

Divided and Conquered

How to fix our divisive political system

By: Paul C. Haughey

Copyright © 2020 Paul C. Haughey, All Rights Reserved

Contents

Introduction.....	3
Executive Summary	6
Things Americans overwhelmingly agree on, yet Congress doesn't act.	14
A. How we are divided.	15
1. Plurality (Minority) winner elections - dividing the vote & spoilers.....	15
2. Gerrymandering - changing district boundaries to favor incumbents.	18
3. Primary elections – tilted toward radicals.....	26
4. Voting procedures for Congress that prevent bipartisanship.	30
5. Manipulation – disinformation, fake news & alternate realities.....	32
B. How we are conquered.	40
6. Campaign finance – special interests buy representatives.....	40
7. Lobbying – special interests quid pro quo for campaign donations.	48
8. Deficit – burdening our children with the debt for our overspending/underfunding.....	52
Conclusion.	55

Introduction

“A house divided against itself cannot stand.” - Abe Lincoln

“...one nation ... indivisible” – Pledge of Allegiance

The United States is being divided and conquered from the inside (with a little help from our gloating Russian friends – the Russian goal is not to support Trump, but to divide America). Our political infrastructure, aided by the media, has evolved to divide and scatter us so we can be picked off and are ineffective in pushing for solutions to our common problems. The different special interests that support either Democrats or Republicans take advantage of the divisions to get or keep special favors, at the expense of the country as a whole. Politicians are incentivized to stir up divisions to get re-elected, not to solve problems. Donald Trump’s divisiveness is just the natural extension of something that has been going on for decades. The people are complicit – we only watch “news” shows we agree with, de-friend those with other opinions, and have separate realities online based on what we click on – we divide ourselves. We have met the enemy and it is us.

Republicans and Democrats have been increasingly divided and fighting each other for decades. They treat problems as talking points for the next election, rather than something to be fixed – resulting in gridlock. Third party presidential candidate Ross Perot railed against the \$4 trillion deficit in 1992. It’s now over \$20 trillion. While they fight each other, the deficit is out of control, the heartland is out of work, income inequality has risen, climate change is ignored, education has fallen behind other countries, college and health care costs have soared and mass shootings have become commonplace. We have the world’s best military which protects other countries, but our infrastructure is crumbling.

We need to change the political structures, detailed below, which promote divisiveness and produce ideological, non-compromising representatives. The separation of powers in our Constitution, put in place to avoid tyranny, means that without compromise we’ll have gridlock in government. Our Constitution was built with compromise between the large and small states, and requires compromise to function. Refusing to compromise is not principled – it is rejecting the Founders’ vision for our government as embodied in the Constitution.

There are common sense solutions to most of our problems that most people agree on, but you wouldn’t know it because our representatives in Congress act like petulant spouses that rarely agree. Any new law must be passed by both the House and the Senate, and signed by the President. It is rare that all three are controlled by the same party, so compromise and bipartisan support are needed. But political structures and practices that have been adopted or weaponized

since the 1960s to strengthen each party have had a nasty side effect. They have virtually killed bipartisanship and have hunted moderates who compromise to the point of extinction. Moderates were a majority in Congress in the 50s. They were still over 30% in the early 80s. By 2015 it had dropped to 14% of Democrats and 4% of Republicans in the Senate, and 11% of Democrats and 1% of Republicans in the House.¹ It is still falling.

Even when one party does briefly control the House, Senate and Presidency, it takes 60% in the Senate to overcome a filibuster. When there is that rare 60% majority, things get passed on a party-line vote.² But when the other party is back in control (which usually happens 2 years later), these laws or executive orders are reversed.

In addition, the parties adoption of partisan measures to gain control have backfired. The Republican party has lost control to the tea party and Trump supporters, and the Democrats are on the verge of losing control to the far left. As each party becomes more partisan in an attempt to win elections, ironically each becomes less able to move its agenda because of this division. The tragedy is that neither party's voters seem to realize that their agendas overlap to a large extent.

A new president can't fix these problems. Congress will remain divided, and block the new president's agenda, just as the Republicans did to Obama, and the Democrats are doing to Trump. Before anything other than window dressing can get done, **we need to change the system** – a system that perversely elects partisans more extreme than the average citizen and where government is controlled by special interest donors and lobbyists, not the people. Whether you're a Trump supporter or a Sanders or Warren supporter, your goals will not be met until the current divisiveness ends. Changing the system will actually result in partisans on both sides getting more of what they want, instead of fighting for 100% and getting zilch. Congress is being held hostage by this system, and thus won't fix it – we need to do it, and we can!

The good news is that the system can be largely fixed at the state level. The Constitution says that the *states* determine election laws. There is a growing reform movement with organizations working on such fixes, and they are having success. As more and more people support them, they'll reach critical mass and have an overwhelming wave of reform. Simply voting for better candidates is *not* the solution – it is like asking elite Navy Seals to mount an open field charge against enemy machine guns – they would get slaughtered just like other soldiers/politicians before them. We don't need better soldiers, we need to change the system. Consider this an S.O.S. from your country for you to support, with your time and money, the groups fighting for this change, city by city and state by state (I identify a number of them in this pamphlet). It will be a long, arduous fight, and the special interests will fight back savagely to protect their advantages. But if we unite and stick together on these system issues, we shall overcome – there have already been successes that are gaining momentum. Pick an issue that resonates with you

and volunteer or donate. If even only a small percentage of Americans do this, it will be enough to effect change.

“Never doubt that a small group of thoughtful, committed, citizens can change the world. Indeed, it is the only thing that ever has.” – Margaret Mead

For those without the time to read this whole pamphlet, I’ve included a summary of the divisive structures and solutions starting on the next page.

Executive Summary

How we are divided

Our system has evolved in various ways to reward partisanship and punish bipartisanship. There is no one silver bullet to fix it – we need a number of coordinated reforms.

Plurality (Minority) winner elections - dividing the vote & spoilers.

One divisive structure is our current “plurality voting” system (most votes wins) that allows a candidate to win with less than half the votes. This favors a divisive, minority candidate, especially when the vote is split between a large field of candidates. There is an incentive to attack the other candidates and cement the support of a hard core of partisan supporters by making them angry at your opponents. This happened with Trump in the 2016 Republican primaries. It may happen in the Democratic primaries with the large field for president in 2020. This system of voting encourages divisive campaigning and attack ads because only a core minority of voters is needed, and results in non-compromising candidates. Independents are labeled as spoilers and people are afraid of wasting their vote, so independents don’t have a chance.

The solution is Ranked Choice Voting (RCV), which allows you to vote for who you really want (not the lesser of 2 evils) without wasting a vote. You vote for a 1st, 2nd and 3rd choice (or more). If someone gets more than 50%, they win, just like now. If no one has a majority, the candidate with the least votes is eliminated, and those second choice votes are then counted (giving you more of a say). The process repeats until someone has a majority of the votes. RCV insures that whoever wins is at least the 2nd, 3rd, etc. choice of a majority of voters. RCV forces candidates to moderate their positions to appeal to the 2nd choice votes of voters whose first choice is an opponent (less sleazy attack ads!). It also eliminates radical candidates with a small core of supporters, who win due to the vote being split in a large field – the majority votes in that large field will be consolidated behind a candidate that appeals to most, even if not a first choice.

Maine adopted RCV statewide in 2016 and Nevada, Wyoming, Kansas and Iowa have adopted it for the 2020 Democrat presidential primaries/caucuses. It has been adopted in other countries and many US cities including San Francisco, Oakland, Berkeley, San Leandro, Santa Fe, Minneapolis, Memphis and, as of Nov. 5, 2019, New York City. Many non-profit organizations are working on RCV, such as Fairvote, Represent Us and Common Cause. They can use your help.

<https://www.fairvote.org>

<https://represent.us/>

<https://www.commoncause.org/>

Gerrymandering & voter suppression.

We are literally divided by physically dividing us into different districts. Congressional districts are Gerrymandered by incumbent state legislatures to give themselves a greater portion of seats (e.g., even if most voters vote for Democrats, most of the seats can go to Republicans, & vice-versa). This is done by cramming the opposition into a few districts, with a bare majority of the incumbent party in most districts. E.g., in Pennsylvania, Democrats won 51% of the vote in 2012, but only got 28% of the seats (Republicans won 13 of the 18 seats). In Maryland, the Democrats won 7 of 8 seats (87%) with only 65% of the vote. Gerrymandering divides us by party. Districts are then “safe” for that party and candidates need to appeal only to the partisan ideologues of that party who vote in the primary – thus the candidates become more partisan than the general population. This exacerbates existing geographical sorting where people move to live near like-minded people.

This is compounded by voter suppression techniques which limit the opposition voter turnout in districts, allowing the Gerrymandering to be more extreme, and more extremely divisive. Examples of voter suppression include limited polling locations in opposition districts with long lines, limited times for voting, purging of voter registrations, limiting early voting, requiring extra IDs, etc. Moderate voters, who are less fanatical, are more easily discouraged from voting. In 24 states, it was more difficult to vote in 2018 than in 2010.³

The solution to Gerrymandering is taking control of redistricting away from incumbent state legislatures, so they aren't choosing their own voters, and giving control to non-partisan commissions. The commissions can then create more balanced districts where politicians need to appeal to everyone. Redistricting reform has been passed in Hawaii (1968), Montana (1972), Washington (1985), Idaho (1994), New Jersey (1995) and California (2010). In the 2018 elections, redistricting reform was passed in Ohio, Michigan, Missouri, Colorado and Utah. There are efforts to put redistricting reform on the ballot in other states in 2020, including Pennsylvania, New Hampshire, Arkansas and Oklahoma. Many non-profit organizations are working on this, such as All On The Line (a Democrat organization) and Fairvote. They can use your help (\$/time).

<https://www.fairvote.org>

<https://allontheline.org>

Voter suppression can be addressed by various measures, such as multi-day voting, making election day a national holiday, automatic voter registration, voting by mail and polling standards to prevent long lines at the polls. There have been legislative fights, ballot initiatives, fights over

implementation of new laws, and hundreds of court battles in response to the various assaults on the right to vote.⁴ Here are some organizations working on these. They can use your help.

Brennan Center for Justice: <https://www.brennancenter.org>

Common Cause: <https://www.commoncause.org>

Primary elections – tilted toward radicals.

The divisive effect of plurality voting, Gerrymandering and self-sorting is exacerbated by taxpayer-funded primary elections where only party members vote. This puts up another wall that divides us and makes candidates more partisan. With low turnout for the primaries, the candidates have to appeal to the hard-core ideologues of the party who show up to vote. Moderates who would otherwise win the general election are eliminated. Incumbent moderates who dare to compromise with the other party are “primaried” out of office by a more ideologically pure challenger. These incumbent moderates are then prevented from running as independents in the general election due to “sore loser” laws⁵ in 47 states (the loser in a primary election is not allowed to run as an independent in the general election).

To combat the divisive and radicalizing effects of primaries, states should adopt “open primaries” for Congress where all parties (and independents) vote in the same primary, with the top 2-4 candidates advancing to the general election. This forces successful candidates to appeal to the majority of all voters, not just the most partisan of their party. California, Washington and Nebraska have already adopted open, non-partisan, top 2 primaries for Congress and state legislatures (not for President). 70% of Americans support open primaries.⁶ Many non-profit organizations are working on open primaries, such as Open Primaries and Represent Us. They can use your help.

<https://www.openprimaries.org>

<https://represent.us/>

Voting procedures for Congress that prevent bipartisanship.

The divisiveness of Gerrymandering, party primaries and “plurality” voting is inflamed by partisan and bizarre voting procedures in Congress. The main culprit is that both the House and Senate follow an unwritten rule that won’t allow a vote unless a majority of the majority party agrees (e.g., 51% of a 51% majority, which can be as low as 26%, can block it). Thus, bills with the support of a bipartisan majority are never even voted on. Even if a bill is brought to a vote, and a majority supports it, a minority or even one senator can filibuster and defeat the bill in the Senate (although the filibuster, if not dead, is on life support, as explained later). While

America's problems fester, the party leaders are more interested in blocking the other party so the opposition doesn't get credit in order to win the next election.

These rules can be changed by Congress simply adopting new rules at the beginning of a session by majority vote. There has been some success with getting Speaker Pelosi to agree at the beginning of the 2019 session to create a "consensus calendar" that reserves time for bills with wide bipartisan support to be heard on the House floor. This needs to be expanded, and there needs to be similar reform in the Senate to stop "Grim Reaper" Mitch McConnell from killing bipartisan bills, along with further reform of Congressional rules. Rebuild Congress is one coalition of non-profits working on this. Check out what they are doing. They and their member organizations can use your help.

<https://www.rebuildcongress.org/>

Manipulation – disinformation, fake news & alternate realities.

The divisiveness of Gerrymandering, party primaries, plurality voting and Congressional rules is supercharged by controlling the information we see, dividing us into parallel universes. Politicians have long known to get supporters by making them angry, which usually requires being misleading about their opponents. The Internet has provided an unwitting tool to turbocharge this strategy. Internet search and social media platforms use algorithms designed to maximize ad profits by showing us only more of what we like, based on our online profiles (developed by tracking everything we do online). This is useful for selling products – and we see only what we want. But a nasty side effect is that on political matters, we each end up with different realities, only seeing "news" that corresponds to a point of view we have been manipulated to believe. The artificial intelligence in the algorithms has figured out that inflammatory headlines get the most clicks – things that divide us. If we click on one, it gives us more and more extreme versions to keep our blood boiling and – more importantly – to keep us clicking and sharing to drive ad revenue. Worse, the algorithms can't tell the difference between true and false. As we become divided, we de-friend those that disagree and only watch news that reinforces the one-sided views we have been fed. Other media caters to that bias to sell ads, in a downward spiraling feedback loop.

The Internet companies have tried to address the problem. Facebook has taken the following actions:

- Prioritizing friends posts over journalists (which may just make things worse).
- Authorization process for political ads to prove source is in the U.S., verify identity & who is paying for the ad (which can be a "boost" of a post).
- Labelling boosted posts as "sponsored."

On Oct. 31, 2019, Twitter announced it would ban political ads, but determining what is political is problematic, especially since we need open discussion of issues. A more promising aspect being explored by Twitter is banning micro-targeting for political ads – instead political ads will only be able to target at the state, province, or regional level — no zip codes — and can't use keywords and interest targeting around politics, such as conservative or liberal.⁷ Google announced on Nov. 20, 2019 that it is also limiting micro targeting for political ads.⁸ This would make it harder to serve different realities to conservatives and liberals.

Other internet companies may not want to ban micro-targeting for political ads, unless everyone does, because it affects their profits. Although political ad profits are dwarfed by product/service ad profits, they are still significant. This is an area where government regulation can ensure a level playing field.

While many individuals are advocating these types of changes, we need an organization to take up this cause, and lobby Congress for online regulation. Each of us should take advantage of the many sites which explain how to spot fake news, and should watch balanced news sources, such as Allsides. We could also attend group discussions of several organizations, such as Better Angels, which facilitates group discussions between reds and blues, with the consistent result of discovering we agree on more than we thought.⁹

<https://inspiredelearning.com/resource/spot-fake-news/>
<https://www.allsides.com/unbiased-balanced-news>
<https://www.better-angels.org/>

How we are conquered.

After we are divided, there is no longer a common voice for the common sense solutions most of us agree on. Special interests then use that division, after we're sidelined, to control politicians to get what they want, to the exclusion of what the rest of us need.

Campaign finance – special interests buy representatives.

It typically costs over \$1.2 million to run for the House, and \$9.3 million for a Senate seat. Candidates are forced to go hat-in-hand to special interests to raise money for a campaign. Like the Godfather, those special interests will expect a “favor” in the future when they come lobbying. Special interests will also fund attack ads against any representative that dares not to do their bidding. The progressive Democrats and the working class of the Republican Tea Party both criticize the corrupting influence of dependence on support from Wall Street and banks.¹⁰ These amounts dwarf the taxpayer funded government salaries of representatives – they really do work for special interests, not us, because that is where they get most of their money.

While the Supreme Court's 2010 *Citizens United* decision threw out attempts to limit political spending, it left us some weapons to fight back with. The best solution to special interests buying our representatives is to outbid them, so they truly work for us. This can be done through Political Philanthropy and Public Funding.

(1) Political Philanthropy. Political philanthropy is an alternate source of money from public minded citizens, so representatives aren't dependent on special interests. The “favor” asked in return by political philanthropists is to do what is best for ordinary citizens. Govern for California is an example of such a group that has had great success in the California legislature. We need more across the country. They can use your help.

<https://www.governforcalifornia.org/>

(2) Public Funding. All federal political campaigns combined cost about \$7 billion in 2016. Since elections are every other year, that is \$3.5 billion/year (less in non-presidential election years). While that sounds like a lot to fund with taxpayer dollars, it would actually reduce our taxes. Public funding can save dozens of times that amount in special interest giveaways, and thus more than pay for itself. For example, consider the \$15-16 billion/year¹¹ in excessive, non-negotiable costs imposed on Medicare part D drug payments due to health industry lobbying, or the corporate subsidies and off-shore tax havens that cost \$284 billion/year¹².

The public funding solutions that have been proposed and implemented are mainly small donor matching, with various multiples of what small donors give and a qualifying threshold, to avoid wasting money on nutcases and non-viable candidates. Versions of public-funded campaigns

have been adopted in Maine, Connecticut, Florida, Hawaii, Maryland, Michigan, Arizona, North Carolina, New Mexico, Wisconsin, Minnesota, Rhode Island, Vermont, West Virginia, and Massachusetts,¹³ along with many cities, such as New York City (although some versions have since been repealed or invalidated). Many organizations are working on this, such as the Brennan Center for Justice and Every Voice. They can use your help.

<https://www.brennancenter.org/issues/public-financing>
<https://everyvoice.org/solutions>

(3) Resources for moderates & independents. In addition to needing money from special interests, candidates currently depend on the two divisive parties for the support infrastructure they need for a campaign – experts in fundraising, polling, media outreach, policy research, demographic data, voter-turnout machinery, etc. Most of the professionals in these areas are locked up by either the Democrats or Republicans. Moderates not towing the radical line and independents are frozen out. Unite America is building such an infrastructure for independents and moderates. They can use your help.

<https://www.uniteamerica.org/uniteamerica2020>

(4) Disclosure. There has been a flood of “dark money” since *Citizens United*.¹⁴ – we don’t know who is trying to manipulate us. Online ads should be required to disclose who is behind them, just like the current requirement for TV and radio ads. Political Action Committees should be required to disclose the ultimate donors behind all the shell corporations, to show voters who is behind their ads and “independent” studies. Issue One and Represent Us are working on this reform. They can use your help.

<https://www.issueone.org/legislative-solutions/>
<https://represent.us/>

Lobbying – special interests quid pro quo for campaign donations.

Once special interests have an open invitation through their donations, they lobby representatives for special favors. The total amount spent on lobbyists went from \$100 million in 1975¹⁵ to \$3.21 billion in 2015.¹⁶ With what is called a “revolving door,” lobbyists offer jobs to representatives when they leave office, with an average pay raise of over 1400% (salaries over \$2 million/year).¹⁷ In 1974, 3% of retiring members of Congress became lobbyists. By 2013, that had increased to 50% of retiring Senators and 42% of retiring House members.¹⁸ Well-meaning cuts to congressional staff mean that representatives now rely on lobbyist staffs to write our laws. Congress needs more staff, not less, and needs to pay its staff more to compete with lobbyist pay.¹⁹ Even small government Republican organizations realize this.²⁰ It would not cost more

taxpayer dollars because it would save a much higher amount in special interest giveaways due to lobbyists writing the laws.

Many organizations are pushing for lobbying reform at all levels of government. The proposed changes of Represent Us include the following:

- Make it illegal to take money from lobbyists (separate lobbying from the donations that get them in the door).
- Ban lobbyist bundling (currently lobbyists act as fundraisers to funnel money in exchange for favors, instead of donors giving directly).
- Close the revolving door (extend the amount of time retiring representatives are banned from lobbying).

<https://represent.us/>

Deficit – burdening our children with the debt for our overspending/underfunding.

As a result of a system that provides every special interest its divided-out piece (with the voice for the common interest divided), there is no control to stop the budget being busted, especially since the goal of many special interests is lowering their taxes. The debt used to get paid down in between wars, and we didn't have deficit spending in peacetime (except during recessions). The total US debt is now over \$20 trillion (in 1990 it was \$3 trillion – it has doubled as a percentage of GDP). It is outrageous that we continue to run deficits during a historic economic boom, leaving little room to deal with the next recession. The problem is that representatives must appeal to and appease current voters (or actually current special interests), not future ones, and there is no long term fiscal plan. Politicians can cut taxes to get reelected because they have found a patsy that will foot the bill and not complain because they have no lobbyists – our children. *We* need to be the lobbyists for our children.

If the divisive systems described above can be fixed, a compromise balanced budget can be achieved. We last came close in 2015 when Democrat President Obama and Republican Speaker Boehner negotiated a “Grand Bargain” that was a compromise of tax increases and spending cuts. However, it fell apart when each were subjected to withering partisan criticism from their respective parties. The solution is not the balanced budget constitutional amendment that has been proposed. Requiring a balanced budget each year would be economic suicide – we need to run deficits to fight wars and recessions. What is needed is a budget balanced over the business cycle, with deficits during recessions offset by surpluses during economic booms.

There are a number of organizations educating the public and pressuring elected officials, such as the Concord Coalition.

<https://www.concordcoalition.org>

Things Americans overwhelmingly agree on, yet Congress doesn't act.

Here are some things most Americans agree on, but the parties in Congress are trapped in a system that causes them to point fingers at each other rather than address them:

Almost all Democrats and Republicans share basic beliefs: helping the needy, not encouraging dependency on government, taking the long view rather than shortsightedness, living within our means, not encouraging bad behavior, and thinking objectively and rationally rather than subjectively and emotionally.²¹

90% of Americans think a background check should be required for every firearm purchase. That includes three-fourths of all NRA members.²²

80% of Americans are “bothered” by corporations & the wealthy not paying their fair share of taxes.²³

79% of voters support citizenship for Dreamers.²⁴

85% agree the main goal of the criminal justice system should be rehabilitation, not punishment.²⁵

78% of Americans want to see Citizens United overturned.²⁶

70% of Americans believe the US should take aggressive action to slow global warming.²⁷

90% believe investment income should be taxed at a higher rate than wages.²⁸

The problem is Congress. Congress has become much more polarized than the American public,²⁹ due to the divisive structure described above. The problems and solutions are set forth in more detail in the following pages.

Divided and Conquered

How to fix our divisive political system

A. How we are divided.

1. Plurality (Minority) winner elections - dividing the vote & spoilers.

Our current voting system is a “plurality” voting system – the candidate with the most votes wins, even if not a majority. This allows a candidate to win with less than half the votes. This favors a divisive, minority candidate, especially when the vote is split between a large field of candidates, as happened with Trump in the 2016 primary elections. Donald Trump won the early primaries with about 30% of the vote in 2016 because the vote of the wide majority of Republicans was split amongst a large field of other candidates. Our present voting system allows a candidate to win even though most voters would prefer someone else. In such a system divisiveness and attack ads work. The incentive is to attack the other candidates and cement the support of a hard core of partisan supporters by making them angry at your opponents. There is a danger of the same thing happening to the Democrats in the 2020 primaries, which has a large field. In the 2018 Congressional elections in California, with a top two primary, the large number of Democrat candidates produced concern that they would split the vote so widely that two Republicans could advance to the general election in districts that have a large Democrat majority of voters. This system of voting encourages divisive campaigning and results in non-compromising candidates who don’t play well with others.

Independents don’t have a chance under this system. Independents are labeled as spoilers and people are afraid of wasting their vote. A vote for an independent is viewed as one less vote for a Democrat if the voter is a Democrat, and one less vote for a Republican, if the voter is a Republican. Thus, even if the independent is preferred, it is feared that the result will be the election of your arch-enemy candidate.

What can be done?

Ranked Choice Voting (RCV) is the answer. RCV allows you to vote for who you really want (not the lesser of 2 evils) without wasting a vote. It also insures that whoever wins is at least the 2nd or 3rd choice of a majority of voters. You vote for a 1st, 2nd and 3rd choice (or more). If no one has a majority, the candidate with the least votes is eliminated, and those second choice votes are then counted. The process repeats until someone has a majority of the votes. While it may sound

like you have multiple votes, only one is counted. You simply get an automatic “do-over” vote if your first choice loses.

City Council						
Rank up to 6 candidates. Mark no more than 1 oval in each column.	First choice	Second choice	Third choice	Fourth choice	Fifth choice	Sixth choice
	1st	2nd	3rd	4th	5th	6th
Valarie Altman Orange Party	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
George Hovis Yellow Party	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Althea Sharp Purple Party	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mary Tawa Lime Party	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Joe Li Tan Party	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Phil Wilkie Independent	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

For more detail about how it works, see https://www.fairvote.org/rcv#how_rcv_works

RCV limits divisive, partisan candidates by forcing candidates to moderate their positions to appeal to the 2nd choice votes of voters who’s first choice is an opponent (less attack ads!). It also eliminates radical candidates with a small core of supporters, who win due to the vote being split in a large field.³⁰

RCV gives independents a chance, since people won’t need to worry about wasting their vote – the 2nd and 3rd place votes keep it from being a spoiler. This is a solution that allows you to have your cake and eat it too – to vote for your favorite, and also the lesser of two evils. This would benefit Republicans and Democrats alike, keeping fringe candidates from taking over the nomination in a large field of candidates by splitting the vote. Ranked Choice Voting can also save money by eliminating the need for a runoff election in jurisdictions where those are now required.

Any state can adopt Ranked Choice Voting, and a campaign to have it implemented has been gaining steam. Maine adopted it statewide in 2016 and Nevada, Wyoming, Kansas and Iowa

have adopted it for the 2020 Democrat presidential primaries/caucuses. It's used in other countries and many US cities including San Francisco, Oakland, Berkeley, San Leandro, Santa Fe, Minneapolis, Memphis and, as of Nov. 5, 2019, New York City (73% voted yes).

Such adoptions must be defended, since they will be fought by incumbent politicians and their “unaffiliated” interest groups. That happened already in Maine. Voters approved ranked choice voting in Maine in 2016. The state legislature repealed it in 2017. The voters then voted by an even larger margin for ranked choice voting in 2018.³¹ The effects on campaigning in Maine were immediately obvious:

“Democratic gubernatorial candidates Betsy Sweet and Mark Eves ran a joint campaign ad telling voters that each would be ranking the other second. Eves noted that without RCV, consultants would encourage the opposite: to attack the front-runners.”³²

How can you help the adoption of Ranked Choice Voting?

Ranked Choice Voting is supported by Unite America, FairVote, Californians for Electoral Reform (CfER), the California League of Women Voters, Common Cause, Represent.US, and many other organizations.

The following organizations are leading the fight for RCV with some recent successes as described above – they can use your help:

Fairvote: https://www.fairvote.org/rcv#where_is_ranked_choice_voting_used

Represent US: <https://represent.us/>

2. Gerrymandering - changing district boundaries to favor incumbents.

The divisive effect of plurality voting is amplified by Gerrymandering. Gerrymandering is a problem that has been festering for two centuries, but now a voracious, antibiotic-resistant strain has emerged.

The word “Gerrymander” comes from Massachusetts governor Elbridge Gerry signing a bill in 1812 that redrew the districts in the Boston area in the shape of a salamander. This gave an advantage to his Democratic-Republican Party.



Above, original Gerrymander map from 1812 Boston Gazette.

Under the Constitution, each state decides its election rules, including drawing district lines, subject to a potential Congressional exercise of that power:

“[t]he Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.” U.S. Constitution, Art. I, §4, cl. 1.

Big surprise - most state legislatures give the power to draw district lines to - themselves. Incumbents of the majority party in office draw districts to get themselves re-elected – they select their voters. It’s hard to imagine a greater conflict of interest. Once a party gets control of the legislature, they can maintain their seats even if the majority of voters vote to oust them. Every 10 years, after each census, the lines are redrawn (the next census is in 2020). A larger number of opposition voters are crammed into a few districts (“packing”), while the smaller number of voters for the incumbents are spread across more districts, giving majorities in more districts. Another technique, “cracking,” spreads opposition voters across multiple districts to dilute their vote.

Although Gerrymandering has been around since 1812, and has been used by both parties, the Republicans in particular have weaponized it to a new level in recent years. In the “Unholy Alliance,” Republicans deviously teamed with black leaders in the 80s and 90s to redraw districts in the South by promising more black representatives. They crammed blacks into districts where they could elect blacks to the House. The result was more black representatives, but this deal with the devil ended up replacing white Democrats with Republicans in many more districts to give Republicans a majority in the Southern states. This was sold to the public and courts as simply complying with the Voting Rights Act, which prohibits diluting minority votes. The Voting Rights Act has had the unintended consequence of facilitating Gerrymandering.

The Republicans took Gerrymandering nuclear after the 2010 census. After Obama was elected in 2008, Republicans launched the “REDMAP” initiative to elect Republicans in key state legislatures and governorships in 2010. Those state representatives then redrew the districts to favor Republicans after the 2010 census for the 2012 elections. This effort took advantage of the avalanche of dark money from political contributions after the Supreme Court’s Jan. 21, 2010 *Citizens United* decision declared political spending is free speech. There was also a perfect storm of exponential advances in mapping software, and the mother lode of Internet tracking data (“big data”) that predicted how people would vote. The result of this Gerrymandering was that the 2012 elections produced a sizeable Republican majority (234-201) in the House of Representatives, even though a majority of voters voted for Democrats.³³

In Pennsylvania, Democrats won 51% of the vote, but only got 28% of the seats – Republicans won 13 of the 18 seats. In Ohio, Republicans had 52% of the vote, but won 75% of the seats (12 of 16 seats). The Democrats could not retake the House with 51% or even 52% of the vote in the decade after 2010. It took a Democratic wave of 53.1% in 2018 for the Democrats to recapture the House. Gerrymandered districts fought that wave – Republicans had half the votes (50.3%) in 2018 in North Carolina, but won 10 of 13 seats – 77%. The Democrats have done the same in a few places where they have state power. In Maryland, the Democrats weren’t satisfied with 6 of 8 seats in Congress, and Gerrymandered after the 2010 census to give themselves 7 of 8 seats (87%) with 65% of the vote.³⁴

Gerrymandering is disguised to make it appear reasonable to the people and courts. In Southern states, the Voting Rights Act is used as cover. Elsewhere, the number of registered Republicans and Democrats is touted by the map drawers as being almost equal, and thus fair. But the map drawers knew from their data that more Republicans actually voted, so those districts are practically guaranteed to elect Republicans. The lines were drawn in secret, and only presented to the legislatures (where minority Democratic representatives could see them) after the fix was in.

As a result of Gerrymandering, well over 90% of seats in Congress are solidly Democratic or Republican, safe for the incumbent³⁵. Today the incumbent's party wins almost all the time, hitting a high of 99% in 2004.³⁶ By design, the electoral college in the Constitution makes it possible to win the popular vote, yet not become president (Presidents who were elected, even though they lost the popular vote, were John Quincy Adams, Rutherford B. Hayes, Benjamin Harrison, George Bush and Donald Trump.³⁷). The Senate, of course, is by design not representative of the majority of people, but rather states. However, the House is supposed to represent the popular vote – that was the basis of the Great Compromise in the Constitutional Convention. The small, rural states already have outsized power through the Senate and the electoral college. With Gerrymandering, this is extended to the House, defeating the Great Compromise in the Constitution.

This is compounded by voter suppression techniques which limit the opposition voter turnout in certain districts, allowing the Gerrymandering to be more extreme, and more extremely divisive. Examples of voter suppression are limited polling locations in opposition districts with long lines, limited times for voting, purging of voter registrations, limiting early voting, requiring extra IDs, etc. In 24 states, it was more difficult to vote in 2018 than in 2010.³⁸ Moderate voters, who are less fanatical, are more easily discouraged from voting. Thus voter suppression results in more of the voters being ideological fanatics.

Gerrymandering causes extreme partisanship and gridlock.

The Republicans shot themselves in the foot with the REDMAP campaign. While the Republicans won control of the House, an unintended consequence was that the Republican establishment lost control of their party. When a district is solidly Republican, only the Republican primary matters. Moderate Republicans are then vulnerable to a more conservative challenger. Thus, the tea party took over, ousting moderate Republicans. Trump supporters followed the same path. The same happens in the districts where all the Democrats are crammed, and states where Democrats have Gerrymandered – moderate Democrats lose to challenges from further left.

This caused non-compromising gridlock in Congress. Obama's agenda was blocked after the 2012 election. The same is now happening to Trump. Nothing important is getting addressed.

Our system makes many people feel disenfranchised. They don't bother to vote because they feel their vote doesn't count. They are right. Our system has been warped from voters picking the representatives they want, to representatives picking the voters they want.

Some have argued that fixing Gerrymandering won't end divisiveness since people sort themselves by choosing cities and neighborhoods with like-minded people, with views reinforced by the local churches and organizations they go to (The Big Sort³⁹). This is likely true, but the severity of the divisiveness will be reduced by eliminating Gerrymandering. Redistricting reform isn't a silver bullet, but it is one piece of the puzzle.

Enter – and exit - the Supreme Court.

Lower courts in 5 states held that partisan Gerrymandering could be addressed by the courts, and was improper. The Supreme Court then said no. The Supreme Court took on cases from North Carolina (Republican Gerrymandering) and Maryland (Democrat Gerrymandering), where the lower courts had struck down the Gerrymandering. Cases in Michigan and Ohio were stayed pending the result, and the Supreme Court had already required the Wisconsin plaintiffs to show standing to sue. On June 27, 2019, in a 5-4 decision, the Supreme Court punted – saying the courts had no power to address partisan Gerrymandering. If you thought things were partisan before, the Supreme Court gave the green light to more extreme partisanship after the 2020 census, removing the threat of a court challenge based on partisanship. Without recognizing the irony, the majority explained that Congress, not the courts, had this authority. The court said this Congressional power was shown by the fact that bills to limit Gerrymandering have been repeatedly introduced in Congress for decades. But all of those bills failed. Even Captain Obvious can tell you that the representatives who were elected by Gerrymandering aren't going to end the practice.

The Court didn't deny that the Gerrymandering was partisan and unjust in John Roberts majority opinion:

“The districting plans at issue here are highly partisan, by any measure. ...The first case involves a challenge to the congressional redistricting plan enacted by the Republican-controlled North Carolina General Assembly He further explained that the map was drawn with the aim of electing ten Republicans and three Democrats because he did “not believe it [would be] possible to draw a map with 11 Republicans and 2 Democrats.” ” (Opinion p. 2)

“The second case before us is *Lamone v. Benisek* the Maryland Legislature—dominated by Democrats—undertook to redraw the lines of that State’s eight congressional districts. ... The Governor later testified that his aim was to “use the redistricting process to change the overall composition of Maryland’s congressional delegation to 7 Democrats and 1 Republican by flipping” one district.” (Opinion p. 5)

“Excessive partisanship in districting leads to results that reasonably seem unjust. But the fact that such gerrymandering is “incompatible with democratic principles,” ... does not mean that the solution lies with the federal judiciary.” (Opinion p. 30)

The dissent penned by Elena Kagan was impassioned:

“If left unchecked, gerrymanders like the ones here may irreparably damage our system of government.” (Dissent p. 2)

“At its most extreme—as in North Carolina and Maryland—the practice amounts to “rigging elections.” ” (Dissent p. 8)

“Of all times to abandon the Court’s duty to declare the law, this was not the one. The practices challenged in these cases imperil our system of government. Part of the Court’s role in that system is to defend its foundations. None is more important than free and fair elections. With respect but deep sadness, I dissent.” (Dissent p. 33)

As decided by the Supreme Court majority, unless there is racial discrimination, or a violation of one person, one vote (unequal districts), it is up to the states or Congress.

What do other countries do?

Other countries don’t have this uniquely American problem. Most other countries use multi-representative districts and have independent bodies draw the district lines.

What can be done?

A wave of redistricting change is building, and it is nearing critical mass. Many changes to various laws in the U.S. have happened after adoption by a critical mass of states. People in states with an initiative process have been able to overrule the legislature and establish independent, non-partisan commissions to draw district lines. But about half the states don’t

provide for voter initiatives, and thus change must come from the legislature – the same legislature that cemented themselves in power with Gerrymandering. Even in states that have passed initiatives, since the initiatives are laws, and not constitutional amendments (which require a supermajority vote), some state legislatures have been passing laws to gut the initiatives. Thus, the state legislature races are critical in 2020 – a census year that will trigger re-drawing districts for the next decade.

States that have adopted independent redistricting are Hawaii (1968), Montana (1972), Washington (1985), Idaho (1994), New Jersey (1995) and California (2010). In the 2018 elections, reformers were successful in passing redistricting reform in Ohio, Michigan, Missouri, Colorado and Utah. There are efforts to put redistricting reform on the ballot in other states in 2020, including Pennsylvania, New Hampshire, Arkansas and Oklahoma.⁴⁰

The Supreme Court decision that overturned the lower court decisions in Ohio and Michigan stopped reforms *before* the 2020 elections, insuring that they will continue to have Gerrymandered districts for the 2020 election. However, the initiatives just passed aren't affected by the Supreme Court decision, and will be in effect *after* 2020 for the census that year. This will prevent the legislators elected by the Gerrymandered districts from continuing the Gerrymandering, although they may try to change the initiatives passed by voters. Also, Pennsylvania was ordered redrawn in 2018, and the Supreme Court declined to stay that. Courts ordered changes in Virginia, and on June 17, 2019 the Supreme Court declined to hear a Republican challenge from Virginia. Some of these changes are being made by ordinary citizens. The Michigan measure started with a Facebook post by a woman in her 20s – “I want to take on Gerrymandering in Michigan. Who’s with me?” (https://www.votersnotpoliticians.com/katie_fahey).

How can you help fix Gerrymandering?

As with any significant change, it is up to the people. This means initiatives in states that allow them, and trying to get voters to oust the bastards in states that don't (e.g., North Carolina and Maryland don't). The state legislature races are critical in 2020. Learn where the candidates stand on fair re-districting.

The following are organizations fighting for fair redistricting with some recent successes as described above – they can use your help:

Fairvote: https://www.fairvote.org/Gerrymandering#Gerrymandering_key_facts

Common Cause: <https://www.commoncause.org/our-work/Gerrymandering-and-representation/>

League of Women Voters: <https://www.lwv.org/voting-rights/redistricting>

Represent US: <https://represent.us/>

Voters Not Politicians (a Michigan grassroots campaign): <https://www.votersnotpoliticians.com>

The Brennan Center for Justice publishes the status of citizen efforts in different states for redistricting reform: <https://www.brennancenter.org/analysis/current-citizen-efforts-reform-redistricting>

All On The Line – A Democratic organization run by Eric Holder, Obama’s former attorney general, and merged with Obama’s former grassroots organization, Organizing for Action. <https://allontheline.org/> All On The Line is a campaign of the National Redistricting Action Fund (NRAF), an affiliate of the National Democratic Redistricting Committee (NDRC). While a Democrat organization, they are thankfully trying to eliminate Gerrymandering, not Gerrymander in the other direction.

We Draw The Lines – California Citizens Redistricting Commission. They provide expertise and publicize redistricting news. <https://wedrawthelines.ca.gov/>

Watch “Slay the Dragon” - a documentary about Gerrymandering that premiered at the 2019 Tribeca Film Festival, due for release in the spring of 2020, that followed Katie Fahey’s Michigan campaign: <https://moviemovesme.com/2019/05/01/tribeca-2019-film-review-slay-the-dragon-2019/>

How can you help fix voter suppression?

Voter suppression can be addressed by various measures, such as multi-day voting, making election day a national holiday, automatic voter registration, voting by mail and polling standards to prevent long lines at the polls. There have been legislative fights, ballot initiatives, fights over implementation of new laws, and hundreds of court battles in response to the various assaults on the right to vote.⁴¹ Here are some examples of successes:

Same-Day and Election Day Registration. The number of states offering Election Day registration increased from six states in 2000 to 17 states & D.C. in 2018.⁴²

Online Registration. The number of states offering online registration increased from two states in 2008 to 38 states in 2018.⁴³

Automatic Voter Registration (AVR). 13 states and D.C. have adopted AVR.⁴⁴

Mail-In Voting. Oregon, Washington, Colorado, California, and almost all counties in Utah have adopted major expansions of mail-in voting.⁴⁵

Early Voting. In 37 states and D.C., there are significant options for voting during one- to four-week periods prior to Election Day, which have helped to substantially lessen the long lines and other Election Day problems in those states.⁴⁶

Voting Rights Restoration. In the last 20 years, two dozen states have taken steps to scale back disenfranchisement, enhance voter registration, and ease rights restoration.” Virginia, under Governors Terry McAuliffe and Ralph Northam, has dramatically increased the number of people with felony convictions whose rights have been restored. Most recently, Louisiana and New York have expanded their restoration provisions, and Alabama significantly limited the number of crimes to which disenfranchisement applies. In Florida, Amendment 4 on the ballot in 2018 was a constitutional amendment that restored voting rights to 1.4 million people.⁴⁷

Electronic Registration Information Center (ERIC). This system, originally created by the Pew Charitable Trusts, cleans state lists through interstate matching, but does so using safeguards to prevent erroneous purging, and requires states who join to reach out to unregistered voters, as well.⁴⁸

Here are some organizations working on these. They can use your help.

Brennan Center for Justice: <https://www.brennancenter.org>

Common Cause: <https://www.commoncause.org>

3. Primary elections – tilted toward radicals.

The divisive effect of plurality voting and Gerrymandering is amplified by how primary elections are done. A Harvard Business School study (“Why Competition in the Politics Industry is Failing America”)⁴⁹ concluded that *“our political system has become the major barrier to solving nearly every important challenge our nation needs to address.”* The problem they identify is lack of competition with our two party system. It is a classic duopoly (shared monopoly). I highly recommend reading at least the Executive Summary.⁵⁰ One of the things the study discusses is that the two parties set up a two party primary system that has kept others out and encouraged divisiveness.

The two parties act as red and blue gangs protecting their turf. Incumbents Gerrymander district lines to stay in power. Primaries where only their party can vote eliminate moderates who would otherwise win the general election. Incumbent moderates who lose in the primary election are then prevented from running as independents in the general election due to “sore loser” laws in 47 states. A new word has entered our vocabulary to describe how moderate incumbents are eliminated – “primaried.”



Progressive era (1890s-1920s) reforms sought to remove the influence of the party bosses, and established primary elections to do this. The first primary didn't occur until 1910. Some states established primaries after 1910, but then went back to the parties choosing delegates in smoke-filled rooms. Up until 1968, only 20 states had primary elections. The impetus for most states to adopt primaries was the 1968 Democratic National Convention in Chicago. There were riots because Vice President Hubert Humphrey was nominated with the support of the party bosses, even though primary victories and other shows of support indicated that Senator Eugene McCarthy (with an anti-Vietnam War campaign) had more popular support.

Today, some states have primaries (run by local government), others have caucuses (run by the parties). In a battle to be first and have the most impact, the primaries have started earlier and earlier over the years, and now start in January for a November election, before most people are ready to pay attention. The people who are paying attention are the most ideological, non-compromising voters. Thus, not only do primaries divide us into Republican (conservative) and Democratic (liberal) groups, they cater to the ultra-conservatives and ultra-liberals. To win the general election, a pivot to the center used to be needed, but not so much with Gerrymandered districts.

Thus, partisan, divisive candidates get on the general election ballot (more people pay attention to presidential elections than Congress, so the presidential candidate nut-cases do get weeded out – well, most of the time). Due to Gerrymandering, the candidate for the dominant party in that district will get elected, regardless of his/her positions on the issues. The results of the radicalization brought on by our primary system are evident in our polarized Congress.

Almost all states have “sore loser” laws, written by the Republicans and Democrats, to keep control of who can run for office (either prohibiting running as an independent in the general election, or setting the general election registration deadline before the primary). This has backfired on the parties, with their moderate incumbents being kept from running as an independent when they are primaried out by a radical challenger. Lisa Murkowski of Alaska had to run as a write-in candidate to overcome this in 2010. Joe Lieberman was fortunate to be in Connecticut, one of the three states without a sore loser law. He lost the Democratic primary in 2006, but won the general election as an independent. While attacking incumbents in primaries is an old practice, what is new is the funding of these challenges by out of state money and ideological groups.⁵¹ Recent years have seen many of the last remaining moderates retiring after being ousted by a radical in the primary, or in anticipation of such an unwinnable primary. This has mainly happened to Republican moderates, but is also happening to Democratic moderates. Alexandria Ocasio-Cortez (AOC) suggested Democrats who vote with Republicans are putting themselves on a list for primary challenges.⁵² The moderates are being hunted to extinction. The system has had the unintended consequence of forcing the Reds and Blues in Congress to be much more partisan than the American people, leading to gridlock.⁵³

42% of Americans identify as independent.⁵⁴ Unless they register as Democrat or Republican, they have no practical voice in who the candidates are. Party primaries are paid for by everyone's taxes, yet only party members can vote. But the parties – private organizations—decide who can and cannot vote. That's wrong, unfair and it's taxation without representation. Plus, the process is flawed, producing candidates that don't reflect the values of the majority of voters, and forcing a choice between the lesser of two evils – at two extremes of the political spectrum. As we saw under Gerrymandering above, the primaries determine who the winner is. They produce politicians who put party over country, they reinforce division, and exclude independent voters.

What can be done?

The recommendation of Harvard Business School Study:

“Establish nonpartisan top-four primaries. The current partisan primary system shifts both campaigns and governance toward the extremes. States should move to a single primary ballot for all candidates, no matter what their affiliation, and open up primaries to all voters, not just registered party voters.”⁵⁵

In open primaries, all the candidates appear on the same ballot. All voters are able to participate and vote for who they want. The two (or four) candidates with the most votes – regardless of party – advance to the general election.. This puts pressure on candidates to appeal to independents and the other party's voters, and thus be less divisive. Moderates would no longer be primaried out. An incumbent won't be primaried out by a radical because the radical needs to win over more of all primary voters, not just the hard core of one party. This includes the 42% of Americans who identify as independent. Open primary advocates would prefer a top 4 open primary, so independents and other parties have a chance, and there is more than one choice from the same party where one party is dominant. But a top 2 open primary at least promotes moderates, and tames extremists, even if independents are still frozen out.

California, Washington and Nebraska have adopted open, non-partisan, top 2 primaries. In these states with open primaries, studies have shown that they work to produce legislators who work across party lines and govern productively.⁵⁶ Another study has shown this effect is mainly in competitive (non-gerrymandered) districts, and doesn't work elsewhere because voters don't know enough about the candidates to distinguish a moderate from a radical.⁵⁷ Thus, voter education is also an issue.

How can you help fix the primaries?

Again, pressure needs to come from the people. This is happening – volunteer for or donate to the following organizations to help.

Open Primaries: <https://www.openprimaries.org/>. “70% of Americans support open primaries.”

Represent Us: www.represent.us. Open primaries is Provision 8 of the Anti-Corruption Act being pursued by Represent Us.

4. Voting procedures for Congress that prevent bipartisanship.

The divisiveness of Gerrymandering, party primaries and “plurality” voting is inflamed by partisan voting procedures in Congress.

Bipartisan majority can’t pass bills. The Constitution does not set forth voting procedures for Congress.⁵⁸ The Founders left it to Congress to adopt its own rules on voting procedures over the years (Perhaps that was a bad idea?). In the past, Congressional Committees determined what bills were voted on. Since the mid 1990’s, the unwritten “Hastert Rule” in the House of Representatives has been used by the Speaker to only allow the House to vote on bills where a majority of the majority party supports it. Thus, bills supported by a bipartisan majority of the House are denied a vote, and the partisan divide and gridlock prevails. The same happens in the Senate, with the majority leader (Grim Reaper Mitch McConnell) refusing to schedule votes on bills enjoying bipartisan support. This is simply putting party over country.

Senate Filibuster. The filibuster (a single senator can stop a vote) is not in the Constitution and did not exist when the US was founded. The filibuster upsets the careful balance designed by the Founders, and allows special interests to block action with influence over a single senator. It was first used in 1837.⁵⁹ It has been defended as a rarely-used tool to allow the minority to block things they felt strongly about (e.g., keeping slavery, blocking civil rights). The Senate eventually added a rule to end a filibuster (cloture), but it requires a 60% vote. Thus, a single Senator can increase the requirement for passage of any bill from 50% to 60%.⁶⁰ This was not intended by the Founders, and raises the already high bar for obtaining compromise and passage of bills.

Before 1970, there were less than 10 filibuster cloture votes a year; by 2008 it passed the 100/year mark⁶¹. Today filibusters are used to simply block action by the majority party, or action that some special interest supporter of a senator doesn’t like. The filibuster can be eliminated by a simple rules change with a majority vote. In 2013, the Democratic controlled Senate did just that, and changed the filibuster rules to eliminate the filibuster for executive branch and judicial nominees, except for the Supreme Court. This was in response to the Republicans holding up large numbers of nominees of President Obama (of course, when the Democrats were in the minority during George Bush’s administration, they did the same thing). After Republicans regained control of the Senate, they eliminated the exception for Supreme Court nominees in 2017 (after they blocked Obama’s nominee for a year). The filibuster is still in place for legislation, and has killed many a bipartisan bill.⁶²

Fortunately, its days appear numbered. The Republicans did an end-around of the filibuster to pass Trump’s tax cuts in 2017. They used the “reconciliation” process (which reconciles differences in similar bills separately passed in the House and Senate) to add the tax cuts to the Senate bill. They avoided the rule that the reconciliation process can’t add to the deficit over 10

years by having the individual tax cuts expire after a few years, while the corporate tax cuts are permanent.⁶³ If the Democrats regain control of the Senate, you can bet they'll do the same, or simply eliminate the remains of the filibuster.

These rules, along with a variety of other rules in Congress, have created a series of choke points for holding legislation hostage by special interests to get the favors they want. This has been termed a “vetocracy” by Francis Fukuyama, Erik Black⁶⁴ & others. The choke points and the legislation are complicated and obscure, allowing their use by special interests under the radar and preventing effective understanding and monitoring by the public. We now have a special interest vetocracy. Some have said the United States has become partially an oligarchy (like Russia, where a small number of rich people control the government).⁶⁵

How do we fix the rules in Congress?

These rules can be changed by Congress simply adopting new rules at the beginning of a session by majority vote. There has been some success. After a campaign of reach-out to new representatives by retired representatives of Issue One, Speaker Pelosi agreed at the beginning of the 2019 session to create a “consensus calendar” that reserves time for bills with wide bipartisan support to be heard on the House floor. In addition, a House Select Committee to consider other rules reforms was approved by a bipartisan vote of 418-2. There needs to be similar reform in the Senate, along with further reform of House rules. Rebuild Congress is one coalition of non-profits working on this, including Issue One, which includes over 200 former members of Congress. They can use your help.

<https://www.rebuildcongress.org/>

<https://www.issueone.org/reformers/>

5. Manipulation – disinformation, fake news & alternate realities.

It is ironic that in our polarized political atmosphere, we actually agree on most things. But we don't know it. We are divided to deny us our common voice – and special interests take advantage. Election campaigns, by their nature, focus on differences, rather than the many things most people agree on. For example, both conservatives and liberals want improved infrastructure, lower cost health care, jobs, more privacy, and fair pay. Often, the same thing is labeled differently to create a difference where there is none. For example, conservatives call corporate subsidies crony capitalism, while liberals call it corporate welfare.

A wide variety of techniques have historically been used to manipulate us (before the Internet and technology enabled outright lies or photo shopping or video-shopping – “deep fake”). These techniques seem tame by today's standards:

Selective facts – only one side of the story. Leaving out part of the story, and only presenting one side (also unconsciously done due to inherent biases). This allows a claim of truthfulness, but is terribly misleading.

Burying. The story simply never appears on the news show or other media.

Misuse of numbers. Using raw numbers instead of percentages (e.g., increasing crime - due to increasing population, but percentage is lower).

Misuse of statistics. Using unusual periods to pick an aberration in data (e.g., climate data from 1983 - 1996 was used to assert there was actually cooling, when 1980-2000 showed a significant upward warming trend).

Doublespeak. (Orwell's 1984 horror is now common). E.g., "Clear Skies Initiative" - A bill that relaxes pollution controls,⁶⁶ "Healthy Forests Initiative" - a bill that increases clear-cutting,⁶⁷ "Californians for Affordable Prescriptions" - the pharmaceutical industry, opposing a Calif. proposition providing prescription discounts.⁶⁸

Repeat speak. Special Interests know that a lie is believed if continuously repeated (there are millions of these living dead forwarded emails and internet comments which do this, and even resurface after being debunked, looking for new suckers).

A huge infrastructure has been built up to manipulate us. The media is bombarded with biased content from not only ads, but special interest think tanks. These think tanks put out studies that benefit those funding them, and are picked up by the media (which no longer can afford its own investigators). The Internet has spawned multitudes of biased, sensationalist, fact-distorting blogs. Email and social media campaigns are waged, giving the appearance they are grassroots

campaigns started by ordinary people or experts, but are really special interest groups' "astroturf" campaigns.

Political advertising isn't always obvious. Social media posts espousing a particular viewpoint can be "boosted" by paying money, to affect voters' views. Unlike TV and radio, where political ads are required to disclose who paid for them, there is no such requirement for online political advertising. Also, while donations directly to candidates have disclosure requirements, there is no such requirement for "independent" PACs (Political Action Committees), so we don't know who a candidate is beholden to.



After decades of manipulation by special interests, we may have reached a tipping point. There is less need to manipulate – people have internalized as core beliefs what they have been manipulated to believe. People aren't paying attention or don't have much knowledge about government beyond the sound bites they have been fed. Many people only have the attention span of a 280 character tweet. Perhaps you know someone like that. Even smart, well-read people are manipulated, more easily than you'd think.

The Internet had such promise – it was going to democratize the news, and bring us together, allowing us to see diverse viewpoints. Perversely, it has instead evolved to let us see only news that reinforces our prejudices, giving each of us a separate reality. If most citizens can't agree on

what is real, Democracy is doomed. Americans used to be able to at least agree on the facts, even if they had different opinions. Everyone used to watch the same 3 network news shows. Not anymore. There are hundreds of cable channels, with some blatantly biased. People select ones that reinforce their views. In what has been called “The Big Sort”⁶⁹ – people choose their neighborhood, church and news shows to be compatible with their beliefs. These effects have been supersized by the internet and social media, where most people get their news today. There have also been deliberate campaigns to undermine belief in basic facts.⁷⁰

"Everyone is entitled to his own opinion, but not to his own facts."

Daniel Patrick Moynihan

We are now living The Matrix. We are manipulated at a most basic level – the reality we perceive. In “The Matrix” movie, computers are electronically connected into people’s spinal cords to feed fake nerve signals with an alternative reality to the brain. We aren’t quite cyborgs with electronics embedded in our brains, but the way we are always looking at our smartphones and responding to notifications, we are similarly manipulated. We are monitored and given more extreme versions of whatever we click on, until each of us lives in our own filter bubble, with our own customized reality.

The origins were benign – if we’re interested in buying sneakers, we see more sneaker ads. That gives us what we want, and helps sneaker makers micro-target advertising that is extremely effective and profitable. The business model of Internet search engines and social media is providing a free service supported by ads, rather than a subscription model. The ads are lucrative because Internet companies track everything you do online, and figure out which ads would appeal to you, providing customized targeting not possible in broadcast TV. Almost every website installs “like,” “tweet,” and other buttons which enable tracking what you read on other platforms or websites, further refining the ad targeting. Facebook provided Facebook Connect in 2008, which gives you the convenience of logging onto other sites through Facebook without having to remember a bunch of different passwords. Facebook uses this to track you on those sites, gathering further data to use for ad targeting. The artificial intelligence behind the ads learns over time what you like, and provides more of the same. What’s not to like?

The problem is the lack of distinction between selling products and politics. The Artificial Intelligence (AI) which provides more of the ads/posts it thinks you’ll like can’t tell the difference between true and false – it just knows what gets clicked on. It turns out that the most successful ads, or boosted posts (anyone can pay to have a post distributed to target audiences), are the inflammatory ones that often aren’t true. If we click on one, it gives us more and more extreme versions to keep our blood boiling and – more importantly – to keep us clicking and sharing to drive ad revenue. Thus, the AI algorithms unknowingly promote more of these inflammatory posts since they are financially successful. Since people are fed more of what they

like, “filter bubbles” are established, so liberals only see liberal content and conservatives only see conservative content. The result is that we are divided and inflamed. Many Americans now believe things that are clearly false and have no regular interaction with people who disagree with them or have a significantly different life experience. Our geographic self-sorting is greatly amplified by our online self-sorting. Special Interests take advantage of this for political purposes, as well as our enemies. The Russians use the Internet to sow general divisiveness and thus weaken the U.S. from within.⁷¹

A “psychographic” profile of you is created online. The algorithms know your tendencies better than you do. They know whether you like conspiracy theories or videos of kittens playing with yarn. Propaganda is now disguised as “news,” or simply posts from a bot impersonating a person. This propaganda appeals to your psychographic profile to get you to not only click, but share.



Ranking is the key. An online search returns millions of results, but only the first few pages are noticed. So ranking is critical. They are ranked not only on relevance (containing your search words) and your psychographic profile, but also by popularity – how many others have clicked on those stories. This is gamed by using computer program “bots” and eye-catching click-bait - suggestive or controversial tags to get people to click (e.g., “Obama bans pledge of allegiance”). We are conditioned to click like monkeys in a lab experiment.

On Twitter, for example, bots retweet and tag widely-followed and gullible people (such as, say, the President), getting some of them to retweet and magnify the effect. Research has found that outrageous stories which, based on your profile, push your buttons, are most likely to go viral (if you thought your spouse or parents were good at pushing your buttons, that's nothing!). Special interests use this research. Debunked stories never disappear, like the living dead, circulated by our gullible friends.

Bots have been used to create and control fake Facebook accounts faster than Facebook can stamp them out. These bots generate a profile by copying images and information from other profiles. After setting up a fake profile, it spreads by friending real Facebook users. The Russians and others use bots to spread their propaganda and try to destabilize the U.S.

We can't do substantive reform until we have the same reality. Most Americans agree on many things, but Congress doesn't act on our wishes – Congress acts on the wishes of the special interests with money. Special interests have our two parties by the gonads and thus run our country. We are neutralized by riling us up and pitting us against each other.

The Red and Blue gangs each have their own colluding media and have learned that anger and half-truths sell on the Internet. We are tribal animals, and just like in sports, we only notice the fouls of the other side. We nod at the demonization of the other party. We de-friend those of the other party. We let them turn neighbor against neighbor, brother against sister, parents against children. Our enemies see this as a weakness and inflame it. It is hard to leave these gangs and become an independent thinker – you are ostracized as a RINO (Republican In Name Only) or a DINO. But perhaps we needed to hit bottom before things improve.

The special interests can't manipulate everyone the same way, but enough people are polarized into separate camps to provide each special interest its core of support. That influence is magnified, since the highly polarized are the ones most likely to vote in primaries, and Gerrymandering concentrates and magnifies their influence. Once the special interest benefits are entrenched, they are difficult to dislodge. Our political system makes it easy to influence a minority that can block any legislation that would regulate a special interest or take away special interest giveaways.

What can be done?

The Internet companies have tried to address the problem. Facebook has taken the following actions:

- Prioritizing friends posts over journalists (which may just make things worse, since friends spread the garbage we see).
- Authorization process for political ads to prove source is in the U.S., verify identity & who is paying for the ad (which can be a “boost” of a post).

- Labelling boosted posts as “sponsored.”

On Oct. 31, 2019, Twitter announced it would ban political ads. The motivation is noble, but this is easier said than done. What is political? How about issue ads? Would there be a distinction between an ad warning against the dangers of climate change and an ad advocating the Green New Deal? Are ads about climate change political, while promoting oil sales is simply product promotion? A more promising aspect being explored by Twitter is banning micro-targeting for political ads – instead political ads will only be able to target at the state, province, or regional level — no zip codes — and can’t use keywords and interest targeting around politics, such as conservative or liberal.⁷² This would make it harder to serve different realities to conservatives and liberals. Google announced on Nov. 20, 2019 that it is also limiting micro targeting for political ads.⁷³

Other internet companies may not want to ban micro-targeting for political ads, unless everyone does, because it affects their profits. Although political ad profits are dwarfed by product/service ad profits, it is still significant. This is an area where government regulation can ensure a level playing field.

I’m not aware of an organization that has taken on manipulation online as a primary focus. Someone needs to step up. In the meantime, here are some suggested steps to counter fake news and manipulation:

Toggle button to remove biased targeting. We need the option to take the red pill (see The Matrix if you don’t know what this is) – a button that allows users to toggle between filtered content tailored by the algorithms, and unfiltered content.⁷⁴ This would strike at a profitable advertising algorithm, but only for political ads, which are a small fraction of advertising. Thus, companies could target all the products and services they want, but political targeting would be removed. Preferably, the default would be an opt-out for non-commercial services, with the user able to select to have political targeting. This is clearly technically possible – the unfiltered content would simply be what a brand new user would see, by ignoring the profile.

No sharing or retweeting a link without clicking on it. This would increase the likelihood of a post actually being read, and thus hopefully decrease the likelihood of blatantly false posts being shared.⁷⁵

Fact checker rating used for rankings. Current fact-checking is done after a story has gone viral, and is thus too late to keep it from influencing people (and impossible to stamp out after being debunked). Instead, newspapers, websites and other *sources* of stories (rather than each story itself) should have a credibility rating that determines their ranking. The credibility rating should be a large factor in deciding what is ranked highest in a search, along with key word matching

and number of views. The credibility ratings would be like a credit rating, from multiple fact-checking sites, developed over time (e.g., from Newsguard, AllSides, MediaBiasFactCheck). Search results could thus be ranked based on credibility (not just literal truthfulness, but also balance), rather than the number of likes from gullible humans and bots. By ranking the source, instead of the story, the problem of the story going viral before it can be fact-checked is addressed. The media would be incentivized to make stories more balanced to obtain a higher rating.

Public database of ads. With micro-targeting of customized ads on social media and other platforms, only a few people may see a particular version, and thus no one knows that it needs to be debunked. There should be a requirement to put them in a searchable database accessible to the media and the public.

No micro-targeting of political ads. Manipulative and false political stories have been with us throughout the history of our country. What is new is the micro-targeting that divides us. What is happening online is the equivalent of dividing a crowd of us into small groups based on race, religion, income, etc., marching us into different rooms and feeding each of us ads that attack the other groups without those other groups seeing them. Instead, the ads should have to go to people in every group – a cross section not divided by such characteristics. That would reduce inflammatory and false attacks on different groups.

Education. We need better voter education, so voters can tell the difference between moderates and extremists. The Federal Elections Commission (FEC) needs to be strengthened and made independent. It currently has vacancies, and is balanced between Republicans and Democrats, insuring deadlock⁷⁶. How about adding a tie-breaking independent?

What you can do to help.

Educate yourself on spotting fake news & manipulation. Here are some sources:

<https://inspiredelearning.com/resource/spot-fake-news/>

<https://medium.com/swlh/how-to-spot-fake-news-in-seconds-253e2c8e5de0>

<https://www.ifla.org/publications/node/11174>

<https://www.factcheck.org/2016/12/video-spotting-fake-news/>

Each of us needs to stop watching Fox News and MSNBC and clicking on click-bait that feeds us ever more outrageous links to keep our attention. We need to start getting our news from more balanced sources, such as Allsides:

<https://www.allsides.com/unbiased-balanced-news>

We could also attend group discussions of several organizations, such as Better Angels, which facilitates group discussions between reds and blues, teaching us how to have civil discussions with those who have different opinions. This has the consistent result of discovering we agree on more than we thought.⁷⁷

<https://www.better-angels.org/>

B. How we are conquered.

After we are divided, there is no longer a common voice for the common sense solutions most of us agree on. Special interests then use that division, after we're sidelined, to control politicians to get what they want.

6. Campaign finance – special interests buy representatives.

Campaign fundraising has become probably the biggest corrupting influence in our political system. In 3rd world countries, politicians are bribed. We are a bit less obvious. Reform is supported by both progressive Democrats and the conservative Tea Party.⁷⁸ Both criticize the corrupting influence of dependence on support from Wall Street and banks.

The problem is the need for massive amounts of money to run a campaign, with much of it obtained from special interests. Representatives can't close the door on the lobbyist/donors who are funding their campaign (would you close the door on the person paying all your expenses?). They lobby for unfair special breaks that the rest of us pay for. Democrats and Republicans can agree on stopping many of these, but they are shackled by their special interest overlords. For example, off-shore tax havens cost us \$184 billion/year, and various corporate subsidies cost \$100 billion/year. This is not just an objection of Democrats – the conservative donor Charles Koch opposes such corporate welfare,⁷⁹ and would prefer a level playing field with lower overall rates. Corporate subsidies typically benefit the larger companies that can afford the donations and lobbyists, while small businesses pay full freight.

Some have argued that if money is given to a candidate that already agrees with the viewpoint of the donor, that is not true bribery or corruption. That misses the point – those with money are able to buy the election of politicians that support their views. Those who put the common good ahead of giving every advantage to their special interest backers don't get money and are left out in the cold.

In the last 40 years, campaign costs have skyrocketed. In 1974, the mean amount spent to run for a seat in the House was \$53,000, and for a seat in the Senate it was \$440,000. By 2012 it had increased to \$1.2 million for House seats, and \$9.3 million for Senate seats⁸⁰. Since a Senator's taxpayer-funded government salary is \$174,000, that means that 98% of the money they receive is paid by donor/lobbyists.

Who do you think they will owe more fealty to? Their real bosses, who provide the vast majority of the money they need to keep their jobs, are the donor/lobbyists. This has made Democrats beholden to unions and environmental groups, and Republicans beholden to the rich, the NRA and corporate groups (although once elected, special interests will give to whomever can

pass/block a bill they want or want killed). The big individual donors have been referred to as the “donor class,” with 0.26% of the population providing 67% of all federal campaign dollars (that’s less than 1% of the donors – our new aristocracy).⁸¹

It is not only the money that is a problem, it is the time and attention that representatives spend on special interests instead of the public business. Representatives spend half their time in office raising money.⁸² The amount of time has doubled since the Supreme Court struck down limits on campaign fundraising in the *Citizens United* case in 2010.⁸³ In the House, because of the enormous amounts of money required to campaign, the short 2 year term for representatives and the early primaries, new representatives must start fundraising all over again the first day in office. Representatives actually trudge a few blocks from the capital to telemarketer-like cubicles in call centers to dial for dollars.⁸⁴ The other half of their time is apparently spent working on legislation that the special interest donors want. We have a system that elects good fundraisers, not good legislators. Those fundraiser/legislators are loyal to their donors, not the citizens.

Presidential candidates are less beholden to large donors, since the high profile of the presidential campaign allows them to fund a campaign with small donations using the Internet. Also, the presidential candidates can draw media attention and use the bully pulpit. The same cannot be said of senators and representatives. A representative, or candidate, cannot command the same media attention, and thus needs to buy ads. When was the last time you watched a press conference with the representative of your district? Do you even know who your representative is? Only 35% of voters know the name of their representative,⁸⁵ much less his/her positions on the issues. It is the Congressional campaigns where the problem lays. This need for huge campaign funds is an Achilles heel of our political system that special interests exploit.

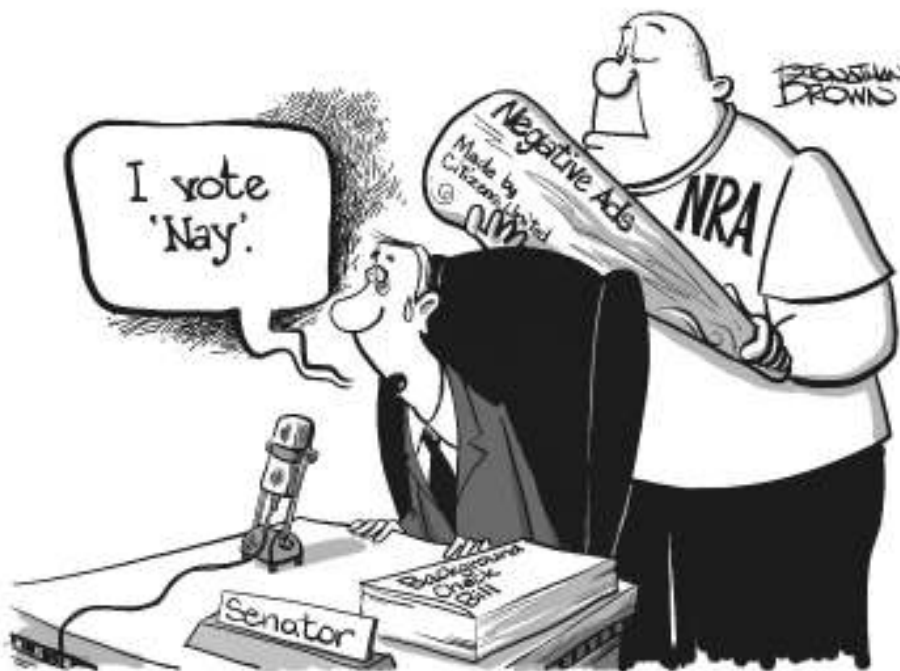
Campaign funding is also a way to threaten representatives to keep them in line. The NRA leadership is famous for mounting negative ad campaigns to defeat any representative that dares to vote for any regulation of guns (the NRA used to be reasonable, but the leadership was taken over by a hard-liner coup in 1977).⁸⁶ The NRA leadership in 1994, for example, successfully targeted for defeat NRA card-carrying conservative Democrats who dared to vote for a 10 year ban on assault weapons (that is why it wasn’t renewed in 2004). This negative ad threat is why, after the 2012 Sandy Hook massacre of twenty 6 and 7 year old children by a man with a history of mental illness, a bill to require background checks for criminal and mental health history for gun sales died in Congress.⁸⁷ The bill failed in spite of support for background checks by 89% of Americans and even 75% of NRA members.⁸⁸

The AFL-CIO union has done the same. For example, in 2015, they hit a Democrat, Ami Bera, with attack ads. Bera had dared to support giving the president fast-track trade authority against the union’s wishes.⁸⁹ The message was clear to other Democrats deciding how to vote – toe the union line, or be attacked.

The wealthy members of the Club for Growth attacked moderate Republicans who didn't vote for enough tax cuts. For example, in 2012 they successfully spent \$2.2 million to unseat moderate Indiana Republican Senator Dick Lugar and \$700,000 to unseat moderate Nebraska Republican Attorney General Jim Bruning.⁹⁰

In another example, mayor Adrian Fenty of Washington D.C. appointed Michele Rhee to fix D.C.'s poor-performing schools. In 2010, the teachers union was angered when Rhee closed schools, fired principals and tried to give teachers the choice of salaries of up to \$140,000 based on student achievement, but only if tenure was given up. The teachers union spent over \$1 million against Fenty in his reelection campaign, defeating him and causing Rhee to leave.⁹¹ The campaign against Fenty was a warning to other cities considering putting student interests ahead of teachers' interests.

These politicians don't have the funds or the presidential bully pulpit to defend themselves when they make tough, but needed, decisions. What is needed is a "defend doing the right thing" special interest that gives money to representatives (this actually exists now in California, see solutions below!).



The special interests thus use a carrot & stick approach – the carrot is campaign contributions, the stick is negative ads if the special interest bidding isn't done. Under our system,

representatives who vote for the good of the country instead of the agenda of their bosses (special interests) get fired. This has led to the inability of Congress to do anything significant without it being riddled with exceptions or concessions for the special interests.

Many of us are members of special interests, but most of us would not want our special interest to take advantage of the rest of the country. Members of AARP would be mortified to see the costs of their benefits paid for by their children and grandchildren through debt, leaving no money for similar benefits for their kids. While NRA members want their guns, 75% of the members are in favor of background checks to prevent purchase by criminals and the mentally ill.⁹² Most environmentalists want to preserve virgin forests, not have environmental laws used to drive up the costs of development in urban neighborhoods, which drives up housing costs for their kids.⁹³



How do we fix campaign finance?

The country is littered with failed attempts to regulate campaign financing. In 1971, Congress passed the Federal Election Campaign Act, which required candidates to report expenses and contributions. After the Nixon Watergate scandal, the act was amended to limit individual contributions. The 2002 McCain-Feingold bill banned soft money contributions to national parties and restricted candidate-specific advertising by private interest groups. Lawyers found a

way around the limits with “independent” Political Action Committees (PACs) which could spend on particular issues and attack an opponent rather than funneling money to a candidate. But the Supreme Court has blown apart even these feeble regulations, in particular with the 2010 *Citizens United* decision. The Supreme Court said that spending is speech, since in today’s world you can’t get your political message out without money. Thus political spending is protected under the First Amendment guarantee of free speech.⁹⁴ The almighty dollar reigns supreme. We even subsidize this special interest spending, since much is done by nonprofits under sections 527 and 501(c) of the tax code.⁹⁵

The *Citizens United* case spawned “super PACs” that now do the negative advertising for candidates, allowing candidates to distance themselves from the really sleazy attacks. Regulations to make the PACs independent won’t solve the problem. No coordination is needed to figure out to air an attack ad against the opponent of the candidate you support.

What can be done?

While *Citizens United* blocked limits on political spending, we are far from powerless. One solution to special interests buying our representatives is obvious – let’s outbid them. Let’s use the almighty dollar instead of fighting it. Instead of having our representatives on the payroll of corporations and unions, let’s put them on *our* payroll for all of their expenses, so they really do work for us. Make them beholden to us (the voters) for the financing they need. This can be done two ways – through political philanthropy and public funding.

Political Philanthropy.

Many people are philanthropists to some degree, donating to charities for a cause they support. What greater cause than having a government that works for us, rather than special interests? Also, the funding of these charities pales in comparison to government budgets. Thus, donations to provide an effective government can have a far greater effect in addressing society’s problems.

The Harvard Duopoly Study noted:

“U.S. philanthropic giving was \$390 billion in 2016, addressing a wide range of social challenges such as health care, education, and poverty. However, U.S. states (excluding federal funds) collectively spend that much in less than four months, and our federal government spends that much in just over five weeks. ***Philanthropy is no substitute for effective government.***

...

Now is the time for concerned donors to redirect a portion of their philanthropic resources to the cause of revitalizing our democracy. In the

end, political philanthropy may well now have the greatest impact on advancing our society.”⁹⁶

To counteract special interests funding negative campaigns, we need organizations that fund politicians to do the right thing. Such an organization, Govern for California, now exists in California, and similar organizations need to be established throughout the country. The funding can be used to both fund their campaigns and fight back against attack ads by special interests. This is very doable at the state level. Unlike Congress, state legislature campaigns can be funded with far less donor money - \$150,000 on average.⁹⁷

Govern for California: <https://www.governforcalifornia.org/>

Govern for California is a network of political philanthropists whose mission is to liberate California state legislators to govern for the benefit of citizens instead of special interests.

Public funding.

Public funding of political campaigns would eliminate the need for candidates to go hat-in-hand to special interests. You may object to your hard-earned tax dollars going to not just your candidate, but someone you oppose. But guess what – it’s already happening – special interests that you oppose are getting politicians to spend many orders of magnitude more of your tax dollars on causes you loath.

Many people have been convinced they are against public financing of campaigns because they think it is a waste of money that would raise our taxes to pay for the public funding. Special interests have spread this fear, spending heavily to stop campaign finance regulation and public funding because it would take away their control over representatives (spending to oppose public funding is being done by both conservative groups funded by the Koch brothers⁹⁸ and unions⁹⁹).

Actually, public financing would *reduce* our taxes (or reduce the deficit). The cost of public financing would be about \$7 billion in a presidential campaign year (the amount spent on all federal campaigns [representatives, senators, President] in each of the 2012 and 2016 campaigns).¹⁰⁰ It would be less in off years where there is no presidential election. Since there is only an election every other year, that is about \$3.5 billion/year.

\$3.5 billion/year is dwarfed by the special interest giveaways that could be avoided with public financing of campaigns. The rest of us pay for these giveaways with higher taxes or suffering under increasing national debt. To name just a few, consider the \$15-16 billion/year¹⁰¹ in excessive, non-negotiable costs imposed on Medicare part D drug payments due to health industry lobbying. Yet another example is corporate subsidies and off-shore tax havens that cost \$284 billion/year¹⁰². Or consider the indirect costs of not having public funding. The financial sector special interests lobbied to avoid regulations that would have prevented collapsing the

economy in 2008. Another example is lobbying against antitrust regulation, which has stifled competition in the U.S., resulting in our paying higher prices, compared to other countries, for drugs, airline tickets, internet, etc.¹⁰³ The list goes on and on.

Many other countries and some US states provide for public funding of political campaigns. Currently, the US only provides matching funds, and only for the presidential candidates (which are sometimes turned down to avoid the limits placed on total spending).¹⁰⁴

The mostly widely promoted reform ties public funding to small donor contributions. Thus, the amount of public funding is limited to those who are able to generate significant support beyond a threshold. Fringe candidates or nutcases with only a few supporters will not receive any money.

Consider supporting the following organizations advocating for public funding:

Brennan Center for Justice: <https://www.brennancenter.org/issues/public-financing>

- Promotes small donor public funding: public 5x matching of small donor contributions, to redirect candidates attention from special interests to ordinary citizens.

Every Voice: <https://everyvoice.org/solutions>

- Proposes public funding based on the amount of small donor contributions.

Common Cause: <https://www.commoncause.org/our-work/money-influence/campaign-finance/>

- Advocates for citizen funded elections.

Represent Us: <https://represent.us/anticorruption-act/>

- Proposes offering every voter a small credit they can use to make a political donation with no out-of-pocket expense.

Infrastructure for moderates and independents

The infrastructure to run for office is almost entirely controlled by the two parties, and independents and moderates willing to compromise are often shut out. That infrastructure includes people with expertise in fundraising, polling, media outreach, policy research, demographic data, voter-turnout machinery, etc. Unite America set up infrastructure and funding for independent candidates for the 2018 elections, but with very little success due to partisanship and the spoiler effect. They have pivoted to support moderate candidates of both parties.

Unite America: <https://www.uniteamerica.org/uniteamerica2020>

Disclosure – end dark money

There has been a flood of “dark money” since *Citizens United*.¹⁰⁵ Online political advertisers should be required to identify themselves, as they are required to on TV and radio. PAC donations should be public, including the primary owners of shell corporations making the donations. The For the People Act (H.R.1) introduced by the Democrats after they took over the House in 2018 would do this and other reforms, but it needs to be rewritten with more bipartisan support to have a chance in the Republican controlled Senate.

Measures to end dark money are being promoted by the following organizations – consider supporting them:

RepresentUs: <https://represent.us/> They have proposed an anti-corruption act to be adopted by cities and states that addresses secret money:

- Disclose political money online.
- Stop donors from hiding behind secret-money groups.

Issue One: <https://www.issueone.org/legislative-solutions/>

- Ensure super PACs operate independently from candidates.
- Require organizations to disclose their top donors when they run political ads.

7. Lobbying – special interests quid pro quo for campaign donations.

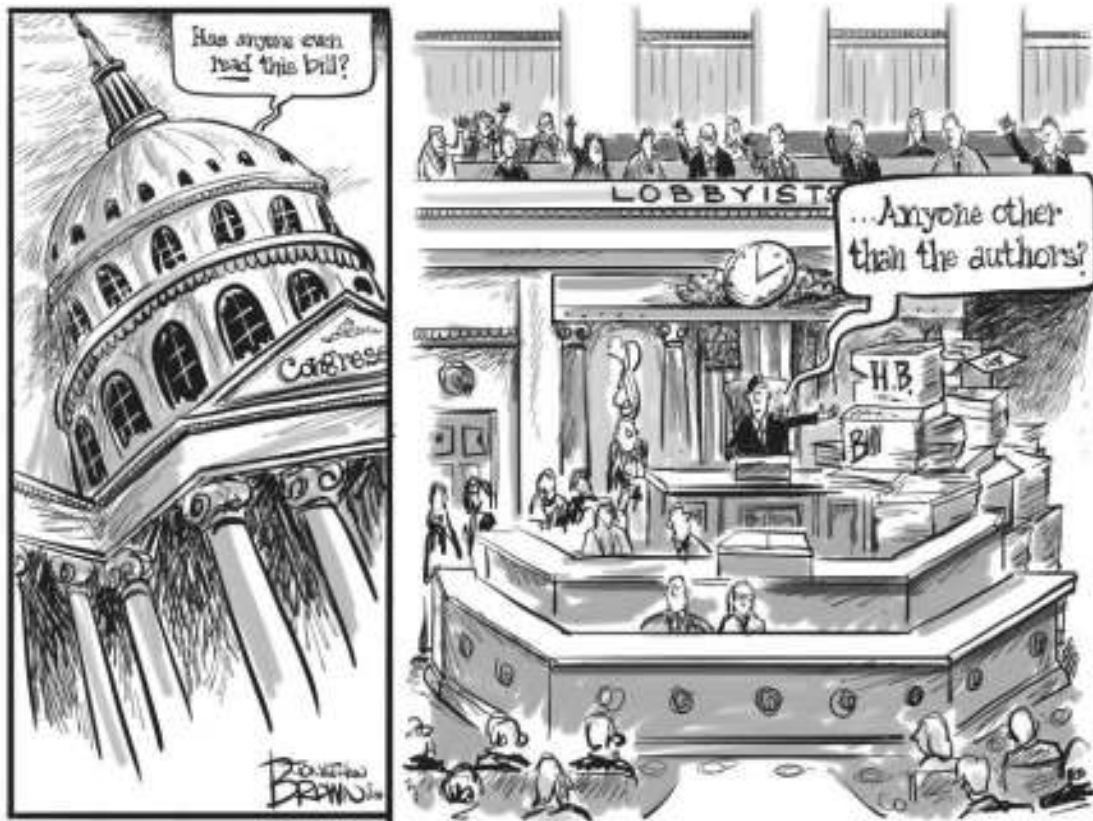
Once special interests have an open invitation through their donations, they lobby representatives for special favors. Although lobbying has always been a fact of life, professional lobbying has exploded recently, with the total amount spent on lobbyists going from \$100 million in 1975¹⁰⁶ to \$3.21 billion in 2015.¹⁰⁷ Note this only includes direct lobbying, and not the huge sums spent influencing voters to get their support, or at least neutralize their opposition. For example, special interests use “astroturf lobbying” to create apparent grassroots campaigning and apparent public support for a cause (form letters to send to Congress, supposedly independent email campaigns, etc.).¹⁰⁸

Common sense tells us that they wouldn’t be spending these sums unless it works. Today, lobbyists openly tout on their websites the huge return on investment from tax lobbying. Representatives also become cozy with lobbyists since many depend on employment with lobbyists after leaving office, where they earn much bigger salaries (an average 1452% pay raise¹⁰⁹ - salaries over \$2 million/year). In 1974, 3% of retiring members of Congress became lobbyists. By 2013, that had increased to 50% of retiring Senators and 42% of retiring House members.¹¹⁰

While the media places more emphasis on campaign financing, that is actually just the ante to sit at the lobbying table. Special interests spend much more money on lobbying than on campaign contributions.¹¹¹

Lobbying Examples.

The health insurance lobby has successfully lobbied for decades. When drug companies couldn’t get enough seniors to pay their high prices for drugs, they wrote Medicare Part D (prescription drug benefit) in 2003 (Republican Rep. Walter Jones of North Carolina confirmed “The pharmaceutical lobbyists wrote the bill.”¹¹²). The law prohibits the federal government from negotiating lower drug prices, generating an estimated extra profit of \$242 billion over 10 years for the pharmaceutical industry, with an investment of \$130 million in lobbying¹¹³ (An 1861% return on investment - which the rest of us pay for). In contrast, the Department of Veterans Affairs, which is allowed to negotiate drug prices, has been estimated to pay 40 - 58% less.¹¹⁴



Obamacare has forced insurance companies to provide medical coverage to those with pre-existing conditions, but it took a deal with the devil (insurance companies) to get it passed. Every healthcare special interest had to be bought off. The American Hospital Association successfully lobbied for heavy restrictions on physician-owned hospitals, which could cut into their business.¹¹⁵ The brand-name drug lobby killed rebates in the Medicare prescription drug program and maintained a prohibition against the re-importation of U.S. drugs sold abroad. They also maintained “pay-for-delay” settlements, in which drug makers pay generic manufacturers to keep low cost generics off the market when a patent expires or is about to be invalidated.¹¹⁶ Also killed was the Obamacare proposed “comparative effectiveness” disclosure – not just showing the new drug is better than nothing, but that it is better than existing, less expensive alternatives. In one example, Zaltrap, a cancer drug, was priced twice as high as Avastin, which was just as effective. Medicare had to pay the higher price (\$60,000 for a treatment regimen), with the Medicare co-pay being more than \$2,000 a month.¹¹⁷

Lobbying for defense contracts doesn’t just make arms manufacturers rich – it also jeopardizes our national security by giving lobbyists what they want at the expense of what the military needs. In 1989, the US navy wanted to cancel manufacturing of new Seawolf subs and use the

money for other ships, but they were thwarted by lobbying by General Dynamics, the Seawolf manufacturer. General Dynamics argued it would save jobs, but after they got the Seawolf reinstated, they laid off 11,000 workers anyway over 5 years, while achieving a 38% investment return.¹¹⁸ The Army didn't want any more M1 tanks - there were 2300 deployed, with 3000 extra sitting in storage in the California desert, and they aren't useful against most modern threats. Lobbying got Congress to add M1 tanks to the budget, forcing the Army to cut sought-after future weapons programs. Similar lobbying got Congress to add C-17 planes the Air Force didn't want, forcing cuts to the R&D program for the airborne laser the Air Force *did* want. Congress also added large ships the Navy didn't want, forcing cuts to the program for smaller boats that the Navy did want (and that are less of an easy target for modern missiles and drones).¹¹⁹

Complex laws and regulations are the friend of special interests, allowing them to sneak in provisions unnoticed. Their favorite playground is the US tax code. There is a huge variance in rates paid by different businesses because of loopholes that favor particular industries or even particular companies. Companies with the benefit of lobbying for subsidies, loopholes and other tax breaks pay little or even no tax, increasing the burden on the rest of us and the businesses which pay their fair share. Eliminating special interest tax loopholes and subsidies is an area where the conservative Charles Koch agrees with the liberal Bernie Sanders:

*"The senator [Bernie Sanders] is upset with a political and economic system that is often rigged to help the privileged few at the expense of everyone else, particularly the least advantaged. He believes that we have a two-tiered society that increasingly dooms millions of our fellow citizens to lives of poverty and hopelessness. He thinks many corporations seek and benefit from corporate welfare while ordinary citizens are denied opportunities and a level playing field. I agree with him."*¹²⁰ Charles Koch, 2016

Sometimes lobbying is for a favorable tax rate for everyone (yeah!), but the lion's share of the benefit goes to the lobbyists. 95% of the benefit of the low capital gains rate goes to those making \$200,000/year or more. Guess who pays for this with high income tax rates?¹²¹ A lobbying campaign to repeal the inheritance tax doesn't mention that estates worth \$20 million or more would receive 73% of the benefit.¹²² Perhaps the most egregious targeted tax lobbying example was in the 1986 Tax Reform Act, which granted a tax exemption to any "corporation incorporated on June 13, 1917, which has its principal place of business in Bartlesville, Oklahoma" (Phillips Petroleum).

Individuals who take advantage of too many deductions are hit with the Alternative Minimum Tax (AMT), so they pay at least a minimum amount based on their income. Yet giant corporations who can afford lobbyists boast billions in profit on their annual reports while paying no taxes because they use two sets of books – GAAP (Generally Accepted Accounting

Principles) for their shareholder profit reports and the tax code for determining taxable profits. How about an AMT for corporations based on their published earnings? There is a limited corporate AMT, but it is gamed, just like regular taxes.

How can you help fix lobbying?

Again, pressure needs to come from the people. This is happening – volunteer for or donate to the following organizations to help:

Represent US: <https://represent.us/> They have proposed an anti-corruption act to be adopted not just federally, but by cities and states that addresses lobbying:

- Makes it illegal to take money from lobbyists.
- Bans lobbyist bundling.
- Closes the revolving door.
- Prevents politicians from fundraising during working hours.

A lobbying database showing who is lobbying is managed by Open Secrets:

<https://www.opensecrets.org/lobby/>

8. Deficit – burdening our children with the debt for our overspending/underfunding.

As a result of a system that provides every special interest its divided-out piece, there is no control to stop the budget being busted, especially since the goal of many special interests is lowering their taxes. The U.S. Constitution doesn't require a balanced budget.¹²³ The federal government has run a deficit since inception, when it took on debt incurred to fight the revolutionary war, including debt incurred by the states.¹²⁴ But the debt used to get paid down in between wars, and we didn't have deficit spending in peacetime (except during recessions).

The total US debt is now over \$20 trillion (in 1990 it was \$3 trillion). The significance is usually related to the size of the economy, which is represented by the Gross Domestic Product (GDP). The ratio of US debt to GDP has gone up and down, but was 30% in 1980 before Reagan's tax cuts, then climbed to 65% until Clinton's budget brought it down to 54% by 2000, when Bush's tax cuts started it climbing again to 65% just before the 2008 crash, when it spiked up to 100% by 2012.¹²⁵ Currently, it is 106%, greater than the entire economic output for a year.¹²⁶

It is outrageous that we continue to run deficits during the longest economic expansion in U.S. history,¹²⁷ leaving little room to deal with the next recession. The problem is that representatives must appeal to and appease current voters (or actually current special interests), not future ones, and there is no long term fiscal plan. Politicians can cut taxes to get reelected because they have found a patsy that will foot the bill and not complain because they have no lobbyists – our children. *We* need to be the lobbyists for our children.

The rapid aging of the U.S. population and the retirement of the baby boomers will dramatically increase Social Security and Medicare spending. That means that deficits and the debt are on an upward trajectory. Over \$1 billion a day is spent just on the interest on the debt.¹²⁸ This crowds out other priorities, pushes up interest rates, and limits the ability to respond to a future financial crisis (which will come – it's just a matter of when). The burden is placed on our kids and grandkids. We as parents and grandparents are basically getting our current and unborn children to co-sign and be responsible for loans to pay for all the special interest giveaways and everything we are underfunding today – our Medicare payments, military, pensions, etc. Representatives get reelected by passing popular spending bills, not by passing unpopular taxes needed to pay for them.

If the divisive systems described above can be fixed, a compromise balanced budget can be achieved. Clinton did this in the 90s. We last came close in 2015 when President Obama and Speaker Boehner negotiated a "Grand Bargain" that was a compromise of tax increases and spending cuts. However, it fell apart when each were subjected to withering partisan criticism from their respective parties.¹²⁹

How do we fix the deficit?

Non-solutions. The proposed amendment to the Constitution for a yearly balanced budget would be national economic suicide. Deficits are needed to fight wars and recessions. Interestingly, politicians who tout support for this don't match their words with actions - they vote for spending increases and tax cuts. The Debt Ceiling has been a failure. Instead of constraining spending, Congress simply spends up to the Debt Ceiling and then after the fact raises the Debt Ceiling. Tax cuts do not spur enough economic activity so that taxes on the increased profits would offset them. Studies have shown that at most, the increased tax revenues from tax-cut fueled economic activity offset a third of the tax cuts. Tax cuts by Reagan, Bush and Trump have all dramatically increased the debt. The Trump cuts increased it by \$200 billion in one year.¹³⁰

Solutions.

Accrual Accounting. Deficit spending is made easy because there is no requirement for the government to show how much future expense is being taken on (accrual budgeting). A modified cash budget is used, showing taxes collected and payments made that year. It doesn't show, as accrual accounting would, most future payment obligations incurred by new laws today. It also doesn't show increased payments in the future due to demographic changes. For example, Social Security works today because there are enough current workers to pay for the smaller number of retirees. However, when the bulk of the baby boomers retire, there won't be enough workers to pay taxes to support their benefits, and when the young today retire, there won't be enough money left. If the government were forced to use accrual accounting, the politicians would have to explain how they will be able to pay for the obligations taken on. Since the formation of the SEC after the 1929 stock crash (leading to the Great Depression), the SEC has required companies to use the accrual method, not the cash method. But the government itself continues to use the modified cash method. The problem and the solution have been known for a long time:

"This lack of [accrual accounting] accountability creates an incentive for elected officials to curry favor with today's voters at the expense of tomorrow's taxpayers. This lack of accountability has long been a root cause of fiscal mismanagement within the U.S. government." Arthur Anderson's 1986 report "Sound Financial Reporting in the U.S. Government."¹³¹

Balance the budget over the business cycle. Balancing over a business cycle can be required, with appropriate exceptions for emergencies. This has been done with success in Sweden.¹³² In Sweden, a Fiscal Policy Council (including academic economists) assesses whether the government's policies are in fact consistent with the fiscal policy targets, including a cyclical surplus requirement (1% over the business cycle) and annual spending caps. At a minimum, the U.S. should adopt a long term fiscal policy, and fit annual or preferably biannual budgets into that.

Congressional restraints. There are several proposals for Congress to enact rules that would force them to take the budget seriously. The debt ceiling could be replaced by a limit on the ratio of debt to GDP, which can be exceeded only by a declaration of war or 2/3 vote. Instead of government shutdowns, Congressional pay should be suspended until a budget is agreed on. The budgets should be over two years, not just one. An annual report from the GAO to Congress should be required with mandatory attendance.¹³³

“Ask not what your country can do for you, but what you can do for your country.” John F. Kennedy

Sacrifice. Most importantly, voters have to support the hard decisions needed to balance the budget. We have collectively lived beyond our means for decades - borrowed from our children, trashed the environment, and received under-funded benefits. We now need to collectively sacrifice, with everyone giving something back. We are long overdue to heed JFK’s words and ask not what our country can do for us, but what we can do for our country. The rich need to pay more in taxes to balance the natural inequities in our economy, we all need to pay a higher gas tax to stop global warming and baby boomers need to take a small haircut in their social security and Medicare benefits. Keep in mind that these sacrifices will prevent a collective slow suicide for our planet and economy.

How can you help fix the deficit?

Again, pressure needs to come from the people. This is happening – the following groups educate the public and advocate elected officials for action on the deficit. You can volunteer for or donate to them:

Committee for a Responsible Federal Budget: <https://www.crfb.org/> - They have detailed recommendations for improving the budget process. They do policy research and testify before and advise Congress. One project is educating the public through “Fix the Debt”: <https://fixthedebt.org/>

Concord Coalition: <https://www.concordcoalition.org/the-federal-budget-affects-you> - educates the public and elected officials about the deficit and solutions that include cost cutting and taxes.

No Labels: <https://www.nolabels.org/> - A bipartisan group that includes ex members of Congress of both parties and works with current members of Congress to propose bipartisan solutions, including revising the budget process. They created the bipartisan “Problem Solvers Caucus” in Congress.

Conclusion.

Other Reform Efforts. If none of the above causes or groups strikes your fancy, the Bridge Alliance is an umbrella organization of over 90 groups dedicated to reducing partisanship and improving government, which are all coordinating: <https://www.bridgealliance.us/>.

Is this the mess you want to leave to your children? When your grandchildren ask what you did when the country was in crisis, what will you say? I was too busy watching Game of Thrones to volunteer and I couldn't possibly skip my latte and give \$5? We need to fix the system. Congress won't do it – they are the problem. But a grassroots reform movement is growing – people are standing up all across America to end partisanship and fix our government. They need your help. Pick an issue and pitch in.

Endnotes:

¹ WHY COMPETITION IN THE POLITICS INDUSTRY IS FAILING AMERICA - A strategy for reinvigorating our democracy,” p. 21, Katherine M. Gehl and Michael E. Porter, Harvard Business School (Sept. 2017)

<https://www.hbs.edu/competitiveness/research/Pages/research-details.aspx?rid=84>

² (Obama passed Obamacare when there was a 60 Democrat Senate for a few months in 2009-2010 after Arlen Specter switched parties and before Ted Kennedy died and was replaced by a Republican)

<https://www.forbes.com/sites/physiciansfoundation/2014/03/26/a-look-back-at-how-the-president-was-able-to-sign-obamacare-into-law-four-years-ago/#1aaaab41526b> ; See also https://www.huffpost.com/entry/debunking-the-myth-obamas_b_1929869

³ <https://www.brennancenter.org/our-work/analysis-opinion/worst-voter-suppression-weve-seen-modern-era>

⁴ <https://prospect.org/power/good-news-voting-wars/>

⁵ https://en.wikipedia.org/wiki/Sore-loser_law ; see also <https://www.countable.us/articles/5803-sore-loser-laws-do-polarize-politics>

⁶ <https://www.openprimaries.org/unrig-it-2020>

⁷ <https://www.vox.com/recode/2019/11/15/20966908/twitter-political-ad-ban-policies-issue-ads-jack-dorsey>

⁸ <https://www.blog.google/technology/ads/update-our-political-ads-policy/>

⁹ <https://www.theatlantic.com/magazine/archive/2019/12/better-angels-can-this-union-be-saved/600775/>

¹⁰ “Campaign Finance Reform a Tea Party Issue,” Sgonsalves-brown, Public Campaign (6/20/2014):

<http://www.publiccampaign.org/blog/2014/06/20/campaign-finance-reform-tea-party-issue>; “The Tea Party is putting a conservative spin on progressive campaign finance ideas,” Jon Green, America Blog (6/11/2015):

<http://americablog.com/2015/06/tea-party-putting-conservative-spin-progressive-campaign-finance-ideas.html>

¹¹ <https://carleton.ca/sppa/wp-content/uploads/Mirror-Mirror-Medicare-Part-D-Released.pdf>

¹² “Offshore Tax Havens Cost Average Taxpayer \$1,259 a Year, Small Businesses \$3,923,” Dan Smith, U.S. PIRG The Federation of State PIRGS (April 15, 2014): <http://www.uspirg.org/news/usp/offshore-tax-havens-cost-average-taxpayer-1259-year-small-businesses-3923>; “Corporate Welfare in the Federal Budget,” Tad DeHaven, Cato Institute (July 25, 2012): <http://www.cato.org/publications/policy-analysis/corporate-welfare-federal-budget>

¹³ https://en.wikipedia.org/wiki/Publicly_funded_elections

¹⁴ https://www.opensecrets.org/news/reports/citizens_united.php

¹⁵ http://en.wikipedia.org/wiki/History_of_lobbying_in_the_United_States

¹⁶ “Lobbying Database,” OpenSecrets.org: <https://www.opensecrets.org/lobby/>

¹⁷ “ANALYSIS: When a Congressman Becomes a Lobbyist, He Gets a 1,452% Raise (on Average),” Lee Fang, Republic Report (March 14, 2012). <http://www.republicreport.org/2012/make-it-rain-revolving-door/> See also

“ANALYSIS: When a Congressman Becomes a Lobbyist, He Gets a 1,452% Raise (on Average), ... Being a Congressman is like being an intern for lobbying,” <http://investmentwatchblog.com/analysis-when-a-congressman-becomes-a-lobbyist-he-gets-a-1452-raise-on-average-being-a-congressman-is-like-being-an-intern-for-lobbying/>

¹⁸ “Half of Retiring Senators Become Lobbyists, Up 1,500% in 40 Years,” Mike Flynn, Breitbart.com (July 29, 2013): <http://www.breitbart.com/big-government/2013/07/29/half-of-retiring-senators-become-lobbyists-up-1500-in-40-years/>

¹⁹ https://sunlightfoundation.com/policy/documents/keeping_congress_competent/

²⁰ <https://www.riponsociety.org/article/an-uncomfortable-reality-congress-needs-more-staff/>

²¹ <https://www.theatlantic.com/magazine/archive/2019/12/better-angels-can-this-union-be-saved/600775/>

²² <https://reason.com/2017/10/23/americans-agree-more-than-they-realize/>

(See also <https://www.politifact.com/wisconsin/statements/2017/oct/03/chris-abele/do-90-americans-support-background-checks-all-gun/>)

²³ <https://wethepeople.org/a-supermajority-of-americans-agree-on-at-least-10-important-issues-part-2>

²⁴ Id.

²⁵ Id.

²⁶ Id.

²⁷ <https://polling.reuters.com/#!response/TM1221Y17/type/oneshot/dates/20181127-20181218/collapsed/true>

²⁸ “When It Comes to Taxes, Here Are 3 Things Most Americans Agree On” Motley Fool,” Sean Williams (Nov 7, 2016) <https://www.fool.com/retirement/2016/11/07/when-it-comes-to-taxes-here-are-3-things-most-amer.aspx>

-
- ²⁹ <https://www.washingtonpost.com/news/monkey-cage/wp/2015/10/13/no-americans-have-not-become-more-ideologically-polarized/>
- ³⁰ <https://www.commondreams.org/views/2019/04/02/case-using-ranked-choice-voting-2020-democratic-presidential-primaries>
- ³¹ https://www.fairvote.org/maine_ballot_initiative
- ³² https://www.fairvote.org/maine_approves_ranked_choice_voting_this_time_for_keeps?gclid=EAIaIQobChMIImOvi6ym5QIVENVkCh1Ncg3hEAAAYAiAAEgIISPd_BwE
- ³³ “The Great Gerrymander of 2012,” Sam Wang, The New York Times, Sunday Review, (February 2, 2013): http://www.nytimes.com/2013/02/03/opinion/sunday/the-great-gerrymander-of-2012.html?pagewanted=all&_r=0
- ³⁴ See “Ratf**ked: Why Your Vote Doesn’t Count,” David Daley (Liveright, 2017)
- ³⁵ http://en.wikipedia.org/wiki/Congressional_stagnation_in_the_United_States see also “Government Gridlock and Gerrymandering,” John A. Lippitt, Lippitt’s Policy and Politics Blog (March 9, 2014): <http://lippittpolicyandpolitics.org/2014/03/09/government-gridlock-and-gerrymandering/>
- ³⁶ Alan Abramowitz et al., Emory University, “Incumbency, Redistricting, and the Decline of Competition in U.S. House Elections,” The Journal of Politics, Vol. 68, No. 1, Feb. 2006, pp. 75-88, p. 75.
- ³⁷ “Presidents Winning Without Popular Vote,” D’Angelo Gore, FactCheck.org, (March 24, 2008): <http://www.factcheck.org/2008/03/presidents-winning-without-popular-vote/>
- ³⁸ <https://www.brennancenter.org/our-work/analysis-opinion/worst-voter-suppression-weve-seen-modern-era>
- ³⁹ <http://www.thebigsort.com/home.php>
- ⁴⁰ <https://www.apnews.com/e4fc3a28224b4b6fa59d788b23a08aa9>
- ⁴¹ <https://prospect.org/power/good-news-voting-wars/>
- ⁴² Id.
- ⁴³ Id.
- ⁴⁴ Id.
- ⁴⁵ Id.
- ⁴⁶ Id.
- ⁴⁷ Id.
- ⁴⁸ Id.
- ⁴⁹ “WHY COMPETITION IN THE POLITICS INDUSTRY IS FAILING AMERICA - A strategy for reinvigorating our democracy,” Katherine M. Gehl and Michael E. Porter, Harvard Business School (Sept. 2017) <https://www.hbs.edu/competitiveness/research/Pages/research-details.aspx?rid=84>
- ⁵⁰ “WHY COMPETITION IN THE POLITICS INDUSTRY IS FAILING AMERICA - A strategy for reinvigorating our democracy,” Katherine M. Gehl and Michael E. Porter, Harvard Business School (Sept. 2017) <https://www.hbs.edu/competitiveness/research/Pages/research-details.aspx?rid=84>
- ⁵¹ “Getting Primaried, The Changing Politics of Congressional Primary Challenges,” Robert G. Boatright, The University of Michigan Press (2013).
- ⁵² <https://www.newsweek.com/alexandria-ocasio-cortez-democrats-ice-1349790>
- ⁵³ <https://www.washingtonpost.com/news/monkey-cage/wp/2015/10/13/no-americans-have-not-become-more-ideologically-polarized/>
- ⁵⁴ <https://news.gallup.com/poll/245801/americans-continue-embrace-political-independence.aspx>
- ⁵⁵ “WHY COMPETITION IN THE POLITICS INDUSTRY IS FAILING AMERICA - A strategy for reinvigorating our democracy,” Katherine M. Gehl and Michael E. Porter, Harvard Business School (Sept. 2017), page 5. <https://www.hbs.edu/competitiveness/research/Pages/research-details.aspx?rid=84>
- ⁵⁶ <https://thehill.com/blogs/congress-blog/politics/391605-open-primaries-are-working-in-california>; https://www.openprimaries.org/research_california
- ⁵⁷ <http://www.wpsanet.org/papers/docs/ahlercitrinandlenz.pdf>
- ⁵⁸ Article One, Section 5 of the Constitution simply says “Each House may determine the rules of its proceedings...” and that a majority of the Senate constitutes a quorum to do business.
- ⁵⁹ https://en.wikipedia.org/wiki/Filibuster_in_the_United_States_Senate

⁶⁰ “Cloture” was adopted as a rule to allow ending a filibuster. It originally required 2/3 of the Senate, which was almost never attained. The Senate tried eleven times between 1927 and 1962 to invoke cloture but failed each time. https://en.wikipedia.org/wiki/Cloture#United_States . In 1975, the Democratic Senate majority changed the rule on cloture to reduce the majority required to the current 60 (which has been attained, but rarely).

⁶¹ http://en.wikipedia.org/wiki/Filibuster_%28United_States%29#Recent_U.S._Senate_history

⁶² <https://www.washingtonpost.com/news/wonk/wp/2012/12/05/17-bills-that-likely-would-have-passed-the-senate-if-it-didnt-have-the-filibuster/>

⁶³ https://en.wikipedia.org/wiki/Tax_Cuts_and_Jobs_Act_of_2017

⁶⁴ Erik Black, *Imperfect Union*, Kindle edition, location 2048.

⁶⁵ <https://www.the-american-interest.com/2011/09/28/oligarchy-and-democracy/>; See also <https://www.theguardian.com/us-news/ng-interactive/2018/sep/26/america-oligarchy-dominated-billionaires-big-money-series>

⁶⁶ Al Gore, *The Assault on Reason*, p. 79 (2007). See also “A Guide to the Bush Administration's Environmental Doublespeak” (Oct. 2004): <http://www.southshore.com/baedd.htm>

⁶⁷ “A Guide to the Bush Administration's Environmental Doublespeak” (Oct. 2004):

<http://www.southshore.com/baedd.htm>

⁶⁸ National Institute on Money in State Politics, CALIFORNIANS FOR AFFORDABLE PRESCRIPTIONS YES ON PROPOSITION 78: [http://host-69-144-32-180.kls-](http://host-69-144-32-180.kls-mt.client.bresnan.net/database/uniquecommittee.phtml?uct=633&so9=y)

[mt.client.bresnan.net/database/uniquecommittee.phtml?uct=633&so9=y](http://www.thebigsort.com/home.php)

⁶⁹ <http://www.thebigsort.com/home.php>

⁷⁰ https://en.wikipedia.org/wiki/Politicization_of_science

⁷¹ Such as causing pro and anti-Muslim demonstrations at the same time and same place. “Zucked: Waking Up to the Facebook Catastrophe,” by Roger McNamee (Penguin Press, 2019)

⁷² <https://www.vox.com/recode/2019/11/15/20966908/twitter-political-ad-ban-policies-issue-ads-jack-dorsey>

⁷³ <https://www.blog.google/technology/ads/update-our-political-ads-policy/>

⁷⁴ Proposed by “Zucked,” by Roger McNamee

⁷⁵ Fighting Fake News, Workshop Report, *hosted by* The Information Society Project, The Floyd Abrams Institute for Freedom of Expression (2017)

⁷⁶ <https://www.bloomberg.com/opinion/articles/2019-09-20/fec-paralyzed-by-vacancies-as-2020-presidential-election-nears>

⁷⁷ <https://www.theatlantic.com/magazine/archive/2019/12/better-angels-can-this-union-be-saved/600775/>

⁷⁸ “Campaign Finance Reform a Tea Party Issue,” Sgonsalves-brown, Public Campaign (6/20/2014):

<http://www.publiccampaign.org/blog/2014/06/20/campaign-finance-reform-tea-party-issue>; “The Tea Party is putting a conservative spin on progressive campaign finance ideas,” Jon Green, America Blog (6/11/2015):

<http://americablog.com/2015/06/tea-party-putting-conservative-spin-progressive-campaign-finance-ideas.html>

⁷⁹ “Charles Koch: This is the one issue where Bernie Sanders is right,” Charles Koch, Washington Post, Opinion (2/18/2016): https://www.washingtonpost.com/opinions/charles-koch-this-is-the-one-issue-where-bernie-sanders-is-right/2016/02/18/cdd2c228-d5c1-11e5-be55-2cc3c1e4b76b_story.html

⁸⁰ The Campaign Finance Center, Historical Stats; House Campaign Expenditures, 1974-2014* Nominal \$, Senate Campaign Expenditures, 1974-2014* Nominal \$: <http://www.cfinst.org/data/historicalstats.aspx>

⁸¹ “More than Combating Corruption: The Other Benefits of Public Financing,” Mimi Murray Digby Marziani, Adam Skaggs, Brennan Center for Justice, Oct. 7, 2011: <https://www.brennancenter.org/analysis/more-combating-corruption-other-benefits-public-financing>

⁸² “For freshman in Congress, focus is on raising money,” Tracy Jan, Boston Globe, May 12, 2013.

<https://www.bostonglobe.com/news/politics/2013/05/11/freshman-lawmakers-are-introduced-permanent-hunt-for-campaign-money/YQMMMoqCNxGKh2h0tOIF9H/story.html> ; “Call Time For Congress Shows How Fundraising Dominates Bleak Work Life,” Ryan Grim & Sabrina Siddiqui, Politics, Huffington Post (Jan. 8, 2013):

http://www.huffingtonpost.com/2013/01/08/call-time-congressional-fundraising_n_2427291.html

⁸³ *Citizens United v. Federal Election Commission*, No. 08-205, 558 U.S. 310 (2010).

⁸⁴ “Are members of Congress becoming telemarketers?” Norah O'Donnell, 60 Minutes (April 24, 2016):

<http://www.cbsnews.com/news/60-minutes-are-members-of-congress-becoming-telemarketers/>

- ⁸⁵ “People hate Congress. But most incumbents get re-elected. What gives?,” Chris Cillizza, The Washington Post (May 9, 2013): <https://www.washingtonpost.com/news/the-fix/wp/2013/05/09/people-hate-congress-but-most-incumbents-get-re-elected-what-gives/>
- ⁸⁶ “NRA took hard right after leadership coup,” Adam Winkler, San Francisco Chronicle (July 27, 2012): <http://m.sfgate.com/opinion/article/NRA-took-hard-right-after-leadership-coup-3741640.php>
- ⁸⁷ <https://fortune.com/2019/08/13/gun-control-law-mass-shooting/>
- ⁸⁸ “Strong Majority of Americans, NRA Members Back Gun Control,” Seth Cline, US News and World Report (Jan. 28, 2013): <http://www.usnews.com/news/articles/2013/01/28/strong-majority-of-americans-nra-members-back-gun-control>
- ⁸⁹ “Labor has found a Democrat to punish on trade,” Edward-Isaac Dove, Politico (May 31, 2015): <http://www.politico.com/story/2015/05/labor-targets-ami-bera-as-warning-shot-on-trade-118468>
- ⁹⁰ “Club for Growth,” Sourcewatch.com (Sept. 23, 2015): http://www.sourcewatch.org/index.php/Club_for_Growth
- ⁹¹ “Teachers union helped unseat Fenty,” Ben Smith, Politico (Sept. 15, 2010): <http://www.politico.com/blogs/ben-smith/2010/09/teachers-union-helped-unseat-fenty-029264>
- ⁹² “Strong Majority of Americans, NRA Members Back Gun Control,” Seth Cline, US News and World Report (Jan. 28, 2013): <http://www.usnews.com/news/articles/2013/01/28/strong-majority-of-americans-nra-members-back-gun-control>
- ⁹³ Most of the lawsuits under the California Environmental Quality Act have been NIMBY (Not In My Back Yard) suits targeting urban infill projects and transit projects, not urban sprawl, driving up the cost of housing. See “In the Name of the Environment: Litigation Abuse Under CEQA,” Jennifer L. Hernandez, David Friedman, Stephanie M. DeHerrera (Aug. 2015): <https://www.hklaw.com/publications/In-the-Name-of-the-Environment-Litigation-Abuse-Under-CEQA-August-2015/>
- ⁹⁴ https://en.wikipedia.org/wiki/Campaign_finance_reform_in_the_United_States
- ⁹⁵ “Types of Advocacy Groups,” Opensecrets.org: <https://www.opensecrets.org/527s/types.php>
- ⁹⁶ “WHY COMPETITION IN THE POLITICS INDUSTRY IS FAILING AMERICA - A strategy for reinvigorating our democracy,” p. 49, Katherine M. Gehl and Michael E. Porter, Harvard Business School (Sept. 2017) <https://www.hbs.edu/competitiveness/research/Pages/research-details.aspx?rid=84>
- ⁹⁷ <https://apnews.com/b3ead0614b664bd89fbc1c8c19c42131> There is a wide variation, with California near the high end - \$1.1 million for the state Senate, \$837,000 for the Assembly. <https://www.kqed.org/news/10574253/the-cost-of-a-seat-california-legislators-raise-more-than-1000-a-day>
- ⁹⁸ <https://www.nbcnews.com/politics/elections/koch-brothers-key-funding-assault-campaign-finance-regulation-n820671>
- ⁹⁹ <https://www.nytimes.com/2019/04/29/nyregion/unions-public-financing-elections.html>
- ¹⁰⁰ 2012: “FEC: \$7B spent on 2012 campaign,” Tarini Parti, Politico (01/31/13): <http://www.politico.com/story/2013/01/7-billion-spent-on-2012-campaign-fec-says-087051> ; 2016: <https://www.washingtonpost.com/news/wonk/wp/2017/04/14/somebody-just-put-a-price-tag-on-the-2016-election-its-a-doozy/>
- ¹⁰¹ <https://carleton.ca/sppa/wp-content/uploads/Mirror-Mirror-Medicare-Part-D-Released.pdf>
- ¹⁰² “Offshore Tax Havens Cost Average Taxpayer \$1,259 a Year, Small Businesses \$3,923,” Dan Smith, U.S. PIRG The Federation of State PIRGS (April 15, 2014): <http://www.uspirg.org/news/usp/offshore-tax-havens-cost-average-taxpayer-1259-year-small-businesses-3923>; “Corporate Welfare in the Federal Budget,” Tad DeHaven, Cato Institute (July 25, 2012): <http://www.cato.org/publications/policy-analysis/corporate-welfare-federal-budget>
- ¹⁰³ <https://techcrunch.com/2019/11/04/how-europe-overtook-the-u-s-in-championing-free-markets/>
- ¹⁰⁴ An example of a politician who benefited from public funding is Ronald Reagan, who was otherwise virtually out of money in his 1st, unsuccessful bid for president against Gerald Ford, where he gained prominence and set up his later successful run.
- ¹⁰⁵ https://www.opensecrets.org/news/reports/citizens_united.php
- ¹⁰⁶ http://en.wikipedia.org/wiki/History_of_lobbying_in_the_United_States
- ¹⁰⁷ “Lobbying Database,” OpenSecrets.org: <https://www.opensecrets.org/lobby/>
- ¹⁰⁸ “Astroturf,” Sourcewatch.com: <http://www.sourcewatch.org/index.php/Astroturf>; Read more : http://www.ehow.com/facts_5017251_definition-astroturf-lobbying.html
- ¹⁰⁹ “ANALYSIS: When a Congressman Becomes a Lobbyist, He Gets a 1,452% Raise (on Average),” Lee Fang, Republic Report (March 14, 2012). <http://www.republicreport.org/2012/make-it-rain-revolving-door/> See also “ANALYSIS: When a Congressman Becomes a Lobbyist, He Gets a 1,452% Raise (on Average), ... Being a

Congressman is like being an intern for lobbying.” <http://investmentwatchblog.com/analysis-when-a-congressman-becomes-a-lobbyist-he-gets-a-1452-raise-on-average-being-a-congressman-is-like-being-an-intern-for-lobbying/>

¹¹⁰ “Half of Retiring Senators Become Lobbyists, Up 1,500% in 40 Years,” Mike Flynn, Breitbart.com (July 29, 2013): <http://www.breitbart.com/big-government/2013/07/29/half-of-retiring-senators-become-lobbyists-up-1500-in-40-years/>

¹¹¹ See “Campaign Contributions vs. Lobbying Expenses,” Timothy Taylor, Conversable Economist (Sept. 4, 2012): <http://conversableeconomist.blogspot.com/2012/09/campaign-contributions-vs-lobbying.html>; see also “Wall Street’s Campaign Contributions and Lobbyist Expenditures,” Center for Responsive Politics, SourceWatch.com: <http://wallstreetwatch.org/reports/part2.pdf>

¹¹² “Under The Influence,” Steve Kroft, 60 Minutes, CBS News (March 29, 2007): <http://www.cbsnews.com/news/under-the-influence/>

¹¹³ “The unstoppable rise in lobbying by American business is bad for business itself,” Schumpeter, The Economist (June 13, 2015): <http://www.economist.com/news/business/21654067-unstoppable-rise-lobbying-american-business-bad-business-itself-washington>

¹¹⁴ https://en.wikipedia.org/wiki/Medicare_Part_D

¹¹⁵ “The Top 10 lobbying victories of 2010,” Kevin Bogardus, The Hill (Dec. 15, 2010): <http://thehill.com/business-a-lobbying/133691-the-top-10-lobbying-victories-of-2010>

¹¹⁶ *Id.*, <http://thehill.com/business-a-lobbying/133691-the-top-10-lobbying-victories-of-2010>

¹¹⁷ “The Cost of Cancer Drugs,” Lesley Stahl, 60 Minutes (June 21, 2015): <http://www.cbsnews.com/news/cost-of-cancer-drugs-60-minutes-lesley-stahl-health-care/>

¹¹⁸ “Politics and Defense Capabilities,” Maj. Brian R. Davis, USMC, Strategic Studies Quarterly, Fall 2014: http://www.au.af.mil/au/ssq/digital/pdf/fall_2014/Davis.pdf

¹¹⁹ “Politics and Defense Capabilities,” Maj. Brian R. Davis, USMC, Strategic Studies Quarterly, Fall 2014, pp. 102-107: http://www.au.af.mil/au/ssq/digital/pdf/fall_2014/Davis.pdf

¹¹⁹ “Cost to fire a tenured teacher? More than \$219,000,” Scott Reeder, The Hidden Costs of Tenure, An investigative report by Small Newspaper Group (2005): <http://thehiddencostsoftenure.com/stories/?prcss=display&id=295712>

¹²⁰ “Charles Koch: This is the one issue where Bernie Sanders is right,” Charles Koch, Washington Post, Opinion (2/18/2016): https://www.washingtonpost.com/opinions/charles-koch-this-is-the-one-issue-where-bernie-sanders-is-right/2016/02/18/cdd2c228-d5c1-11e5-be55-2cc3c1e4b76b_story.html

¹²¹ If you think about it and apply a little common sense, there are basically two types of investments. One is venture capital and companies buying machinery and other capital goods to expand, which does lift the economy. The other is simply the buying and selling of stocks and real estate. Other than venture capital and the Initial Public Offering (IPO) where the company is raising money, none of that money for stock sales goes to the company to invest in machinery, people, etc. It is simply money changing hands between investors. The vast majority of capital gains relate to the sale of real estate and stock in well-established companies, not venture capital. That doesn’t stimulate anything other than the stock market prices and real estate prices. The result? 95% of the benefit of lower capital gains and dividends taxes goes to those making over \$200,000 per year (see Appendix I).

¹²² “The Misguided Crusade to Kill the Estate Tax,” Chad Stone, US News & World Report (March 27, 2015): <http://www.usnews.com/opinion/economic-intelligence/2015/03/27/facts-dont-back-estate-tax-repeal>; see also “Pro-McConnell group says the estate tax makes it hard for family farms to survive,” Steve Contorno, Politifact (April 3, 2014): <http://www.politifact.com/truth-o-meter/statements/2014/apr/03/kentucky-opportunity-coalition/pro-mcconnell-group-says-estate-tax-makes-it-hard/>

¹²³ Article I, section 9, clause 7 states that “No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of Receipts and ,” Expenditures of all public Money shall be published from time to time.”

¹²⁴ See: “The Long Story of U.S. Debt, From 1790 to 2011, in 1 Little Chart,” Matt Phillips, The Atlantic, Nov. 13, 2012): <http://www.theatlantic.com/business/archive/2012/11/the-long-story-of-us-debt-from-1790-to-2011-in-1-little-chart/265185/>

¹²⁵ <https://www.macrotrends.net/1381/debt-to-gdp-ratio-historical-chart>

¹²⁶ <https://tradingeconomics.com/united-states/government-debt-to-gdp> Only 3 G20 countries have a higher debt/GDP ratio, Japan, Italy and Singapore.

¹²⁷ <https://markets.businessinsider.com/news/stocks/us-economy-expansion-is-now-the-longest-in-history-2019-7-1028325678>

¹²⁸ <https://www.pewresearch.org/fact-tank/2019/07/24/facts-about-the-national-debt/>

¹²⁹ <https://www.nationalreview.com/2017/07/bipartisan-compromise-spending-cuts-tax-hikes-republicans-democrats-right-left-grand-bargain-no-more/>

¹³⁰ “The Ultimate Guide to the 2020 Election – 101 nonpartisan solutions to all the issues that matter,” Ryan Clancy and Margaret White, No Labels, Kindle Edition locations 1779-1832 (Diversion Books, 2019).

¹³¹ “Why we need accrual accounting in Washington,” By former Rep. Joseph J. DioGuardi, The Hill (9/13/2013): <http://thehill.com/blogs/congress-blog/economy-a-budget/322139-why-we-need-accrual-accounting-in-washington>

¹³² “How Smart Fiscal Rules Keep Sweden's Budget in Balance,” Ed Dolan, Business Insider (Aug. 1, 2011): <http://www.businessinsider.com/how-smart-fiscal-rules-keep-swedens-budget-in-balance-2011-8>

¹³³ “The Ultimate Guide to the 2020 Election – 101 nonpartisan solutions to all the issues that matter,” Ryan Clancy and Margaret White, No Labels, Kindle Edition locations 1856-1894 (Diversion Books, 2019).