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General Election Debates – Problems and Solutions¹

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Abstract

Pre-election debates are one of the most important steps in the electoral process – indeed, they serve an important public interest as they inform the American public about the issues of the day and offer a forum by which candidate proposed solutions may be heard. However, pre-election debates are led by moderators who generally do not have expertise in many of their key topic areas, such as law or judicial studies; and because of this, the propositions and arguments made by candidates in the pre-election time may be de-contextualized during debates such that the voting public may be misled in terms of the practicality of candidate positions. It is not unusual for individuals to unwittingly make propositions which insufficiently account for the confines of governmental structures, norms, and institutions in important ways. Likewise, it is not expectable for candidate to have absolute expertise in all areas of the debate, such as from health care to international law. This presents a real and pressing problem or issue for the quality of debates and democracy. It would be useful for pre-election debates to have additional facilitators present to provide basic factual and scientific information, as well to define key terms and principles relevant to American government and political life. Thus, given the current format of pre-election debates, this policy brief offers proposals to increase voter awareness and thus strengthen American democracy through amendments to the pre-election debate format for general elections.

Keywords: Democratization; General Elections; Pre-Election Debates; International Economics; Experts; Voter Awareness; Policy Proposals; Public Interest; Checks and Balances.

Introduction and Policy Problem

Pre-election debates reveal characteristics such as one's demeanor, vocabulary, and perspectives, and, because debates inform the American public about candidates' policy proposals (Fridkin and Gershon, 2020). This point is particularly sharp when considering the fact that numerous campaign promises were taken-up by the Trump administration via executive actions which ultimately collided with the system of checks and balances only to be overturned and therefore limited as a strategic policy tool. This is because the ability for presidents to displace Congress is evidently often influenced by the composition of Congress, the power of courts, and the interests of other stakeholders. However, such structural arrangements are at best backdrop factors in the context of pre-election debates, which means that any drawbacks of a relatively unapprised audience can only be compounded; in other words, the terms of the debate are not as accurate as they could be because the institutional features of American democracy are only insufficiently brought to the forefront

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through the current structure of debates and via the guidance of moderators. Yet at the same time, the importance and imprint of debates is well established (Benoit, 2013, Peifer & Holbert, 2013). Accordingly, I propose amending the format of pre-election debates through the addition of four types of actors, each which serve a particular function in terms of guiding the debate so to draw forth tough questions about the system of checks and balances and American democracy vis-à-vis proposals made. After that, this policy brief further suggests two technical amendments.

Solutions and Policy Proposals

The first modification involves bringing in a judicial actor to moderate questions, specific, for instance, to proposed executive action. Consider, for instance, the key presidential debates from the 2016 federal election cycle in which now President Trump articulated sweeping promises to the American public without regard for how such promises may occur once in office. President Trump claimed: “But if I win, I am going to instruct my attorney general to get a special prosecutor to look into your situation, because there has never been so many lies, so much deception. There has never been anything like it, and we're going to have a special prosecutor" (Krieg and Diaz, 2016). While it is clear that President Trump like others have tested the boundaries of the American political system, it was also clear then to legal scholars and other experts that there exists jurisprudence, democratic norms, and checks and balances generally which projectably could frustrate statements and ideas passed in debates. In this way, it is clear how the level of accuracy of debates is undermined, again leaving the voting public potentially, to some extent, misinformed. This means that despite promises made, the judiciary for one occupies an indispensable role which should be underscored during debates so that they are not taken out of context, that is out of the American political system.

While executive orders are a long-standing practice and at times serve as a highly controversial method for change, such executive action is also known to be stricken down by courts such as the case with President Trump’s attempt to maintain the basics of his order via a declaration of “national emergency.” This speaks to the second role for justices as moderators – that is to provide commentary and critical questions about the legality of candidate’s policy proposals. While a full-blown legal analysis would of course be beyond the scope of a debate, it is possible for preliminary remarks, constitutional rights, and general principles of law, to be verbalized during debates. This will enable critical thought on the part of voters, increase the threshold for comments made by candidates, and increase knowledge generally about law in the USA. It will become more difficult for candidates to make promises which are highly unrealistic or at least projected as legally problematic. Another function could be to explain how the appointment process of judges works, since future judicial

appoints are important voting issues. This is a feasible and low-cost endeavor; the justice(s) should be selected from the Supreme Court of the United States or at least an appeals court and the appointment made by a simple draw based off bipartisan recommendations.

The next actor should serve as a discussant and should have scholarly expertise, ideally in the field of political science. The purpose of this actor is to offer the lens of democratic theory by framing issues and asking questions in ways attentive to fundamental democratic percepts – that is American democracy. This serves at least three functions; first, it is useful for shedding light on how candidates themselves conceptualize and understand democratic governance and democratic society; second, it will enable the audience to learn about how their democracy may be influenced per candidate; and third, it pushes valuable civic dialogue to the forefront. Including academic individuals is important because the scholarly literature and existing bodies of knowledge relevant to American political life will be inserted in the candidate's conversation. The idea is not to challenge candidates on their knowledge of such topics per se, but rather on the framing of question, and the ways in which key words and aspects of questions are defined.

The third individual suggested here includes a diplomat, such as the Secretary of State, and/or legal counsel from the field of international law. This should be someone frequented with international economics and global economy trends and directions. International relations and affairs are an indispensable aspect to the presidency and typically occupies a segment of debates. While Article II of the constitution does provide the presidency with executive powers for international matters, international law and relations can be something particularly abstract to the “average voter,” meaning something of which voters have little experience with. To remedy this, we can utilize the insight of counsel and/or other diplomatic actors trained and experienced in the realm of international law, relations, and affairs. This is useful because such actors can “fill in the blanks,” specifically as regards the role of international institutions, normative commitments, treaties, and accords.

The final facilitator is “any other relevant expert”. By relevant I mean individuals with specialized knowledge in subjects related to a most pressing issues of the day. For the current situation 2020 pandemic, for instance, it makes sense to have a medical facilitator trained in epidemiology/virology to assist in the debate. Debates would be significantly improved by leveraging and inserting insights from leading medical experts. As Lavazza and Farina (2020) explain, “In the 2020 Covid-19 pandemic, medical experts (virologists, epidemiologists, public health scholars, and statisticians alike) have become instrumental in suggesting policies to counteract the spread of coronavirus.” So, for instance, when moderators ask questions pertaining to rates of infection, it could be useful to have

a scientific professional who is prepared to explain why rates of infections matter and how we as humans effect it.

It is important to note that the classic moderator, typically an accomplished Journalist, will of course continue to play an important an indispensable role in pre-election debates; in fact, their role will be enhanced as is the debate itself. The moderator will need to moderate a more multi-faceted, interdisciplinary, layered debate by seeking and applying the guidance of other facilitators. As such, the moderator will continue to provide for successful progression of the dialogue, utilize time constraints, and structure the deliberation. An informed electorate of course strengthens the democratic process, meaning the greater awareness the voting public has about the structure and rules of governments increases one's ability to critically assess claims of electorally grounded representatives (potential or current), and enables placing them more accurately on the ideological spectrum and to weigh their options accordingly. Including these actors is also a highly feasible task. The economic cost is not one of height and doing so requires relatively minimal planning. Congress will, through a simple majority, establish a limited number of experts for candidates for this role, as with the others, and their list will be followed by a public blind draw of those congressional-appointment experts. This individual can then facilitate in the presidential pre-election debate.

In addition, there are two technical changes that should be made to improve the quality of debates. The first involves muting candidates; while this practice was applied in recent debates, it is not a standard practice. Muting candidates is an effective and passive way to control time limits and maintain focus and fairness; this tactic however, may not always be necessary and it is likely that the facilitators will reduce the need for this function altogether. The second technical change needed comes from the necessity of sign-language professionals for the assistance of the hearing impaired. The importance of providing for sign language is well established and therefore the absence of it presents a clear policy issue (Stokoe, 2014; Lucas et al., 2002; Baynton, 1996). While this is not something which has necessarily always been absent, recent debates have occurred without a present sign-language professional. Although some viewers will have their own resources to remedy this, it is, as matter of equity, something which should be accessible for notwithstanding ones' television provider, television package, or geographical location, for instance.

Conclusion

In conclusion, this policy brief has suggested improving pre-election debates at the federal level by enhancing the quality and form of them. Not only will strengthen vital public function, but it will also hold candidates to a more sophisticated account and enrich public discussions. Debates would benefit

from expanding the dialogue to increase actors with special knowledge and training; importantly, the idea is not for these actors to supersede or supplant “usual” moderators or the candidates, but rather to participate in and facilitate the debate with clear reference to their demonstrated knowledge base. These are highly feasible suggestions which positively give way to bi-partisan engagement through the appointment of such moderators, discussants, and facilitators. Debates would benefit from these additions and the amendments will further contribute to our knowledge about voter awareness in future studies.

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