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Remember the Rigged Election?

Remember the 2016 presidential election?

You know, the contest that still bedevils us? The one allegedly rigged by the Russians and fake news? The one the outcome of which Michael Moore (and others) suggested, even this week, should be overturned by “the courts” simply by installing Hillary Clinton as president?

Turns out one major element of the election process *was* rigged: the debates run by the Commission on Presidential Debates.*

At least, U.S. District Judge Tanya Chutkan has ruled** that, “In sum, with respect to Plaintiffs’ allegation that the FEC acted arbitrarily and capriciously and contrary to law when it dismissed their two administrative complaints, this court agrees. . . .”

The plaintiffs*** are Level the Playing Field (LPF), the Green Party, the Libertarian National Committee, and Dr. Peter Ackerman. They sued the Federal Election Commission because the FEC, as the judge wrote, “stuck its head in the sand and ignored the evidence.” Prior to the lawsuit, LPF and others had filed complaints and asked the FEC to establish fair rules. They were told to go play in — er, far away from — traffic.

“The FEC was the defendant in the case,” explained IVN News, “but the real villain in the story is the Commission on Presidential Debates (CPD), a private organization . . . dominated by Democratic and Republican party stalwarts.”

Under federal law, the FEC, itself organized along bipartisan lines, is charged with ensuring that the CPD is using “objective” criteria, which doesn’t arbitrarily exclude independent and minor party candidates.

Now, thankfully, the court has ordered the FEC to come back, by April 3, with new thinking on how to ensure fair and open presidential debates.

This is Common Sense. I’m Paul Jacob.

* *The problems with the presidential debate rules and the CPD itself were covered extensively last year in these four commentaries: “Smash the Duopoly,” “The Media’s Job,” “The Stupidity of 15,” and “The Two-Product Economic System.”*

** *Tellingly, there’s been scant news coverage of the court decision except by IVN News, the Independent Voter Network website, and . . . RT, the Russian government’s TV channel.*

*** *The case is Level the Playing Field, et al v. Federal Election Commission.*

