

William A. Galston, “How to Prevent an Electoral Crisis” -from *The Wall Street Journal*, June 30, 2020

With crises accumulating, the last thing America needs is a divisive debate about the legitimacy of the 2020 presidential election. But unless we’re skillful and lucky, this is what we’ll get.

A recent survey by the bipartisan Voter Study Group found that 57% of Democrats “say it would be appropriate for a Democrat to call for a do-over election because of interference by a foreign government,” and 38% of Democrats would find such a call “appropriate if a Democrat won the popular vote but lost the Electoral College.” As for Republicans, 29% “say it would be appropriate for President Trump to refuse to leave office based on claims of illegal voting in the 2020 election.”

Joe Biden has charged that “this president is going to try to steal this election.” President Trump has gone much further. Last week, he tweeted that “because of MAIL-IN BALLOTS, 2020 will be the most RIGGED Election in our nations history.”

Though there is scant evidence to support this allegation, the president’s tweet draws attention to election integrity. The recent upsurge of Covid-19 infections has made it clear that the pandemic will still be with us in the fall. Many citizens will be reluctant to stand in long lines for the privilege of voting in enclosed spaces. A much higher share of the vote will be cast by mail than ever before.

Inevitably, votes will be counted more slowly than usual. The results in closely contested states may not be known for days. In the interim, the president and his supporters may renew the charge his tweets have foreshadowed, propelling us into a political conflict more serious than the disputed 2000 election.

There are steps that government can take to minimize the risks. To reduce pressure on the mail-in option, localities must provide the fullest possible opportunity to vote in person, as New York University law professor Richard A. Pildes has argued. This means increasing the number of polling places while expanding opportunities for early voting. Many elderly poll workers will be reluctant to do the job this year; large numbers of younger Americans should be recruited and trained to replace them. Schools should continue to serve as polling places, as they have for decades, and Election Day should be a school holiday.

At the same time, states should do what they can to facilitate the fastest possible count of mail-in ballots. Mr. Pildes recommends processing the mail-in ballots that arrive before Election Day so that they can be tallied in time for the results to be included in the count soon after the polls close, a procedure that California now employs. Other states— including Michigan, North Carolina and Pennsylvania—would have to change their laws to permit this, and they should.

As Nathaniel Persily, a co-director of the Stanford-MIT Healthy Elections Project points out, the media have a crucial role to play as well. Reporters should educate themselves and the public about the all but certain delay in the vote count that the flood of mail-in ballots will entail. Above all, media organizations should resist the urge to call the election ahead of their competitors and instead wait until enough ballots have been tallied to know the result with confidence. In the past, ill-judged early calls of key states have sown confusion. This year, the consequences could be far worse.

Beyond these steps, America's elder statesmen must do all they can to ensure election integrity. Former Presidents Bill Clinton and George W. Bush should spearhead the formation of a bipartisan committee including respected figures such as former Senate Majority Leaders Tom Daschle and Trent Lott, former Secretaries of State Madeleine Albright and Condoleezza Rice, and former Secretaries of Defense Leon Panetta and Robert Gates, along with lawyers and election experts from both parties who have served in previous presidential campaigns. Committee staff should be ready to investigate charges of fraud as soon as they arise and observe the counting of mail-in ballots if asked. Committee leaders should announce their findings as quickly as accuracy permits and stand united in their defense.

Among the committee leaders' most important tasks would be meetings soon after Labor Day with Senate Majority Leader Mitch McConnell and House Speaker Nancy Pelosi. These leaders should be asked for a public pledge to stand together against unsubstantiated claims that the election has been stolen and to do their utmost to persuade elected officials in their respective parties to stand with them.

After a quarter-century of toxic division, our democracy is imperiled. A contested election could tip the U.S. into a devastating crisis of legitimacy, a prospect that every patriot must regard with dismay.