**Televised Debates: A Well-Informed Public**

**and the Need for Legislation**

Civic engagement has been an integral part of the United States’ core values since the nation was founded. Presidential elections are arguably at the center of the news citizens should follow to understand the issues within the country, as well as its place among the rest of the world. Motivating citizens to remain active members of their democracy through self-education and voting is difficult, as it is not uncommon to have the feeling that civic engagement has little to no influence during modern-day elections; however, televised presidential debates for party nominees have become a valued part of United States politics. Debates are still an important way for citizens to participate in democracy, despite the flaws that have emerged as political culture, technology, and party lines have evolved. This long-established tool should be protected by a law that may also alter the current debate system to correct its weaknesses and fit modern needs. Although televised debates have been somewhat effective in fostering a well-informed United States population, Congress should enact a law that requires nationally televised debates for party nominees and specifies the qualities that could make the debate system work in the best manner for current circumstances.

To better understand how debate legislation can uphold American democratic values while catering to modern demands, it is important to take into consideration foundational ideas, the U.S. Constitution, and judicial opinions of the Supreme Court. The desire for free press and speech, including the ability for citizens to express their beliefs about the government, ask questions, and participate without restricting rules was one of the first to emerge that influenced core parts of the United States’ creation. As early as the seventeenth century, enlightenment ideals such as liberty and reason encouraged publishers to engage in political discussion, which pushed “ordinary private citizens” to “discuss public life without fear” for the first time. Newspapers began to engage in “fierce ideological debates” that drove the political spheres of nations this early as well (Ashley 36). This freedom in political engagement is what our most modern forms of media are based upon. In 1822, James Madison wrote about the enduring discussion of political education for a new country. He expressed his belief that a popular government that deprives its people of the means of acquiring popular information is “a Prologue to a Farce or a Tragedy… And a people who mean to be their own Governors, must arm themselves with the power which knowledge gives” (J. Smith 45, 46). It is necessary to have protections in place that guarantee every American access to the most important sources of election information that exist today. Might Americans currently be deprived of participating in one of the largest forms of freedom of speech if debate structure is kept as it is? It appears that getting citizens to not be afraid of being more active in politics would be a crucial change that legislation can set in motion. Jefferson famously stated, “where the press is free, and every man able to read, all is safe” (Minow 61). Today, is it possible to create willingness to “read” in every citizen by introducing opportunities for more involvement and representation in major political events such as debates?

The Constitution was constructed in a way that ensures the people remain liberated and involved in politics, while also allowing the government to function as an active protector of the liberties of citizens. The First Amendment especially reflects this concept, as it “constrains Congress from abridging the freedom of the press and the freedom of speech, but it does not bar actions to strengthen them” (Minow 60). This piece of the First Amendment was certainly intentional, and further demonstrates that the U.S. political environment of today was built upon the founding fathers’ wish that citizens would uphold the democratic ideal of participating in politics, even if the government had to take steps-such as creating legislation-to ensure this opportunity would be available to the public, and to create more opportunities for the public to become active members of the political domain.

The Supreme Court seems to have adopted a perspective in which more spaces for people to engage in free speech are always encouraged. In the 1964 case of *New York Times v. Sullivan*, the importance of “robust and open political debate” was stressed, and the Court remained interested in “the people having a free flow of information about their servants in government” (J. Smith 91, 92). This case is an example of the justices' enduring belief that more speech is always better. In 1946, *Marsh v. Alabama* established that the rights of individuals to exercise freedom of speech and religion hold a privileged place against other rights, such as those of property owners who wish to prevent the trespassing of someone distributing religious leaflets (Minow 96, 97). The justices’ desire, as the founding fathers seemed to, that speech happens as often as possible. This is not a concept unanimously agreed upon by the American public, but perhaps in the context of changing presidential debates, encouraging more expression among the public can generate much needed public interest.

Concerning what U.S. citizens need out of modern presidential debates, public opinion polls about Americans’ current behavior and views have been very informative. Asking whether citizens watched the presidential debate between Harris and Trump in September of 2024, Marquette Law School found that 54 percent of respondents watched all of it, and 33 percent watched at least some of it. A Reuters/Ipsos survey also showed that 87 percent of respondents had seen, heard, or read about the same debate between Harris and Trump some amount ranging from a little bit to a great deal. Presidential debates clearly remain highly important if 87 percent of Americans seem to be at least somewhat engaged. In contrast, a poll by NBC news discovered that after considering a presidential debate between Biden and Trump in June of 2024, 71 percent of respondents reported that the debate made no difference in which candidate they were planning to support. Additionally, a Reuters/Ipsos survey released after the Harris v. Trump debate found that 47 percent of respondents believed Harris won the debate, and only 28 percent believed no candidate won the debate. This indicates that the debate was somewhat successful in creating an impression of who “won,” but it did not predict the outcome of the election or impact people’s votes in any significant way. Perhaps debates have become mere performances without the power to make an impression on voters because of their format: candidates do not face each other, have scripted answers, and are without an audience. Viewers may already have their minds set on their party but have not yet become fully informed citizens if they have not truly experienced the debate for themselves. Being there and able to contribute would allow voters to ask the questions they truly care about instead of assuming they know exactly what the candidates of each party will say. Evidently, televised debates are still a valued part of American politics for citizens, but their current structure creates a disconnect between the popularity of debates and their actual impact on voters.

To determine what exactly needs to be specified in legislation requiring televised debates, it is necessary to examine the role of debates and of the news in the present-day United States and historically. The most notable advantage of televised debates is that those watching can observe the candidates’ visual presentation. A well-known example of the effect of visuals would likely be the Kennedy v. Nixon debates of 1960, where citizens noticed a major difference between how those who only listened to the debate, and how those who were able to watch the debate on television perceived the candidates’ performances. On the other hand, more mediatized election campaigns since the 1960s have also increased candidates’ need to defend themselves against “face-damage” or destruction to their image (Abellán 53). This further contributed to the desire for candidates to sustain a positive image as a leader and amplified the competitive and cut-throat nature of debate culture. These parts of debate culture allow debates to serve their purpose, and the addition of visual elements was a positive change, but it is now necessary to build from this growth by finding ways to make citizens even more engaged than they were when televised debates first began. This is especially important since division between parties has worsened and the likelihood of voters changing their minds has decreased. Debate culture can also evolve to encourage better communication between candidates that requires them to answer questions more spontaneously and show their true beliefs and debating skills.

Visual presentation was an important aspect of debates since before they were televised, as demonstrated by the Lincoln v. Douglas debates of 1858. Historically significant in many ways, these debates “ushered in a new era of public and political involvement” (Gorashchenko 16). Both the Democratic *Chicago Times* and the Republican *Chicago Tribune* tended to emphasize visual presentation and exaggerated much of what the opposing candidate did to paint their desired image. Therefore, anyone who only read the paper would not have gotten the full picture of the debate that they would have gotten by being there, limiting the effectiveness of each candidate’s true words on how readers will support a party (Gorashchenko 17). Impact of the news aside, the new layout of these debates created an environment that citizens no longer experience. The candidates spoke in front of thousands of people who experienced Douglas’ nicer manner of dress and resonant voice that Democratic newspapers emphasized, but no amount of visual charm could have distracted the crowd that could analyze the real words of the debaters in real time. Being present may have been the only way to get the candidates’ most important and direct information. This format also allowed the crowd to be involved in the debate by shouting remarks, which meant citizens were more engaged in politics (Gorashchenko 17, 18). It seems an audience that brings about this amount of public interest is what is missing from modern debates, and perhaps the free speech that members of the crowd exercised was beneficial precisely because it was so uncensored and spontaneous. There are similarities today in how the media recreate debates and how media portrayals are the sole way many Americans study debates; however, the presence of a crowd in the past may have been the reason why people later chose to vote for the rising Republican who was depicted as much less experienced and sophisticated by the press.

Regarding media consumption, U.S. citizens choose outlets that allow them to “passively consume” what is displayed as news, or, of course, choose not to consume news at all (Ashley 36). The growth of new media outlets produces a unique situation where there is a surplus of accessible resources that may keep citizens informed. On the other hand, many consider this overwhelming and often find themselves conflicted. Americans “have access to more information than ever but hardly know what to do with it” (Ashley 36). With information about debates available on a plethora of sites, it is becoming easier for Americans to pay less attention to the debates themselves and the issues directly discussed by the candidates. As was found in analysis of the Lincoln-Douglas debates, citizens’ attention on news about debates instead of the debates themselves causes this phenomenon of being far removed as a citizen, and the ability to participate in debates by being present is not there to save citizens from this feeling today.

Legislation can address the aspects of democracy that feel as though they are failing, protect principles that are being threatened, and restructure political practices to adapt to modern conditions. As touched upon in previous discussion, the Constitution seems to encourage the government to strengthen spaces for free speech while allowing the public freedom in their expression. Therefore, there is justification for government action in the form of creating legislation and helping regulate debates, but the government should step out during most pieces. It should be included in debate legislation that non-government owned media corporations will control televised presidential debates, so they remain a tool for and by the people. Some private companies and social media sites have the qualities of the town location referenced in *Marsh v. Alabama*, such as being open to the public (Minow 96). Every American should feel that the opportunity to engage in televised presidential debates is their right. Accordingly, legislation should build in a way to make debates accessible for all Americans. Although the debates will be run by non-governmental organizations, there may be one government site that makes the debate consistently available online, and locations may be set up across the country where citizens can watch the debate if they do not have the technological resources to watch it on their own. It has been discovered that nearly two-thirds of those who do interact with debates online are accessing debate related news through a “side door,” or in other words, “are referred to news sites by social media, search engines, email, and alerts” (Ashley 40). Essentially, even those who do have access to news are not searching for it, and it would be beneficial to put debates more obviously in front of them.

With respect to the fairness doctrine, a principle from 1949 that broadcasters must ensure opposing views are given fairly equal airtime, debate legislation may put in place guidelines that make discussion of specific controversial matters of public interest certain. People generally have at least one issue that they care deeply about, even those who are generally politically inactive, and will pay attention to debates if they know their issue(s) of importance will be discussed. The fairness doctrine is no longer in place, but no Court has overturned it or its constitutionality, and it has a place in this legislation. Politicians of any party affiliation will have to face questions that the public wants answered. The absence of the Fairness Doctrine also seems to have made room for the polarized news that is prevalent now (Minow 69, 70). Incorporating these regulations inspired by the Fairness Doctrine may allow Americans to work through the polarization that’s become such a barrier during debates and elections in general and may inspire Americans to ask their own questions of interest.

In reference to the ideas of James Madison mentioned earlier, legislation requiring televised presidential debates would be a way to protect Americans from being deprived of taking part in one of the largest forms of freedom of speech and could promote higher levels of public interest and political participation. In current circumstances, data generally show “widespread low levels of and declines in knowledge and participation” (Ashley 37). This is a problem for a democratic society, so legislation must empower citizens to be more a part of presidential debates. Taking inspiration from the historical crowd of citizens that gathered during the Lincoln-Douglas debates, modern debates should change to incorporate a representative group of average American citizens in an interactive audience. Anyone interested can apply by simply answering demographic questions and indicating that they would like to participate. The chosen audience should be diverse, ideally with citizens who come from populations of varying demographics. Variables to consider include racial and ethnic groups, gender, socio-economic status, political party affiliation, religion, voting age, state of residency, and any other variable the public deems important to represent. Choosing the final audience should be more of a lottery system besides consideration of demographics. During the debate, the audience will have opportunities to ask questions that participants would like to hear debated among the candidates. This will contribute to creating a more authentic environment and will close the gap that citizens feel between them and the candidates on screen. United States politicians have been known for delivering captivating speeches, but “even superb US political orators can be underwhelming when they don't have a script and a receptive audience” (D. Smith). Having an audience can make politicians who are usually skilled at reciting speeches acquire the skills of true debating as a leader, counting thinking about what the citizens they represent want by answering their questions with transparency they cannot refrain from using in the moment. The added pressure of facing the question-asking citizens would help lessen the disconnect between a leader and their people, whose equal relationship is fundamental to the United States democratic system. Those who are watching on television will see ordinary people who represent them speaking directly to their future president, allowing them to see if a candidate who has real, unscripted values of their own would make them feel heard.

In addition, candidates should face each other, and debates should be unscripted, as it is necessary to imbed true debating and communication into U.S. political culture. Using Westminster Parliament as an example, opponents face each other directly so that powerful comments are delivered directly to each other’s faces (D. Smith). This is part of what can make a debate more interesting and impactful to those watching. Direct interaction between candidates was not first authorized until 2008, but confrontation still existed during pieces of past formats such as 2-minute rebuttal turns. In recent years, debates are structured to cover issues in 15-minute segments, but many still prefer “monological interventions” that allow for more direct as opposed to implicit attacks (Marín 177 and Albalat 75, as cited in Abellán 55). The existence of the audience laid out above should cause debates to be unscripted. Comparing U.S. debates to Parliament once more, the use of prepared speeches and a teleprompter discourages opponents from engaging directly, and more communication is lost without an equivalent to Parliamentary Question Time (D. Smith). Of course, modern debates are predictable and unpersuasive; it is because they are scripted. An incorporation of an interactive audience, face-to-face conversation, and the natural environment that comes with taking away scripts would achieve much needed change in televised presidential debates.

Considering how aforementioned pieces of debate legislation encourage group participation and authenticity, legislation should uphold the democratic ideals that apply to all American citizens no matter political affiliation. The foundational ideals relevant to the debate issue should include equality, freedom, representation, and transparency. The enduring division over ongoing and modern issues is a significant reason why there should be a focus on the ideals everyone shares. Inclusion of a statement in legislation to uphold these ideals may also create support for the law that can only be achieved through a focus on unity, which is so often missing from the United States government.

The core values that built U.S. politics and helped create modern tools such as televised presidential debates are still extremely applicable today. It is important to look back and study what has worked and what has failed in the nation’s history and moreover recognize our need to take inspiration from the past while adapting to modern factors such as technology and higher levels of polarization. A law requiring nationally televised debates for party nominees should inspire American citizens to be a part of politics and use their values and issues of interest to contribute to political culture and work together toward common goals. Undoubtedly, more involvement in debates will lead to more civic engagement in other areas such as voting, and new generations of politicians will be willing to take these skills into their service. Through this widespread action, U.S. citizens will be more unified and will have a better understanding of their place within the country, and the country's place within a world that could benefit from similar kinds of change.

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