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Q&A Session - The US Elections: End of an Era?

Here are the answers to the questions we did not have time to respond during the allotted time of our Lunch Briefing on 29 October 2020.

Q: Can the winner take all rule be replaced with proportional allocation of electors, as a first step in eliminating the Electoral College?

A: Just to amplify on what I said during the event, the chances of eliminating the Electoral College are very small, except if at some point the Republicans win the popular vote but lose the electoral vote (which is unlikely any time soon). One other pathway to this would be if the Democrats win control of the Senate and admit Washington DC and Puerto Rico as states. That would automatically give the Democrats a minimum of 6 more electoral votes, and perhaps up to 8 or 9, depending on how many House seats Puerto Rico would have. If the size of the House of Representatives remains unchanged, that might imply that some current Republican states with low populations lose one of their representatives; and that could again spur the Republicans to agree to alter or eliminate the Electoral College. As regards proportional representation, it's just barely starting to penetrate people's consciousness in the US. Maine, for example, has a kind of ranked voting now, and it was the subject of a lawsuit (though the suit was thrown out); and the law that requires single-member House districts is now starting to be reconsidered. But we're a very long way from anything proportional.

Q: According to a recent article by the New York Times, the GOP has become "Donald Trump's Republican Party". Provided Trump loses next week, do you think this can be reversed and that the Republican Party can go back to a right-of-center party?

A: Not for quite a while. The odds are that the GOP survivors of next week's election will NOT learn the lesson that they should move to the center, but rather that they need a less hucksterish candidate. If there is a normal midterm slump and the GOP then picks up some seats in 2022, they will decide that that staying Trumpish was the correct thing to do.

Q: Funny but nobody has mentioned COVID until now. Do you think it will be the key factor for the elections or is it just one more issues where people are split along party lines?

A: It had a significant effect on the senior vote, both in terms of changing people's minds and in terms of frightening some of them from voting (to skirt being ghoulish).

Q: Were you surprised by how effective Trump has been at undermining the pillars of US democracy and make things acceptable that were unthinkable a few years ago (insults, appeals to jail opponents, etc.)?

A: Yes, and everyone was. We in political science need to rethink just how much we believe people adhere to fundamental norms of tolerance on their own, or if they are just picking up on behavior from those in their social circle (and on social media). Another aspect to this is what's called "motivated reasoning" in political science: people adopt attitudes because of their emotions, not because they hold deep-seated beliefs. Anger translates into intolerance. So the issue is how anger can be damped down.

Q: Has there been any "exit polling" of the 70 million + early voters (of which I am one)?

A: As I said, no, but there have been polls of people, asking them among other things if they already voted. The answers, though, need to be taken with a grain of salt.

Q: Any view on trends of US China relationship?

A: To return to what I mentioned, there is a general hardening of attitudes among elites, in the US and in Europe (and elsewhere, for that matter) on China. We are likely going to be facing considerable tensions for years.

Q: What happens if Trump loses and does not agree to leave the White House? What power would he have?

A: He ceases to be president as of noon on January 20, 2021. That's per the US Constitution. The only exception is if he can somehow get the Electoral College to declare him the winner. I do think that another Bush v. Gore scenario is unlikely, if only because people now understand what's at stake.

Q: what would a scenario look like where there was a refusal of the trump administration to accept the results or for a peaceful transition of powers -- what could a conservative Supreme Court do in this regard?

A: See the above answer. The main pathway the Supreme Court could take would be to put its thumb on the scales for a handful of states, thereby flipping the Electoral College. But that can only happen under highly specific circumstances (closeness of the race, etc.)

Q: There has been a lot of speculation about possible scenarios for the current administration to 'steal' the election in a sort of repeat scenario of 2000. How likely do you find this?

A: See above. They surely will try to steal it, but more from discouraging voting than from miscounting.

Q: If Trump loses, do you think the international community will hold him accountable for things like detention of immigrant families, etc.?

A: Alas, no.

Q: I am from the U.S. and recently moved here. I'm curious if David could talk more about what concerns folks in Switzerland, the EU, etc. about this election.

A: I mentioned this in the talk: the biggest issue is the future of democracy.

Q: I'm following the US closely these days, and I was shocked to see how much power the Speaker of the House and the Senate Majority Leader have in terms of setting agenda, scheduling votes, etc. So it seems to me that the US has degenerated into a triumvirat.

A: The Speaker has always had a lot of power in the House, though behind the scenes, senior committee chairmen play a major role. And in the Senate, we have had episodes on occasion where the majority leader is the key player (e.g., Lyndon Johnson in the 1950s); but even then the leader is only able to do so with the tacit consent of the senior senators. I'd describe both Pelosi and McConnell as the personification of the senior people, akin to how Marx described Louis Napoleon as the face of the French state.

Q: In terms of "stimulating" voters to vote for one candidate or another, how big of a role do you think the media plays? Can they really influence the results?

A: As I mentioned, social media is huge. And Fox News plays a vital role in the over-60 generation.

Q: But with overlapping power and the ability to veto each other. Can you comment on this?

A: Their power, qua legislation, is that of unit veto. But McConnell can, under the Constitution, push through judges. Until now, the Democrats have not played hardball with him, waiting/hoping to retake the Senate. One can imagine a more activist Speaker who would have made it clear that money for all kinds of GOP pet projects would be cut off in future legislation if they kept confirming judges. But Pelosi has always been an insider, looking to make compromises. Recall how she refused to cut off funding for the Iraq War in 2007, unlike what the Democrats did regarding Vietnam in 1973.

Q: Is there (amongst the Democrats, if they win) willingness and possibility to change the system, e.g. the Electoral College system)?

A: Democrats would like to abolish the Electoral College, but as mentioned above, the chances of doing so are slim for now. That's why they're trying to defang it by legislation, which I mentioned, that would allocate all of a state's electoral votes to the nationwide winner of the popular vote. This might just pass.

Q: And on the extent to which Congress has expanded the President's emergency powers, which can only be recalled by a vote of both houses, which vote can be vetoed?

A: Congress has massive power in the US system. They have de facto enabled Trump to do all kinds of things, just as their predecessors enabled earlier presidents. Again, all one can hope for is that if the GOP loses this time, they may begin to think about what it would be like to be in the minority again. But even there, there are so many sinecures for former representatives and senators that they risk little for themselves in taking extreme positions: yes, they may lose their seat, but they'll become rich and will still play a role indirectly in policy making.

Q: Do you think if Biden wins, the Democrats win the Senate, would it be possible for Biden and systems to reconcile and reform all the xenophobic and othering institutional behaviors and damages caused by Trump/GOP in four yrs

A: They will for sure be able to suck out a lot of the ideological and rhetorical poison from the political bloodstream. But it will take a long time to get rid of it entirely.

Q: How do you think 3rd party candidates will impact this year's election compared to 2016? Are there projected to be as many 3rd party votes?

A: Some, but most supporters of 3rd party candidates have now learned a very painful lesson.

Q: Even if Biden wins the elections and democrats win the senate, some think that filibuster reform (or lack there of) could still limit a democratic policy agenda. What do you think?

A: If the Democrats win, I expect them to end the filibuster. They've learned a lot from McConnell.

Q: I agree with your characterization of Fox, but not of CNN. I look at CNN's web site every day, and it is just as bad as Fox, but on the Democrat side.

A: We'll have to agree to disagree. CNN is straight down the middle, and even MSNBC is only pro-Democratic for certain programs. But my point about asymmetry had at least as much to do with the search behavior of voters as with the media themselves. Studies show that voters who follow Fox have very few other sources of news, whereas this is not the case for those who follow CNN or even MSNBC.

Q: Periods of heightened partisanship are not new to US politics. How would you compare the current phase of heightened partisanship to previous phases of partisanship in US politics?

A: As I said, it is comparable to a certain degree. The difference is that earlier, there was not comparable ideological polarization, as is the case today.

Q: Further, have periods of heightened partisanship had lasting impacts on the institutional structure of the US polity and its system of checks and balances (e.g. presently the politization of Supreme Court)?

A: No, and that's why I think the issue isn't so much partisanship as ideological polarization. As recently as the 90s, when Ruth Bader Ginsburg was confirmed, the hearings were mostly pro forma and almost no one in the Senate voted against. Now, every single aspect has been put through the ideological filter: candidates are vetted in terms of both their public positions and their private life, such that candidates who are insufficiently right wing risk not being nominated by Republican presidents. Again, this is highly asymmetric: until now, anyway, Democratic presidents don't do that.

Q: What do you think about the role of the media? How can we trust them? It seems that for years now the first amendment is not only ignored but bribed and corrupted by those in power, social media included. Our leaders are using human ignorance as a weapon.

A: I'm not quite sure I understand, sorry. The media do a fairly bad job of informing the public, but this isn't necessarily because they're corrupted, it's because they let others frame issues for them without looking into how that happens.

Q: In scenario 1, a Trump win, continued attack on democracy and acceleration towards dual society. What response - and from whom/which organisation(s) - would you believe "the rest of the world" ought to give in order to protect democracy?

A: Defend one's own democracy at home.

Q: How do you see the future of the Democratic Party after this election, independently of if Biden wins? Will it move to a more leftist position?

A: The Democratic party is a lot more to the left now than it ever used to be. That will continue, regardless of Biden (and he himself is to the left of where he used to be).

Q: Can you recommend a reading or newspaper article that studies the different types of "interventions" in enabling people to vote, such as location of polling booths, opening timings, etc?

A: There's a lot of literature on this. Check out the organization run by Eric Holder.

Q: Is there any move to change some of the basic elements of registration? I was astonished to learn that people have to re-register and re-prove their identity every election.

A: Sure, some states have made it easier to vote, for example, by combining it with getting a driver's license. But in the US system, where there is no such thing as an identity card and nothing resembling the OCP, it is unlikely that registration can ever be automated. One tiny correction: one doesn't usually have to re-register each election: but if one doesn't vote for several elections in a row, it may be necessary to show more identification. On the other hand, if one moves even from one city to another, one does need to reregister to vote.

Q: Let say Democrats win. Do you think that US attitude regarding multilateralism will change to better?

A: Absolutely.

Q: How and how much has the Trump experience changed your and political science's understanding of the nature of the U.S.?

A: To a very great degree. I alluded above to the issue of norms: we now realize that what appeared to be a post-political consensus on democratic norms, ca. 1960 (when *The American Voter* was published, which changed pol sci all over the world), may have been a temporary moment in the trough of waves of polarization. By the same token, Trump's malleability on any number of issue areas is giving rise to two movements: one, by people in comparative politics, to redefine notions of populism to be more multi-dimensional; and the other, by people in political psychology, to rethink the idea of beliefs, along the lines of work on "motivated reasoning," in which people first have emotions, then copy the expressed beliefs of others with similar emotions, rather than see the beliefs as primordial and driving everything else. (For example, one could imagine a counterfactual in which Trump, back in March, became a big fan of masks, so that covering up one's face was seen as hyperpatriotic.)

Q: To a European, the partiality of US TV channels (e.g., CNN's gross anti-Trump bias) is surprising. Is there any way back from partisan TV journalism for the US?

A: Again, we may have to agree to disagree. One has to distinguish between certain relatively recent moves by CNN -- for example, using the word "lie" to refer to some of Trump's statements -- and its continued acceptance of framing of issues by the standard cast of characters. On issue after issue, we're dealing with framing that is mostly indistinguishable from that 10 or 20 or 30 years ago.

Q: how do you make the connection, if any, between Obama presidency and trump victory in 2016? Was there a kind of counter reaction?

A: Absolutely. A number of Trump voters saw their vote as a pushback against everything that they imagined Obama stood for and, qua identity, was. The anti-liberal (which was in itself a testimony to right-wing framing), anti-female part of the pro-Trump vote was joined at the hip with anti-black and anti-urban and anti-foreigner sentiments, also pushed very hard by Trump. Most of trump's voters didn't necessarily agree with him on certain policies, but they hated the same things, and above all the same people, as he did.

Q: What do you think would be the worst long-term damage/threat of Trump winning the election? Domestically and globally?

A: The end of democracy around the world.

Q: Is there a chance of Trump winning and Democrats getting majority in the senate?

A: Very little.

Q: How likely you see the raise of social unrest / burst of violence due to recount demands specially for the senate results?

A: It's a chance, but unless appeals to unrest were more assiduously stoked, the more likely scenario for violence would be to go after individual politicians. If I were a Democrat elected in a Republican area, I would worry about that.

Q: What are toss-ups?

A: A state that is so close, qua polling, it could go either way.

Q: What happens in the case of a "faithless elector"? How often does that happen and what are the consequences?

A: It almost never happens, and now it is likely that there will be legal prohibitions against it. That implies that if an elector does not vote as pledged, his/her vote may not be counted.

Q: What are your thoughts on potential violence during/after the election, and what would a (a) the government's and (b) the people's response to that look like?

A: See above. I hope not too high. The more likely scenario is mischief by judges.

Q: What would Biden do about the Middle East Peace Plan (aka deal of the century)? Will there be a change in ME policy, also in light of recent (official) rapprochement between Israel and some Gulf states.

A: Biden is strongly pro-Israel. That said, there is no love lost for Netanyahu among many Democrats; moreover, Saudi Arabia is increasingly being viewed with concern by US elites.

Q: How much impact does having candidates do rallies in key states have on turnout and enthusiasm for a candidate?

A: A bit. It can energize volunteers, above all, the people who knock on doors and solicit their neighbors to vote. But Trump is doing rallies in part because he's out of money, and this is free publicity.

Q: Is Texas a swing state this time?

A: Not quite, but getting closer. I'd bet on it turning purple in 2024.

Q: How and why was the tradition of voting on a Tuesday established?

A: It's a law, from the 19th century, that was adopted to enable voters to go to church on Sunday, then go to wherever the vote would occur the next day, then get the voting over with by Wednesday, which is when many areas had markets. (At least that's the standard story.) A few states make Election Day a holiday, but most don't, and that's deliberate, as a way to keep turnout down.