



# The First Anniversary of Donald Trump's Big Lie: Still a Lie, but Not Going Away

DECEMBER 1, 2021 — ANTHONY ESSAYE AND RALPH NEAS

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At 11:25 on the morning of Saturday, November 7, 2020, the bellwether Associated Press [called](#) the 2020 Presidential election for Joe Biden, after determining that he had won Pennsylvania. But already the contention that Donald Trump had been denied re-election due to massive voter fraud had emerged. This false narrative, which has become aptly characterized as the Big Lie, had been preordained by [Trump’s insistence prior to the election](#) that the only way he could possibly lose would be due to fraud. And once his loss appeared imminent, he and some of his supporters initiated what became a relentless effort over the past twelve months to fan the flames of this insidious allegation.

In recent history, the use of a “big lie” as a propaganda technique is associated with dictatorial regimes—such as the former Soviet Union in the past, and Russia, China, and North Korea today—which make use of their government-controlled media and other means to project false narratives on a repetitive basis. But now, Donald Trump and his surrogates have introduced this phenomenon into our democratic system, and it has already wreaked havoc: stimulating the January 6 attack on our Capitol; forming the basis for enactment of the multitude of state laws [making voting more difficult](#) or increasing state legislative control of elections; and generally undermining public faith in our electoral system.

Yet, as reflected in the following overview, despite massive and well-funded efforts during the past year, Donald Trump and his supporters have utterly failed to produce evidence of the fraud that they so loudly continue to proclaim.

## The Presidential Election Vote Count and the Big Lie

Once the votes had been counted in November, 2020, election officials in every state engaged in vote verification processes called for under their state laws. This included the six “swing states” where the Biden margin of victory was close—Arizona, Georgia, Michigan, Nevada, Pennsylvania, and Wisconsin. While numerous claims were made by Trump supporters that major fraud and other irregularities had occurred in these states, in no instance did these state election officials conclude through their reviews that such events had in fact taken place.

At the same time, Donald Trump began a process of [personally contacting](#) Republican election officials and legislative leaders in these swing states, invoking his Big Lie as a means of trying to persuade them to alter the election results in his favor. The most publicized instance was his recorded telephone call [urging the secretary of state of Georgia](#) to find an additional 11,780 Trump votes, the

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number he needed to prevail in that state—an action that is [being investigated](#) on a criminal basis. But a profusion of other such interventions have also come to light, including, for example, outreach to the governors of Arizona and Georgia as well as other election officials in those states, [hosting](#) of Michigan legislative officials at the White House to persuade them to select his electors notwithstanding Joe Biden’s winning the popular vote in their state, and even [seeking](#) to have his acting attorney general invoke the Big Lie in order to support state legislatures taking over the process of selecting their electors.

Fortunately, these and other such efforts on Trump’s part, and on the part of his surrogates, were unsuccessful. The officials that were contacted, all Republicans, refused to give credence to the Big Lie and acquitted their responsibilities in good faith.

## The Big Lie Litigation

Almost immediately after the election, the Trump legal team also swung into action under the aegis of Donald Trump’s personal lawyer, Rudolph Giuliani. A particular focus was the use of allegations of widespread fraud to try to [secure judicial intervention](#) to overturn the election results in the swing states. Some sixty lawsuits were filed. And the complete weakness of the Big Lie is reflected in the fact that in not a single case were the plaintiffs able to convince a court that meaningful fraud had occurred. Even judges who had been nominated to the bench by Donald Trump were [highly critical](#) of the paucity of the evidence presented.

While some of these cases were dismissed on procedural grounds, in others the courts reviewed the evidence presented and found it to be clearly lacking. For example, [in a case in Arizona](#) (*Bowyer v. Ducey*), the court reviewed the allegations of fraud and held, among other things, that such allegations need to be supported by clear and conclusive facts but were “sorely wanting of relevant and reliable evidence.” The court added that “allegations that find favor in the public sphere of gossip and innuendo cannot be a substitute for earnest pleadings and procedure in federal court.”

In sum, the results of this litigation effort by the Trump legal team are truly remarkable, in that countless judges of varying judicial philosophies united to reject the very premise of Donald Trump’s Big Lie contention that he won the election.

Moreover, the far-fetched nature of some of the claims and an egregious failure to review the credibility of materials submitted to the courts has since led to the [suspension of the law license of Rudolph Giuliani](#), as well the [on-going review](#) of the law licenses of several of the other attorneys who took the lead in this litigation effort. Some of these attorneys now also face defamation suits, such as from [voting machine manufacturers](#) that were [severely maligned](#) by their reckless allegations.

## The Big Lie’s So-Called Audits

Having totally failed to make their case in the courts, Donald Trump and his fellow Big Lie proponents next turned to enlisting Republican state legislators to organize so-called audits in their home states, designed to find a favorable outcome for the Trump campaign.

This process began in February, when Pennsylvania Republican state senators [persuaded](#) Fulton County’s election director to allow a company with no election audit experience to examine its election equipment. While Donald Trump had won the county by a large margin, the intent presumably was to try to find information to support one of the Big Lie’s major allegations: that Dominion Voting Systems, the election equipment supplier for Fulton County and many other counties throughout the nation, had fraudulently designed its software to favor Joe Biden. [No such information was found.](#)

Then in April came the Arizona Republican Senate Majority [initiative directed at Maricopa County](#), which was hailed by Donald Trump as a game-changer. The county’s vote had been in favor of Joe Biden, and it had immediately become the center of claims of fraud by Big Lie proponents. In commencing their review, the Senate Republicans removed any sense of independence by hiring a company named Cyber Ninjas that had no relevant audit experience and

whose CEO, Doug Logan, had been playing an active role in promoting the Big Lie.

Numerous press accounts reflect that the Cyber Ninjas election review consisted of five months of bias and ineptness, including such adventures as examination of ballots for [traces of bamboo](#) on the theory that a large number of fraudulent Biden ballots had been secretly shipped into Maricopa County from somewhere in Southeast Asia. The costs of this highly flawed initiative [exceeded \\$6 million](#), the vast majority of which was supplied by Big Lie supporters and the remainder, some \$425,000, by [Arizona taxpayer funds](#). But, in the end, even the Cyber Ninjas could not bring themselves to skewer their results to favor Donald Trump, and on September 24 they [announced](#) that their recount virtually dovetailed with the county's own count, except that Biden's margin of victory was slightly higher.

In what appears to have been an effort to placate Big Lie extremists, the Cyber Ninjas also included in [their report](#) a series of supposed irregularities on the part of the county's election officials that they contended may have affected the vote count in ways that could not be calculated. But these allegations have been fully rebutted by [election experts](#), by the [County Board of Supervisors](#), most of whom are Republicans, and by the [County Recorder](#), another Republican who shares election oversight with the Supervisors.

The denouement of the Arizona audit story is the [statement by Doug Logan](#), the Cyber Ninjas CEO, that he is unlikely to conduct another election audit due to the vilification he has received from Trump supporters for failing to produce a vote count favorable to Trump.

Meanwhile in Michigan, on June 23, the Oversight Committee of the Republican majority State Senate issued a [report](#) on its investigation of the 2020 election. After examining numerous allegations, the committee found no evidence of election fraud or other unlawful actions.

Moreover, on October 22, the Wisconsin nonpartisan Legislative Audit Bureau issued its report on the Wisconsin

presidential election, which had been commissioned by the Republican-controlled legislature. Here again, the report found no meaningful fraud or wrongdoing, citing that, out of the 3.3 million votes cast, only four people may have voted twice and eleven may have had their absentee votes counted even though they died before Election Day.

In addition, on September 29, the Idaho secretary of state, a Republican, [issued a rebuttal](#) concerning allegations by Big Lie proponents that Trump's winning margin in that state had been undercounted due to pro-Biden electronic manipulation in every county in the state. The rebuttal first pointed out that some Idaho counties did not even use electronic voting, and then reported on a hand recount with bipartisan observers conducted in two other counties that showed no evidence of manipulation.

Despite the Arizona debacle and these continuing setbacks in other states, Big Lie proponents of so-called audits continue to press on. Most notably, in Wisconsin the Republican House Speaker appears determined to [replicate the type of biased and inept process](#) that took place in Arizona, notwithstanding the review just completed by its Legislative Audit Bureau. But these various initiatives have thus far only served to demonstrate one thing: that there was no massive fraud in the 2020 presidential election and Joe Biden is the legitimately elected president of the United States.

## America's Election Process Is Sound But Under Attack

As demonstrated by the recent 2021 elections, the American electoral system continues to operate with a high degree of effectiveness and integrity, with our electoral officials carrying out their responsibilities on a professional and nonpartisan basis. Indeed, the extreme nature of Donald Trump's claim of a landslide victory only serves to underline the inconceivable nature of what he is contending: that responsible and fair-minded election officials throughout the country conspired on a massive basis to deprive him of reelection.

No matter the total lack of evidence, however, the Big Lie has already done massive damage to America. Its motto, “Stop the Steal,” was the rallying cry used by Donald Trump to bring the January 6 insurrectionists to Washington and then to send them on their way to Capitol Hill, and it then became their rallying cry as they stormed the Capitol. The prevention of fraud is now often referred to by Republican candidates as “election integrity” and has been the justification continuously cited by Republican state legislators for the litany of laws they have enacted this year that serve to limit the voting rights of their citizens or subject their electoral systems to partisan control. And all the while, the constant repetition of the Big Lie is serving to cause some Americans to turn against the very system that is the bedrock of our democracy.

Moreover, it seems clear that there is no end in sight for Donald Trump’s false insistence that he won the 2020 election, nor the willingness of his political base to continue to believe his lie. This situation will almost certainly continue through next year’s midterm elections and into 2024, when Donald Trump’s likely run for reelection will be premised in large part on this proposition. Thus, we have probably only just started this battle for democracy.

In this regard, much needs to continue to be done to forcefully rebut this false narrative during the next three years, both in terms of reassuring the millions of citizens who reject this falsehood that they are right to do so, and in terms of convincing the millions of citizens who are unsure of the validity of these claims that they are simply untrue.

The mainstream media, both national and local, will have to continue to play an important role in this effort. In Arizona, for example, local media made an exceptional effort on a day-to-day basis to break through the barriers to transparency that the Cyber Ninjas sought to erect and exposed the gross deficiencies of the audit initiative. As the right-wing media will continue to play their part in promoting the Big Lie as a means of supporting a would-be autocrat and his false justifications for the authoritarianism that he promotes, the press that are committed to seeking the truth must continue to do so vigorously.

There is also an important role for civil institutions to continue to step up to this challenge, both individually and in cooperative efforts. Supporting the public’s faith in America’s electoral processes is a cause that should unite a wide range of institutions, including not only public interest organizations but also the legal community, academic institutions, and businesses small and large.

Furthermore, many candidates for public office, whether Democrats or Republicans, will be facing opponents who will either actively espouse the Big Lie or try to evade the subject. Thus, candidates at all levels who are seeking to uphold our democratic system need to be fully armed with information that demonstrates the total falsity of this narrative. A democracy is uniquely reliant on public confidence in the integrity of its electoral process, and the maintenance of such confidence has been of vital importance to all of America’s political parties throughout our history. Only this has enabled—until 2020—the peaceful transfer of political power from the incumbent of one party to the candidate of another. And all Americans, regardless of political affiliation, who believe in adherence to the fundamentals of our democracy have an overriding stake in ensuring that truth ultimately overcomes falsity and thereby maintains the strength and integrity of our system of government.

In this context, it should be recalled that on November 13, 2020—ten days after the election—the Cyber Security and Infrastructure Agency of the U.S. government, headed by its Republican appointee Christopher Krebs, [issued a statement](#) saying that “the November 3 election was the most secure in American history,” and that there “is no evidence that any voting system deleted or lost votes, changed votes, or was in any way compromised.”

Notwithstanding twelve months of the Big Lie, this statement remains absolutely true today.

## Authors

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