elections.gmu.edu/voter_turnout.htm.

deserves what they get (or do not get) from their government. Many argue that non-voters have no right to complain about the government. This idea can be debated, but the rest of the world does *not* deserve the U.S. government does to *them*. Many other country's relations with the United States result from American intimidation, manipulation, exploitation, and even certain instances of illegal invasion and military occupation. Why do foreigners deserve such horrid things from the United States? The answer is easy: they don't. These things only happen because the U.S. uses a corrupt electoral system to choose its leaders, who are quickly corrupted and forced to accept the demands of its wealthy and most powerful companies. And we, the American people, often simply shrug our shoulders, accept this horrible system, refuse to vote, and go back to watch a television re-run that we have already seen 12 times.

It does not have to be this way. Corrupt businessmen and politicians push this system forward, and weak-willed American voters accept it. The time has come for the American voter to pull him- or herself out of this chosen political exile. It is up to we, the people, to change our electoral system for the better. The choice is ours: we can either watch our government continue to exploit and victimize the rest of the world, or we can lead the world out of such corruption by our own example. "America must lead by the power of its example, with the realization that imitation by others will be more successful than intimidation of others."²²⁵ America must again lead the world toward real democracy, human dignity, and world freedom.

Many Americans correctly view themselves as the children of a great movement for democracy. That is why we celebrate the American Revolution every Fourth of July, and it is also why much of the world celebrates with us. The American Revolution was one of the first to overthrow a corrupt monarchy in the modern world. The major leaders of the Revolution wanted the new United States to show the rest of the world that it is possible to get rid of kings and elites, and to replace them with leaders chosen by the common voter. America was the leader of democracy (government elected by a majority of the people) and republicanism (society ruled by law, rather than by individual leaders) in the late 1700s. That is no longer true. Other countries have gone beyond America in

²²⁵ Bill Bradley, *The New American Story* (New York: Random House, 2007), page 54.

building better forms of democracy, often by using public financing for all political candidates and by enforcing restrictions against political advertising. The United States must not only catch up to those great pieces of progress, but surpass them, if we want to again lead the world's revolution for democracy. Americans must again take up the torch of freedom, liberty, equality, and democracy that our ancestors lit in 1776. We have the power to change and improve the world in a very real way, but first we must improve the system we use to elect our own leaders. Few men have laid out this vision better than Martin Luther King, Jr. in 1967:

I am convinced that if we are to get on the right side of the world revolution, we as a nation must undergo a radical revolution of values. We must rapidly begin the shift from a thing-oriented society to a person-oriented society. When machines and computers, profit motives and property rights, are considered more important than people, the giant triplets of racism, extreme materialism, and militarism are incapable of being conquered Our only hope today lies in our ability to recapture the revolutionary spirit and go out into a sometimes hostile world declaring eternal hostility to poverty, racism, and militarism. With this powerful commitment we shall boldly challenge the status quo and unjust mores. . . .²²⁶

Like King, we are called to a mass movement because of the problems we have built and accepted for far too long. King found it easy to convince Americans of the 1950s and 1960s to support the Civil Rights Movement because of the obvious hypocrisy in the American system that promised equality but enforced racial segregation. As he said in 1963: "I have a dream that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident that all men are created equal.'"²²⁷ The hypocrisy of today's American political system is just as clear and insulting as the racist hypocrisy that King fought. Though we are told we live in a

²²⁶ Martin Luther King, Jr., "Beyond Vietnam: A Time to Break Silence," a speech given April 4, 1967 in New York City. The entire speech can be read at <http://www.americanrhetoric.com/speeches/mlkatimetobreaksilence.htm>

²²⁷ Martin Luther King, Jr., "I Have A Dream," a speech delivered August 28, 1963 in Washington, D.C. The entire speech can be viewed at http://www.youtube.com/watch?v=PbUtl_0vAJk

democracy in which we choose our leaders by voting, we know that we are given limited options on the ballot and that our votes are often poorly counted. We know that the wealthy control our politics, media, debates, and elections. We know that we must bring real change to the *system* of electing leaders in the United States if we want to see better, more reliable results in nearly all government policies.

The best way to solve our modern political problems is to use the same type of social pressure as the Civil Rights Movement used to accomplish their goals of ending segregation. We need to build a massive social movement of public events, speeches, gatherings, marches, and voter registration drives to force our politicians to notice and accept the Constitutional Amendments proposed throughout this book. Such movements can only begin when the general society rediscovers its love of democracy. Cornel West has correctly pointed out that we cannot solve our systematic problems until we achieve a long-lasting social movement:

Democracy is not simply a matter of an electoral system in which citizens get the right to vote and elected officials must compete for the public's favor (or find ways to manipulate the public into favoring them, or rig the electoral system to limit competition, as is too often the case today in America). All systems set up to enact democracy are subject to corrupt manipulations, and that is why the public commitment to democratic involvement is so vital. Genuine, robust democracy must be brought to life through democratic individuality, democratic community, and democratic society. . . . [The] will to transform corrupted forms of elite rule into more democratic ways of life is an extraordinary force though each new democratic result of the exercise of this will falls short of democratic ideals. This is why all democracies are complete and unfinished, and this is why American democracy is a work in progress.²²⁸

Simply changing the way our elections function and our votes are counted may be a short-term solution to the money problems that harm our government and society. Of course, the wealthy will immediately work to find the flaws in any new system we enact. They will seek new ways to corrupt the government and make it follow their orders.

²²⁸ Cornel West, *Democracy Matters: Winning the Fight Against Imperialism* (New York: Penguin Books, 2004), pages 203-204.

Therefore, government cannot be the only guardian of democracy. The people must guard democracy by devoting their own personal lives to supporting democratic movements and an open, free society. Democracy itself will forever be a “work in progress” and an unfulfilled dream simply because we dream of such wonderfully ambitious things. Democracy depends not only upon the people’s continuing ambitions, but their desire to take the concrete, real-world steps to make those dreams into reality. To save our world and improve upon it, we must begin taking those steps today.

We must act now, and we must act powerfully. This book is not written to make money for its author. Instead, it is written to motivate the American masses to demand that their government change the Constitution to create real, reliable democracy. This book is written for **YOU**. *You* are reading this book on a couch in your home, a chair in an office, on the bus while traveling to work, under a tree while on break, or in a million other possible places. *You* have invested several hours of your life to read these ideas. *You* have already taken that step. I know that you are as angry as I am. It is time to turn anger into action. We simply cannot wait any longer. You have little to lose, other than the likelihood of future economic catastrophe, corporate panic, mass layoffs, steep tax hikes, and a government that is handcuffed and even less responsive to the public will than it is today. You have everything to gain: a stable government that listens to its people and represents them well, and the likely movement to end this oil-driven and consumer-based economy, the wars it demands, the pollution it creates, the high taxes on the middle-class it requires, and the unreliable healthcare and pathetic education systems it has built. It is *your* choice. You can remain silent and hope for a better future, or you can act to help create it. You can stay on your couch and continue to be a victim, or you can contribute to empower yourself and others like you. Let’s work together to finally fulfill the democratic promises that Americans have been fighting for since 1776!

All of these criticisms, complaints, desires, hopes, and dreams have been expressed by one of America’s best political commentators over the past several decades. After announcing his upcoming retirement, journalist Bill Moyers clearly hopes to inspire the next generation of political activists seeking to improve democracy in the United

States. As many other activists have over the years, Moyers tells us that we must create the change we seek: “The only answer to organized money is organized people.”²²⁹

²²⁹ Bill Moyers, as quoted from an episode of *Bill Moyers' Journal*, originally broadcast March 26, 2010 on the PBS network.

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