

# Subverting Democracy Through Electoral Fraud

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In America and elsewhere, electoral fraud isn't new nor should anyone be surprised it occurs. But as technology improves, so are better ways found to pre-arrange outcomes. It's easier than ever today so more time, effort, money and other resources are earmarked for it. The result:

- elections and their run-up are mere kabuki theater; the major media and PR industry play the lead role; everything is pre-scripted;
- secrecy and back room deals substitute for a free, fair and open process;
- candidates are pre-selected;
- big money owns them;
- key outcomes are predetermined;
- both major parties share fault;
- partisan politics serve the privileged;
- they get the best democracy money can buy;
- elections give them cover;
- independents are shut out;
- the media ignore them;
- issues are unaddressed; horse race journalism and trivia substitute;
- voter disenfranchisement is rife; many are peremptorily stricken from the rolls; others are intimidated not to vote or are deterred by various illegal practices;
- a little known one is called "vote caging;" it's to suppress minority voters by delisting them if they fail to answer "do not forward" registered mail sent to homes they're not living at - because they're at school, in the military, or away for other reasons;
- 4.5 million or more Americans can't vote because of past criminal records, or they're currently part of the largest prison population in the world at 2.3 million; mostly black and Latino; and increasing by around 1000 a week;
- half of eligible voters opt out because their interests go unaddressed;

— elections are privatized; touchscreen electronic machines do our voting; 80% of all 2004 votes were cast and counted on corporate-owned, programmed, and operated ones with no receipts for verification and no vetting of their “trade secret” software; computer professionals know these machines are notoriously easy to manipulate – to erase votes, make ones for one candidate show up for another, go dead and be inoperable, or control an entire computer network through one machine and be able to change, add or erase votes easily;

— Stephen Spoonamore is a self-described “life-long Republican” and one of the world’s leading cyber crime experts; from a just released October 2006 interview, he explains how the “structures” of Diebold’s machines are inherently flawed and what he considers “IT junk;” regarding the 2000 and 2004 elections, he says: “There is a very strong argument (that they were) electronically stolen, the hanging chads were just a distraction....I think (Diebold machines) are brilliantly designed....to steal elections;” so

— losers are declared winners, and not just for president; as a result, the electoral process assures people lose out, or put another way – operatively, democracy in America is pure fantasy.

Calling it corrupted and needing repair barely explains things. We have a two-party duopoly. Democrats are interchangeable with Republicans. Differences between them are minor. Not a dime’s worth to matter. Both sides support corporate interests, imperial designs, aggressive wars, and the divine right of capital to exploit workers, gain new markets, control the world’s resources, and rule it without challenge. Unconsidered – beneficial social change and real electoral democracy with every US citizen 18 or older eligible to vote as the Twenty Sixth Amendment allows.

### Constitutionally Flawed by Design

Ferdinand Lundberg separated myth from reality in his critically important book titled “Cracks in the Constitution.” It masterfully deconstructs what he called “no masterpiece of political architecture,” no “Rock of Ages,” and “the great totempole of American society” that, in fact, is deeply flawed. Duplicitous “wheeler-dealer” politicians and their cronies (what today we call “a Wall Street crowd”) created it for their own self-interest with no consideration whatever for the greater good. “We the people” were nowhere in sight even in the Bill of Rights that was enacted through compromise and solely to benefit wealthy property owners who wanted its protections.

From the beginning, privilege counted most in America, and it’s codified in our most sacred document. It was designed (in Michael Parenti’s words to) “resist the pressure of popular tides (and protect) a rising bourgeoisie’s (freedom to) invest, speculate, trade, and accumulate wealth” the same way things work today. It was so the country could be run the way politician, jurist and first Chief Supreme Court Justice, John Jay, said it should be – for and by “The people who own” it for their self-interest. And to appear nominally democratic “for the defense of the rich against the poor,” according to Adam Smith.

Consider voting rights alone that are reviewed below in detail. The Constitution granted our most fundamental right – what Tom Paine called “the primary right by which all other rights are protected” – to privileged adult white male property owners only – around 15% of the population at the time. Native Americans were being exterminated. Blacks were commodities. Women were just childbearing and homemaking appendages of their

husbands, and common ordinary folks were to have no say about how the country should be run.

Over time, constitutional and legislative changes as well as High Court rulings opened the process to everyone 18 or older and allowed states the right to enfranchise younger voters at their discretion. Yet today the system is deeply flawed. Large numbers of eligible voters opt out or are excluded, and a host of ways shut out poor minorities most likely to vote the “wrong” way if they’re enfranchised – so they’re not.

Even though the Constitution, Amendments, other laws and High Court rulings prohibit voting discrimination, violations, in fact, are common and abusive. In addition, no law ensures the universal right to vote under one uniform standard the way it is in most countries. States instead can set their own procedures and norms as long as they set don’t conflict with federal laws, but this created a patchwork of 50 different systems no democracy should tolerate.

### Proportional Representation v. Winner-Take-All

Most democracies have proportionally representative (PR) government unlike America’s winner-take-all system. PR fairly represents all voters and all political parties or groups proportionally to their electoral strength. Thus if candidates from one party win 30% of the votes, they get 30% of legislative seats so that government represents all segments of society, not a privileged minority the way it works under winner-take-all. It awards 100% of power to a 50.1% majority. Effectively shuts out the other 49.9%, and ends up woefully undemocratic. Combined with a two party duopoly, the power of money, privatized electronic voting, purged unwanted voters, and various other schemes it becomes a process only despots would love and envy because they have no equivalently matching system.

### The Electoral College

It’s another systemic flaw, but the term isn’t in the Constitution. And until the early 1800s, it wasn’t in common usage to describe the way presidents and vice-presidents are elected. However, Article II, Section 1, Clause 2 states:

“Each state shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.”

Article II, Section 1, Clause 3 then explained the original way electors chose presidents and vice-presidents: “The Person having the greatest Number of Votes shall be the President....after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President.” Today, of course, there’s no separation between the two.

The Framers considered several options in choosing the current one, but clearly their own self-interest came first. One idea was for Congress to choose the president. Another was for state legislatures to do it, and a third was to let the people decide by popular vote. The Founders chose a fourth way – an indirect election by each state’s-appointed Number of Electors. Nearly always they support voter wishes, but they’re free to vote independently if they choose. In the nation’s history, 157 electors did so and went against the will of the

majority.

Critics cite many concerns about the Electoral College:

— it's fundamentally undemocratic in cases where popular vote totals exceed the Electoral College count; case in point - Bush v. Gore in 2000, but there were other examples earlier in 1888, 1876 and 1824 as explained below. In 1800 as well before the 12th Amendment required electors to cast two separate votes - one for president and the other for vice-president, but the idea today is to do it for members of the same party;

— also at issue is whether large or small states gain advantage from the current system; small ones do in having a proportionally large number of electors for their populations; however, large states, by their size, have more electoral votes and thus more influence; it takes lots of small states to equal one California, New York or Texas;

— if no candidate gets a majority of electoral votes, the House chooses the president, the Senate the vice-president, and the public is left out entirely;

— the Electoral College system reinforces a two-party duopoly and shuts out independent opposition; they get unequal exposure, and most voters won't support candidates who can't win; and

— 16 times since the Electoral College's founding (2000 being the most recent), winning presidential candidates won a minority of votes; under a winner-take-all no runoff system, there's no way to know if the public's favorite was elected, especially in close races; even worse, when half the electorate opts out, a majority win can be with as little as 25.1% of eligible voters.

#### Earlier Examples of Electoral Fraud

Much analysis went into showing how the 2000 and 2004 presidential elections were stolen. More on them below, but first some earlier examples.

One was the 1824 election known as the "Corrupt Bargain." Four major candidates were involved - all from the same Democratic-Republican party, today's Democrats:

— Secretary of the Treasury William Crawford - President James Monroe's favorite;

— Speaker of the House Henry Clay;

— Andrew Jackson - a former general and Tennessee senator later elected the nation's seventh president in 1828; and

— John Quincy Adams - son of John Adams, the nation's second president.

When votes of the 24 states were tallied, no winner emerged. Jackson led with 42%. Adams trailed with 32%, and Clay and Crawford had 13% each. In the electoral count, Jackson had 99, 32 short of a majority. Adams trailed with 84, Crawford 41 and Clay 37. Under the 12th Amendment, it fell to the House to choose a winner from the top three, so in the run-up to the March inauguration day, lobbying and back room bargaining were furious. In the process, Clay won over western states for Adams even though they voted solidly for Jackson. He even got his own Kentucky home state's votes where Adams was entirely shut

out.

On February 9, 1825, the House met to vote, and after a month of hard-bargaining, Adams took 13 states or the exact minimum he needed to win. Jackson got 7 and Crawford 4. The House galleries were outraged and with good reason. Deal-makers won out, not voters, and three days later Adams rewarded Clay by nominating him for Secretary of State. Jackson supporters were furious, and Clay was dogged for the rest of his life with charges of having struck a “corrupt bargain.”

The 1876 election was even worse because of its fallout. Democrat Samuel Tilden got today’s equivalent of two million more votes than Republican Rutherford B. Hayes. But in all presidential elections, electoral college votes are decisive. With 20 disputed votes uncounted, Tilden led 184 to 165 so a House committee got to decide. It secretly struck a deal, called the “bargain of 1877,” to abandon Reconstruction and sell out freed blacks:

- Democrats controlled the House;
- they agreed not to obstruct Hayes’ election even though he lost;
- Hayes, in turn, agreed to recognize Democrat control of the disputed southern states;
- railroad interests got federal aid; and
- former slaves were to be guaranteed their rights, but southern Democrats reneged; the era of Jim Crow, segregation, lynchings, and disenfranchisement began and didn’t end until the 1960s civil rights legislation - but not entirely, and today Voting Rights Act provisions no longer protect.

Another example was Lyndon Johnson’s 1948 senatorial primary win - the most blatant example of electoral theft in US history according to some observers. Historian Robert Caro is one of them. He documented it in the second of his planned four-volume study of our 36th President. He noted that ballot fraud was common in parts of Texas at the time, then went into great detail to show how Johnson miraculously overcame a 20,000 vote deficit to pull out an 87 vote victory. In Caro’s words: it wasn’t “the only election....ever stolen, but there was never such brazen thievery.” The Texas Democrat Party’s executive committee upheld the win by a 29 to 28 vote, and Johnson went on to defeat his Republican rival in the general election.

But there was more. The primary result was so disputed that a Federal District Court ordered Johnson’s name off the ballot pending an investigation. Supreme Court Justice Hugo Black, however, voided the order on a petition from Johnson’s chief lawyer, Abe Fortas. In 1965 as President, Johnson rewarded Fortas by appointing him to the High Court where he served for four years, then resigned under pressure for having accepted a secret \$20,000 a year retainer from a Wall Street financier in return for unspecified advice. No mention was made of how he helped launch Johnson’s senatorial career that made him Majority Leader, Vice-President and then President.

Another example involved partisan gerrymandering, not outright fraud, but in the end little different. The process is a form of redistricting that goes back to Elbridge Gerry (one of the Founding Fathers) who as Massachusetts governor in 1812 signed a bill into law that redistricted the state to benefit his Democratic-Republican party, today’s Democrats.

States may redistrict legislative district boundaries to reflect decennial census population changes. But individual ones have latitude under their own standards provided they comply with federal requirements. In addition, municipal governments elected on a district basis, as opposed to at large, go through the same process. Criteria may allow for compact, contiguous districts, keeping political units and communities within a single one, and not drawing boundaries for partisan advantage or incumbent protection. All too often, however, one-party dominated legislatures abuse the process, and in 2003 it happened notoriously in Texas under Tom DeLay's leadership.

As Republican Majority Leader, he engineered a virtual coup d'état against Democrats in his home state – one of the most outlandish examples of gerrymandering ever. It gave Republicans more control. They elected additional members to Congress, and thus got a greater majority in Washington.

The essential rules are to redistrict every decade, but DeLay took advantage of Texas law that contains no prohibition against doing it mid-decade. Democrats challenged his action. Took it to the Supreme Court, and on June 28, 2006 the High Court upheld most of what he designed. It rejected Democrat's contention that the Texas plan was unconstitutional because the legislature redistricted three years after the 2000 census solely to advantage Republicans when they had a voting majority to do it.

Ahead of the Court ruling, Columbia Law School Professor Samuel Issacharoff referred to “a sense of embarrassment about what happened in American politics. The rules of decorum have fallen apart. Voters no longer choose members of the House; the people who draw the lines do,” and when they rig the process democracy becomes fantasy.

That characterized the South post-Reconstruction when Jim Crow laws stripped blacks of their voting rights and gave regional Democrats decades of one-party rule. Then recall the 1960 presidential election that Kennedy won over Nixon in spite of charges of fraud and vote buying. The race was close with Kennedy getting 113,000 more votes than Nixon, and his 303 – 219 electoral vote margin masked the fact that key states like Texas, Illinois and others could have gone either way.

As mayor, Richard J. Daley controlled Chicago politics, and it was widely believed that he turned an election eve Nixon lead into a Kennedy win by holding back a large number of precinct results that coincidentally reported later at the same time for Kennedy. After his inauguration, the DOJ conducted an “inconclusive” investigation. As Attorney General, Bobby Kennedy was in charge at the time.

#### A Brief History of US Voting Rights

— the 1787 Constitution and 1791 Bill of Rights gave only adult white male property owners (around 15% of the population) the franchise in most states; excluded were men with no property, women, slaves, some free black men, Native Americans, apprentices, laborers, felons and persons considered incompetent for whatever reasons;

— in 1810, the last religious prerequisite was eliminated;

— in 1850, property ownership and tax requirements no longer applied;

— in 1855, Connecticut adopted the first literacy test for voting; Massachusetts followed in

1857; Mississippi and other southern states did as well;

— in 1870, the 15th Amendment gave freed slaves and adult males of all races the right to vote;

— in 1889, Florida adopted a poll tax; 10 other southern states followed;

— in 1913, the 17th Amendment allowed voters to elect senators; previously, state legislatures did it;

— in *Guinn v. United* (1915), the Supreme Court ruled that grandfather clause exemptions to literacy tests violated the 15th Amendment and were unconstitutional;

— in 1920, the 19th Amendment gave women the franchise;

— in 1924, the Indian Citizenship Act granted all Native Americans citizenship, including the right to vote in federal elections;

— in *Smith v. Allwright* (1944), the Supreme Court ruled that all white primaries were unconstitutional;

— in 1957, the first voting rights bill since Reconstruction passed – the Civil Rights Act of 1957; because of Democrat opposition, it was largely ineffective;

— in *Gormillion v. Lightfoot* (1960), the Supreme Court ruled that a gerrymandered Alabama district unconstitutionally disenfranchised blacks;

— in 1961, the 23rd Amendment let District of Columbia voters participate in presidential elections; it didn't grant statehood or allow representation in Congress;

— in 1964, the 24th Amendment banned poll taxes in federal elections;

— in 1965, the Voting Rights Act protected minority voter rights and banned literacy test requirements;

— in *Harper v. Virginia Board of Elections* (1966), the Supreme Court banned poll taxes in all elections; the same year, it upheld the Voting Rights Act in *South Carolina v. Katzenbach*;

— in 1970, the Voting Rights Act renewal banned literacy requirements for five years; at the time, 18 states still had them; in *Oregon v. Mitchell*, the Court upheld the ban, made permanent in 1975;

— in 1971, the 26th Amendment standardized the minimum voting age at 18 but let states enfranchise younger voters;

— in *Dunn v. Blumstein* (1972), the Supreme Court ruled that lengthy residence requirements of over 30 – 50 days prior to state and local elections were unconstitutional;

— in 1995, federal “motor voter laws” let prospective voters register when they obtain or renew a driver's license; and

— in 2003, the Federal Voting Standards and Procedures Act required states to streamline registration, voting, and other election procedures.

## Bush v. Gore in Election 2000

On December 12, the Supreme Court hijacked Election 2000 by deciding for George Bush after three days earlier halting the Florida recount on the spurious grounds that it violated the 14th Amendment's equal protection clause. It was the first time ever in US history that the High Court reversed a popular vote (5 - 4) to install its own preferred candidate - and the public has paid dearly ever since.

The High Court settled an election that was deeply flawed and rigged to elect George Bush. The Supreme Court then affirmed it by cutting off debate - most visibly in Florida. For its part, the media cheered the process and wholeheartedly approved. They, too, got their man in Washington and rallied around him ever since. More on that below.

Election 2000 was rife with fraud, but its outcome hinged on how Florida went. Investigative journalist Greg Palast (and others) uncovered gross irregularities. He documented them in running reports, and published a full account in his 2002 book "The Best Democracy Money Can Buy." He got hold of two CD-ROM disks "right out of the computer offices of Florida Secretary of State Katherine Harris" with an evidentiary database of electoral fraud.

In the run-up to November 2000, Harris, "in coordination with Governor Jeb Bush," ordered 57,700 mostly poor African Americans and Latinos (likely to vote Democratic) removed from voter registries for having been "identified" as ex-felons and thus ineligible to vote under state law. Palast called it as "The Great Florida Ex-Con Game" and cited the use of "scrub lists." Two of them comprised nearly 1% of Florida's electorate and almost 3% of its black voters. They were compiled by the DBT Online subsidiary of Atlanta-based Choicepoint, a company with close Republican ties - much the way Diebold is with electronic voting machines.

On close examination, extensive inaccuracies were found in its work:

- Floridians were purged (without verification) because their names, gender, birthplace and race matched countless ex-felons who show up multiple times in state phone directories - like "David Butler" with 77 listings;
- alleged crimes were listed as committed in future years; and
- ex-felons of other states were removed whose voting rights were restored.

Choicepoint vice-president Martin Fagan later admitted that at least 8000 names were incorrectly listed and removed from voter rolls prior to the election. He also said accuracy checks weren't conducted. That's for users, like the state of Florida, to do.

On April 17, 2000, at a special Atlanta congressional hearing, Choicepoint vice-president James Lee testified that Florida officials told DBT to purge names matching 80% of ones believed to be ineligible. Acceptable procedure allowed dropping middle initials and suffixes and adding nicknames and aliases. In addition, names could be reversed so Thomas Lee could be removed instead of Lee Thomas.

On February 16, 2001, before the US Civil Rights Commission, Choicepoint senior vice-president George Bruder testified that the company misinformed Florida Supervisors of Elections officials on the issue of race in compiling purge lists. It got Palast to conclude that "An African-American felon named John Doe might wipe out the registration of an innocent



African-American Will Whiting, but not the rights of an innocent Caucasian Will Whiting.”

Under orders from Jeb Bush, various other obstructive practices took place before and on election day:

- ballot boxes in African-American districts were missing and uncounted;
- in black precincts, state troopers (near polling sites) intimidated and delayed voters for hours by searching cars and setting up roadblocks;
- some precincts asked for two photo IDs; Florida law requires only one;
- African-American students at schools like Florida A&M signed up in force as first-time voters but faced obstructions at polling stations; they were turned away because they couldn't show a registration card or drivers license; but Florida law lets eligible residents sign an affidavit (not provided) and swear they hadn't voted;
- other practices were also revealed - solely in minority districts: voters were turned away and directed to vote elsewhere; they were never mailed registration cards; and they were told they showed up too late and polls were closed;
- in minority districts, requested absentee ballots were never received; and
- alleged forged absentee ballots voted for George Bush.

The 1965 Voting Rights Act bans discriminatory practices that for decades disenfranchised blacks and other minorities. It prohibits states from imposing any “voting qualification or prerequisite to voting, or standard, practice, or procedure (that may) deny or abridge the right of any citizen of the United States to vote on account of race or color.” It established various federal oversight procedures for enforcement, but for Election 2000 it hardly mattered. In Florida, abuses were brazen, but Democrats ducked the issue. They ceded the state and election to George Bush even though their candidate Gore won, and by a comfortable margin.

On January 6, 2001, a joint session of Congress convened to count the Electoral College votes. In a final humiliation and despite 20 Democrat congressmen objecting, no party senator joined their colleagues to adjourn the session and have it reconvene for separate House and Senate votes as required by an 1887 law. With the Senate divided 50 - 50, Democrats controlled the body since Vice-President Gore had the deciding vote. Even he refused to intervene, but it wasn't surprising. On December 13, 2000, he conceded the election, the day after the Supreme Court awarded it to George Bush.

#### Bush v. Kerry in Election 2004

As bad as 2000 was, Election 2004 was worse because technology smoothed the way with electronic ease. Following the 2000 election, the Help America Vote Act (HAVA) passed in 2002 as the first ever comprehensive electoral law designed to facilitate fraud. Hailed as a major advance, it, in fact, corrupts the process because of how it's abused. It ushered in the age of privatized voting - on touchtone electronic machines owned, programmed, operated and controlled by giant corporations with close Republican ties. Today, over 80% of all votes are cast and counted this way. Most states require no verifiable paper receipts, so it's easy to manipulate pre-arranged outcomes, and not just for president.

A record 16.8 million new voters registered for Election 2004 – most according to surveys for Kerry making him a heavy favorite when George Bush’s approval rating hovered around 40%, and most voters believed the country was headed in the wrong direction. At the time, Zogby International reported that no president since Harry Truman won a second term with a below-50% rating. Yet (officially) Bush got 11.6 million more votes than in 2000 and beat Kerry by a comfortable three million margin. It was much closer in the Electoral College (286 – 251), and again Florida (and Ohio) made the difference.

As in 2000, extensive fraud explained things with Greg Palast again doing first-rate investigative work. So did activist, media critic and Professor of Media Ecology Mark Crispin Miller in his superb book “Fooled Again: The Real Case for Electoral Reform.” In 2007, it came out in paperback with 100 new pages for added insight into our electoral problems:

- it exposed denial in the progressive media – publications like The Nation, Mother Jones, TomPaine.com and Salon that saw “no evidence” of electoral fraud when the work of Miller, Palast and others exposed loads of it;
- it showed the 2006 elections were just as fraudulent at a time independent surveys indicated a huge Democrat sweep; yet they only gained 31 House seats for a majority and five in the Senate for a 49 – 49 tie along with two independents – Bernie Sanders allied with Democrats and Joe Lieberman with Republicans plus Vice-President Cheney as tie-breaker if needed;
- it documented how Ohio was stolen much like Florida in 2000 and again in 2004 with electronic voting machine ease plus an array of other practices that betray a rigged process – and that’s Miller’s purpose for his book: a plea for reform with practical ideas like banning electronic voting, returning to verifiable paper ballots, and placing civil servants in charge of elections, not partisan politicians or self-serving corporations. Short of that, future elections will be predictable. “The election of 2008 will be (like) 2004 – and a preview of 2012, 2016, 2020 and every ‘presidential race’ thereafter,” according to Miller. Who can disagree based on clear evidence since 2000 alone.

Post-election, Kerry told Miller he knew that Republicans stole the election and denied him the presidency. He then claimed he never said it, putting him strongly in the business as usual camp with electoral and other progressive reforms off the table. Miller called his response “an irrational refusal to confront, or even to perceive, a clear and present danger to American democracy.” Like Gore in 2000, he quit without a fight but didn’t wait as long to do it. He conceded on November 3, less than 24 hours after the previous day’s election.

Sourcewatch.org documented a sampling of some “deeply troubling” 2004 practices:

- the major media blackout (and too much of it from progressive sources);
- nearly half the six million American voters living or expected to be abroad never received requested absentee ballots, or got them too late; military personnel, likely to vote Republican, had no such problems;
- the Republican National Committee hired consulting firm Sproul & Associates to register voters in six battleground states; they reportedly refused to register Democrats;
- malfunctioning New Mexico voting machines wiped out 20,000 votes to let Bush carry the state by a 5988 margin;

— faulty voting equipment spoiled one million or more ballots; Greg Palast reported “over three million votes cast but never counted” broken down as follows:

(1) rejected provisional ballots (for registered voters unlisted on rolls) – 1,090,729;

(2) rejected spoiled ballots (ones malfunctioning machines didn’t count) – 1,389,231;

(3) uncounted absentee ballots (for minor technical reasons) – 526,420; and

(4) registered voters barred from voting (alleged ex-felons, blacks, Latinos, and others in Democrat counties) – no precise number known nationwide but it was easily in the hundreds of thousands.

Palast also reported that a US Census voter turnout announcement (seven months after the election) confirmed (in a footnote) that 3.4 million fewer votes were cast than the “official” Clerk of the House of Representatives tally – telling evidence of voter disenfranchisement.

Sourcewatch.org further reported:

— exit polls in 30 states deviated from final results by amounts far beyond margins of error; in all but four states, discrepancies favored Bush; it’s widely acknowledged that exit polling is the most reliable predictor of final results; not in 2004 with Ohio Exhibit A:

— tens of thousands of eligible voters were illegally purged from the rolls;

— Democrat registration cards weren’t processed;

— 357,000 voters, overwhelmingly Democrat, were prevented from voting or their votes weren’t counted; Bush’s Ohio “victory” margin was 118,599 – clear proof he lost and Kerry carried the state and the election;

— there were too few Democrat precincts, and they got fewer voting machines than Republican ones;

— as a result, people waited up to 12 hours to vote; some gave up and went home; others were denied and told they were at the wrong precinct;

— evidence that over 80,000 Kerry votes went for Bush, and most disturbing of all that

— one in every four Ohio registrants showing up to vote discovered they weren’t listed on the rolls because of Republican Secretary of State and co-chair of Bush’s re-election committee Kenneth Blackwell’s purging.

These and other practices were rampant in Ohio, Florida and around the country in key battleground and other states:

— the Republican National Committee’s Voter Outreach of America collected thousands of Nevada voter registration forms; Republican ones were turned in to public officials; those for Democrats were destroyed;

— too few voting machines were in Democrat precincts, and many of them malfunctioned or broke down; in Republican precincts, voting went smoothly;

- some Democrat precinct polling stations never opened; others opened late and closed early;
- Republican-funded agitators were deployed in key Democrat precincts; they intimidated voters with unfounded threats of imminent arrest for failure to pay child support, unpaid parking tickets, and other false accusations;
- key Republican counties recorded impossibly high turnouts - up to 98% and in some cases higher than the number of registered voters; in Democrat ones, the reverse was true - as low as 7%;

It showed democracy in America is pure fantasy, but you'd never know it from major media reports and too many others from sources that should know better.

#### How the Media Cover Presidential Politics

On all vital topics, major media sources produce a daily flow of disinformation masquerading as real news. It's their role as "Guardians of Power" the way Davids Cromwell and Edwards explained in their powerful critique of professional journalism. They and others show that the media are in crisis, and a free and open society is at risk. Trivia substitutes for substance and fiction for fact. News is carefully filtered, dissent suppressed, and supporting the powerful undermines the public interest.

As a result, wars of aggression are called liberating ones. Civil liberties are denied for our own good. Patriotism means supporting lawless governments, and electoral politics are just kabuki theater and horse race journalism. It shows up noticeably in presidential years as spectacle when saturation coverage goes round the clock. Horse race trivia substitutes for real information, and undisguised partisanship favors Republicans over Democrats mostly getting short shrift or attacked. No wonder the public is uninformed and half of eligible voters opt out. Why bother when their issues go addressed. Cases in point: Elections 2000 and 2004.

In the run-up to Election 2000, it was painful following the one-sided coverage for George Bush - especially on television and right-wing talk radio. But that paled compared to the unprecedented post-election partisanship to halt the Florida recount, ignore the popular will, support an electoral power grab, and back the illegitimacy of an unelected president. Working journalists became tools of power, apologists for their actions, and co-conspiratorially responsible for the outcome.

They cheered the dismantling of democracy. Supported George Bush's illegitimacy, and editorialized like The New Times about his "unusual gracious(ness)" post-election, his "hopeful (offer) of conciliation (and) Despite the bitterness of the last five weeks, and indeed the last year, Americans are ready to turn the page. George Walker Bush....must lead the way." The Washington Post noted that "Mr. Bush achieved his narrow victory in part by putting a softer face on his party - by his promise to be a uniter....We congratulate him on his 'victory.' "

Post-election, a consortium of large US news organizations (including The New York Times, Washington Post, CNN and others) enlisted the National Opinion Research Center (NORC) at the University of Chicago to conduct a Florida Ballot Project comprehensive review of all machine-uncounted ballots in Florida, including "undervotes" and "overvotes (175,000 in

total).” The former were ballots initially registering no vote while the latter were marked ballots for Bush or Gore with the candidate’s name also written in or circled.

On November 12, 2001 (10 months after Bush took office), they released NORC’s results in an attempt to suppress the truth and boost the administration’s legitimacy. Unsurprisingly, they showed that Bush would have won (Florida) by 493 votes even without the High Court’s intervention. They also claimed he’d have had a 225 vote margin if recounts in four disputed counties had been completed. The New York Times hailed the result as proof that the “Justices Did Not Cast the Deciding Vote,” and the other consortium members went along. But it was false, and they knew it.

Their own study showed that if all Florida “undervotes” and “overvotes” had been counted and added to the final tally, Gore would have won. This was so explosive that a New York Times journalist on the project reportedly told a colleague they’ll be “major trouble for the Bush presidency if this ever gets out.” But it didn’t because consortium member managements quashed it under heavy Bush administration pressure.

Yet not entirely. The NYT went both ways on November 12, but buried the bad news on a back page most readers never saw. Reporters Ford Fessenden and John Broder wrote: “A comprehensive review of the uncounted Florida ballots reveals that George W. Bush would have won even if the United States Supreme Court had allowed the statewide manual recount....to go forward.” Then further down they said: examination of all rejected ballots “found that Mr. Gore might have won if the courts had ordered a full statewide recount.” The Times also reported that Bush netted about 290 votes from illegally cast absentee ballots, and the consortium estimated that various disparities cost Gore tens of thousands of Florida votes compared to Bush’s narrow 537 victory margin. Nonetheless, they acquiesced to his power grab and share major responsibility for its fallout.

And it continued during the 2004 campaign, most notably in collaboration with the so-called Swift Boat Veterans for Truth. Despite their unfounded accusations about John Kerry, the media jumped on them. They left military records and eyewitness accounts unexamined that would have exposed them, and took the lead in spreading spurious disinformation a little checking would have debunked.

Back in 2000 as well as 2004, they also downplayed Bush’s Air National Guard record. His admission of abusing alcohol until age 40. Allegations of drug abuse. His explosive temper, and his unimpressive Yale and Harvard Business School records.

Also his dismal business performance, yet he made a fortune nonetheless. Oil exploration company Arbusto lost money but got millions from family-connected investors to keep it afloat. Then Spectrum 7 Energy bought Arbusto in 1984. In 1986, it was failing when oil prices collapsed. Harken Energy bought out Bush’s equity in exchange for company stock. A 1991 SEC document suggested he violated federal securities law at least four times by selling Harken stock while serving as a director. But GHW Bush was president. The case was quietly dropped, and the media never bothered to expose the kind of shenanigans they’d have jumped on against Democrats.

Nor in 2004 to highlight Bush’s early administration years that coincided with the biggest corporate scandals and bankruptcies since Teapot Dome in the 1920s. It’s no wonder that author Kevin Phillips expressed fears in his new book, “Bad Money: Reckless Finance, Failed Politics, and the Global Crisis of American Capitalism.” He’s worried that we may be on the

edge of the abyss because of “three profligate decades,” an orgy of excess under GW Bush, and though he’s not prone to predicting, he leans heavily on an unpleasant outcome. But you’d never know it from the way media touts protect Republicans, including the worst of the current incumbent’s record.

Well into Election 2008, Fairness & Accuracy in Reporting notes that the same 2000/2004 script is in play in its May/June and July/August issues. They feature stories about “The Press Corps’ Unshakeable Crush on McCain” and “Obama’s Elitism.” Here’s a sampling of what Professor Henry Higgins called “(quotes) that would make (an honest observer) blush.”

On McCain:

— MSNBC host Chris Mathews - “The press loves (him). We’re his base.”

— Newsweek’s Howard Fineman - “McCain(’s) as joyously combative as Popeye and as earnestly confessional as Oprah.”

— Charles Lane in the New Republic - “I’m falling for John McCain.”

— CBS 60 Minutes host Mike Wallace - so enamored with McCain that “I’m thinking I may quit my job if he gets the nomination.”

— CBS host Bob Schieffer - (McCain’s the) most famous maverick of the last half of the 20th century,”

— the Washington Post’s Dana Milbank - “He’s the bravest candidate in the presidential race. While his rivals pander to primary constituencies, the former prisoner of war gives audiences a piece of his mind.”

— Time magazine Michael Scherer - McCain’s nomination will transform the GOP and “shift its priorities on key domestic issues ranging from global warming to the cheap importation of prescription drugs. Does this sound too good to be true?” Not according to Scherer.

— The New York Times David Brooks - McCain is allergic to blind party discipline and builds radically different coalitions depending on his views on each issue.”

— The New York Times “liberal” columnist Frank Rich - “Barak Obama and Hillary Clinton should be ashamed of themselves for libeling John McCain,” in reference to their comments on McCain saying it’s “fine with me” if US troops stay in Iraq for 100 years.

— The Washington Post’s David Broder (on Meet the Press) after the Caucasus crisis erupted: this was “particularly a moment where John McCain can claim to have been prescient, because....he draws a very sharp line when it comes to Russia.” In contrast, “Obama’s basic message on foreign policy is it’s better to talk to our enemies than to get ready to fight them. And here’s a case where, clearly, talking did not dissuade Russia from this act of violence,” and

— the major media response to McCain’s choice of Sarah Palin as his running mate; pundits and reporters hailed it as proof of his “maverick” nature; reclaiming it; asserting it; recapturing it; a reference to a “maverick” choosing a “maverick;” and McCain returning “to the original John McCain.;" not a hint that it was done to placate the most extremists Republican elements.

On Obama:

At the start of his campaign, “whispers about his religious beliefs,” questions about his patriotism, and “Is he one of us” came up. Then there were days of controversy over Rev. Wright and whether Obama still belonged to his church. Back in 2000, it was Gore the exaggerator v. Bush the uniter and compassionate conservative. In 2004, it was Kerry’s “flip-flops,” his “distorted” war record, stiffness, unlikability and inability to “connect” with voters.

Now it’s Obama the elitist or snob with AP reporter Ron Fournier warning that he had “better watch his step (since he’s) bordering on arrogance (and) can be a little too cocky for his own good.” He and his wife “ooze entitlement.”

— MSNBC’s Chris Mathews (again) in an obvious racial slur - “the fact that’s he’s good at basketball doesn’t surprise anybody, but the fact that he’s terrible at bowling does make you wonder.” He also questioned Obama’s choice of beverage at an Indiana campaign stop; orange juice over coffee he called “weird.”

— the New York Times Maureen Dowd contrasted her just-plain folks upbringing with Obama’s “detached egghead quality.” She also characterizes him the way she went at Gore and Kerry by calling them “girlie men” and equating Democrats with “desperate housewives perceived as the party in skirts.”

— the New York Times David Brooks (again) - does Obama “really get the way we live? Voters want a president who shares their values and life experiences,” implying Obama doesn’t so why vote for him.

— numerous media outlets attacked Michelle Obama on not being patriotic, and CNN and others characterized her husband the same way and accused him of having a “cultish following.”

Slate’s John Dickerson has had enough of Obama’s euphoria - “Isn’t there a natural limit to our enthusiasm for this kind of sweeping phenomenon.”

— the Wall Street Journal’s Peggy Noonan called the Obamas self-centered “snobs” who can’t relate to “normal Americans.”

— The Weekly Standard’s Bill Kristol echoed the theme.

— Time.com’s Ana Marie Cox played up the liberal media bias by reporting that McCain’s camp is complaining that the media are being too easy on Obama.

— The National Review’s Lisa Schiffren argued that Obama’s mixed-race parents had communist leanings because back then that’s the only reason blacks and whites married.

— Accuracy in Media’s Cliff Kincaid - “Obama admitted (a) relationship with someone who was publicly identified as a member of the Communist Party USA.”

— CNN’s Carol Costello suggesting that an audience at an Obama rally was “a scene some increasingly find not inspirational, but creepy,” while the on-screen graphics read: “OBAMA-MANIA BACKLASH (and) PASSION CULT-LIKE TO SOME,” and

— commentators, reporters and pundits ranging from ABC’s Charles Gibson, MSNBC’s Chris Mathews, PBS News Hour’s Mark Shields, NPR’s Scott Simon, the Washington Post’s David Broder and others misrepresenting Obama’s pledge to take public financing when, in fact, they knew he made no such unconditional promise.

Sum it up and there’s no surprise about the media’s one-sided loyalty. Their bias for Republicans over Democrats, and their willingness to shape stories for their own self-interest. Regardless of the campaign’s outcome, reporting is deplorable because of today’s professional journalism. Media giants are dominant. Bottom-line considerations are primary, and what passes for news, information and campaign coverage is shaped by commercial considerations. Republicans are seen as more accommodative so full-court press coverage backs them. But if elections aren’t legitimate and working journalists aren’t for truth, what good are they? As “Guardians of Power” not much.

#### Electoral Reform – Reviving Democracy Depends on It

Democracy in America is pure fantasy. Electoral fraud is Exhibit A. Reviving the republic starts off with reforming how we elect public officials. Short of that, darker days are ahead. Lots of ideas are around, and here’s a few:

— enfranchise all US citizens automatically at birth (like in Venezuela) under one uniform national law for all elections – federal, state and local; do it by constitutional amendment if necessary;

— affirm one national minimum voting age; under the 26th Amendment it’s 18, but states have latitude to lower it;

— remove all prohibitions against voting, including for ex-felons and current inmates, most of whom are imprisoned for non-violent offenses such as illicit drug possession; the US is the only democracy that denies ex-felons the right to vote; overall it’s in the bottom rankings of world electoral democracy and with good reason;

— de-privatize elections; let only (federal, state and local) unelected civil servants run them under a nonpartisan election commission; keep politicians and business interests out of them;

— repeal the Help America Vote Act (HAVA) and expose its scheme to let private corporations run elections using easily rigged touchscreen electronic voting machines;

— prohibit electronic voting; mandate hand-counted (and easily verifiable) paper ballots for all elections – federal, state and local; by constitutional amendment if necessary to encompass other reform provisions;

— end the Electoral College for presidential elections – again by constitutional amendment; democracy means rule by the people; elections should be solely by popular vote;

— adopt proportionally representative governance in place of winner-take-all;

— move to instant runoff voting (IRV) under which voters rank candidates by order of preference; as many or as few as they wish with lower ranking ones not counting against higher ones; then count first choices; candidates with a majority of them win; otherwise, candidates with the fewest first choices are eliminated; votes for them then go for voters’



second choices; the process continues until one candidate gets a majority and wins, and there's no need for expensive and time-consuming second rounds when they're held;

— publicly fund elections and prohibit all private contributions; democracy can't work based on one dollar equals one vote;

— prohibit paid political advertising; require all broadcasters to allocate enough free time to all candidates ahead of elections as a requirement for using the public airwaves; begin weeks, not months, ahead of election day;

— prohibit computerized voter registries to eliminate the possibility of mysterious purging;

— prohibit gerrymandering practices; allow only decennial redistricting to account for population changes, not to work for partisan advantage or to favor incumbents;

— publicly fund independent exit polling and keep commercial interests out of it; allow no results to be released until all polling stations are closed nationwide;

— let international and independent observers monitor polling sites;

— make election day a federal holiday and require employers to allow enough time to vote with no docking of pay to do it.

These and other reforms will go a long way toward fixing a broken system. Rigged for the powerful, and returning the most fundamental of all democratic rights to the people - where it belongs. Short of that, darker times are ahead, as if they're not bad enough already.

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