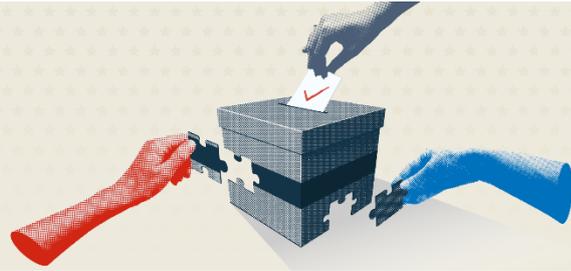


# DEMOCRACY IN QUESTION

BROOKINGS



**The Brookings Institution**

***Democracy in Question* podcast**

**“How do we build trust in elections?”**

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*Episode Summary:*

How do we build trust in elections? There have been widespread election fraud claims after the past two presidential elections despite little to no evidence. In 2022, the Pew Research Center found a party gap in terms of trust in elections. By a significant margin, Democratic voters tended to think that elections “will be administered well,” in the upcoming election. And overall, since 2018, Democrats and Republicans express less trust in elections, a troubling finding, since faith in elections is vital to American democracy. In this episode, host Katie Dunn Tenpas discusses ways to build trust in elections with scholars E.J. Dionne and Elaine Kamarck.

[music]

**TENPAS:** Hi, I'm Katie Dunn Tenpas, a visiting fellow in Governance Studies at the Brookings Institution and director of the Katzmann Initiative on Improving Inter-Branch Relations and Government. And this is *Democracy in Question*, a podcast about contemporary American politics. In each episode, I'll be asking a different question about democracy to my guests. You probably noticed that there's a lot happening in U.S. politics at the moment, including a highly contested presidential race. But in this podcast, I'm trying to get at the deeper questions of how democracy in this country and abroad works or is supposed to work.

On today's episode, the question is, how do we build trust in elections? In case you've not been paying attention, there have been widespread election fraud claims after the past two presidential elections despite little to no evidence. In a *Washington Post* poll among New Hampshire Republicans, more than 50% of them believe that Biden's win was fraudulent, including 85% of Trump supporters.

In 2022, the Pew Research Center found a party gap in terms of trust in elections. By a significant margin, Democratic voters tended to think that elections, quote, "will be administered well," unquote, in the upcoming election.

Overall, however, since 2018, Democrats and Republicans express less trust in elections, a finding that should make everyone nervous, since faith in elections is vital to American democracy.

To explore answers to this important question—how do we build trust in elections?—I'm talking to two of my esteemed colleagues who have both spent decades studying the electoral process. First, E.J. Dionne, the W. Averell Harriman Chair and senior fellow in Governance Studies. He's also a syndicated columnist for the *Washington Post* and university professor in the Foundations of Democracy and Culture at Georgetown University. Then I'll be joined by Elaine Kamarck, also a senior fellow in Governance Studies and founding director of the Center for Effective Public Management here at Brookings. She has written extensively on the subject and is a highly sought expert on the presidential electoral process.

E.J., welcome to *Democracy in Question*.

**DIONNE:** Thank you, it's great to be here. And thanks for all the work you're doing in honor of our late colleague Bob Katzmann. He would have wonderful ideas in answer to all the questions you're going to ask me. And I wish he were with us.

**TENPAS:** Yes, me too. Well, thank you for being here. And I guess, like, an opening question would be just to get your thoughts on trends in, in Americans trust in the electoral processes, because I know there have been periods in American history where there has been more and less trust in government. So, can we start out sort of looking historically and then you can talk about the general concept?

[3:11]

**DIONNE:** Well, I think as you suggest, there are two issues here that are separate, though they end up affecting each other. One is trust in government overall. And then the other is trust in the electoral process.

I think trust in government is something that has, as you said, has varied sharply, partly depending upon how the country was doing. The period of highest trust in government came after the Great Depression and World War II, where the Great Depression kind of discredited the private sector for quite some time and government was seen—and people still argued about the size of government, they certainly argued about the New Deal—but government was broadly seen as having achieved two great things, which is the end of the Depression and victory in World War II.

And that sort of capital, if you will, that that government had in, in public sentiment really lasted all the way through to, I would say, the late '60s with after a period of upheaval, but especially with the backlash against the Vietnam War and then Watergate. And we went through something entirely different where we have had struggles over confidence in government. And you had some rises during the Reagan years, and then it went back down again with Iran-Contra. You had some rises in the Clinton years, but of course, we had the Clinton scandal at the end of that.

So, trust in government is something that relates to what people see is happening in the country, but also the government needs to cultivate. I think it's always important for people who run government to realize that people can have some difficult relations with government in their personal interactions, that there are ways in which government can be made to function more efficiently or more appropriately. And I think that work has to go on all the time.

[5:10]

Faith in elections is something quite different. And yes, we have had periods where political machines stole votes, literally. In Chicago, in, in Illinois, there's a great old saying that, you know, Republicans would complain about stolen votes in Chicago, but Democrats would reply, well, Republicans stole votes in downstate Illinois to kind of balance out the corruption. And, the saying was, a Chicago Democrat saying, look, we may vote corpses, but cows and pigs vote downstate. So, there were periods when we had actual corruption.

I think what is so troubling now is that we're really only having this conversation because former President Donald Trump decided that he was not going to accept the results of an election he had lost. And what's really striking about the post-2020 election period is there was massive litigation about the election. And in every case, I

think it's 60 or 61 cases, courts of various kinds with appointees from both parties decided, no, there was not fraud here.

[6:28]

And I think what's unfortunate is in order to have trust in elections, you really have to have both parties agreeing that, you know, we'll challenge elections when appropriate. Occasionally there is fraud. But there's so little evidence of fraud now, there's really no evidence of fraud on any kind of large scale. Indeed, it's it's ironic, some a few prosecutions recently for, you know, voting improperly have been against Republicans more than Democrats, just maybe luck of the draw. But it doesn't point to massive Democratic fraud on behalf of Biden.

So, I think, you know, it may take the end of the period when Trump has such influence, but I really think it's incumbent upon Republicans to speak out consistently, as to their credit they did, for example, in Georgia and in a lot of states around the country.

And if I could add just one more thing quickly. I think we should pay attention to how elections actually function at the local level and if we do go vote in person to think of the people running the polls for us. These are our neighbors. These are people like us. They include Republicans and Democrats. My late mother-in-law was an election official in her precinct in Rockaway, out in New York. And she and her best friend, who was a Republican, were a team. And they were there together. They trusted each other, but they were looking out for the interest of each party. And they, the elections were perfectly fair. And they went home after a long day's work satisfied that everybody got to vote.

**TENPAS:** So, your comments then suggest that this moment that we're in now where people do not have trust in the electoral process is largely a function of the former president. And does it seem to you as though it's a an explicit strategy? Because interestingly, when there's congressional elections or big gubernatorial races and the Democrats win, there aren't these allegations of voter fraud. It seems to only happen in the presidential election.

[8:33]

**DIONNE:** And not only that, the charge of voter fraud in 2020 was so odd because no Republican who got elected in that election charged voter fraud affected their election that day. And so, it is, I think, a peculiar problem.

But I think that what we have to do is even though—I do think this is the effect of Donald Trump—we have to think about in what ways can people who run elections, in what ways at the federal and state and the very local level, what can we do to increase confidence in elections? I think some people will just stick with a fraud story no matter what. But I think there are ways in which elections can be run more efficiently.

For example, one of the things we don't fund very well is election administration. And this shouldn't surprise us, because if you are on a city council or if you are a mayor or a county official, people are far more likely to complain to you about not having the

schools run well or have enough parks. Or, in the case of a city, how sanitation and trash is taken care of or snow removal. You'll rarely get complaints if you're a local official about, you know, elections. And yet, you know, we can do far more than we do to support elections to make it easier for people to vote.

[10:06]

I think, secondly, the reason I raised my dear late mother-in-law is I think we really do need to celebrate the hundreds of thousands of people around the country who make our elections work. I think we need to bring in high school students, you know, who are 18 or over to do some of this work to get involved very early on. Because one of the problems with the attacks on the elections is we've lost a lot of election officials, you know, in higher levels and all the way down have kind of said, I don't want to do this anymore. I don't want to be attacked. I don't want people pretending I'm stealing votes for somebody. And, obviously, in some cases, in extreme cases, it's included threats of violence. And that is just unacceptable and it's discouraging the very thing we want, which is citizens of all sides to be involved in running our elections.

**TENPAS:** Right. And apart from election administration, you've written a really interesting book or coauthored an interesting book about universal voting. Can you talk about how that might boost confidence in the system?

[11:09]

**DIONNE:** Right. Thank you for mentioning that. The book is called *100% Democracy: The Case for Universal Voting*. And my colleague Miles Rapoport, who really understands elections because he was secretary of state in Connecticut—or as the official title in Connecticut and only Connecticut is secretary of *the* state. So, I always had to remember that for Miles. And we wrote this book because we were both inspired by systems, particularly in Australia, which has done this for nearly 100 years, where as a matter of citizenship every citizen is required to vote.

Now, the reason we call it “universal voting” rather than “compulsory voting” is in good American fashion we propose a system that would largely look like Australia's, which I'll talk about, but we would let everyone who wanted to apply for conscientious objector status: if you really, really, really didn't want to vote—and there were some religious traditions that sort of stay away from politics altogether—you could apply for that status and it would be granted liberally. So, we, we, we want to say that we are not requiring people who have a principled opposition to voting from casting a ballot. We don't think most people would avail themselves of that, but they should.

What happens in Australia is first at the front end, Australia has a national election board, so you have—and we don't see that happening in the U.S.—but it helps to make elections very efficient. The government helps people register, registers people, makes it easy, easy as possible for people to register to vote, with the result that about 96%, 97% of Australians are registered to vote.

Of the 96% who are registered, 90% of them vote on election day. If you don't vote in Australia, you get a little notice from the government that says, you didn't vote, did

you have a reason? If you don't have any reason, you're asked to pay a \$20 Australian fine, which last I checked this around \$15. I don't know where know where the exchange rate is today as we speak. But they accept reasonable excuses.

**TENPAS:** So, like working.

**DIONNE:** Yeah, like working, or a sick parent, or I was sick or something. And so, only about 13% of people ever pay the fine. So, it's really not a punitive system. And we would do several things to make sure it's not punitive. It would not be a criminal fine.

[13:43]

So, we view this as a nudge, not a shove, not punitive. It's really declaring that there is a civic duty and it's to change the culture around voting. And that's what it's done in Australia. Elections are on Saturdays. We might not be able to do them on Saturdays for religious reasons. We think Election Day should be a holiday. But you can go anywhere to vote in your state.

And because of this civic feeling, elections become kind of a giant party. And by the way, there's good political science that shows that when parties or celebrations are associated with election, turnout is higher.

And people in the country, civic groups, schools, use election day to raise money for all kinds of civic projects. So, when you go vote, there are all kinds of food available. And it's become such a thing in Australia that they now have websites rating the food at different polling places so you can decide where you want to eat the food.

And lastly, Australians are famous for their democracy sausages that you have at these celebrations. We say we should have democracy sausages too, but there should be vegan alternatives.

**TENPAS:** So, I'm just curious with such high numbers of registered voters in Australia, how does that compare to the United States?

**DIONNE:** So, in Australia around 96% are registered, here about 69% are registered. So, their efforts to make it easy and for people to register and for the government to take some real responsibility in this really makes a big difference.

**TENPAS:** Yeah. I think what you're saying is in this, in this effort to sort of promote universal voting, you're basically saying the United States needs to eliminate a lot of the barriers that currently exist around voting, and to try to make it more of a civic duty and kind of an event or a celebration. And you can do that by eliminating a lot of these barriers that we currently have. Is that right?

[15:43]

**DIONNE:** Right. In our book, we have a whole chapter devoted to gateway reforms. You should be able to vote early. There should be easy voter registration, mail voter registration, the mail balloting should be easy. There should be all sorts of ways that

make it easy to vote. And that's, again, the Australians are very conscious that if you have a requirement, you've got to make it as easy as possible to achieve this.

We actually did some polling on our idea, and I used to joke that, we are either the dumbest or most honest book writers ever, although somebody pointed out you could be both. Where our polling shows right now, only about 26% of Americans would buy a version of our idea. Although we ... if you looked at the polling, about half of Americans are at least open to persuasion. We thought that was pretty good for an idea that has never been pushed in the United States, and it does seem to fly in the face of certain libertarian, you know, proclivities that Americans have.

[16:45]

But the other side of this that goes to the purpose of your show today, if everybody knows that everybody is going to vote, I think it has a real opportunity to increase confidence in the system, because you build a system that really works, that accommodates everybody. And everyone knows that everybody else is engaged.

And one of my favorite photos of voting in Australia, just to show that everybody takes it seriously, is of a polling booth near Bondi Beach in Sydney. And it's three surfers in their wetsuits with their surfboards leaning up against the booth as they dutifully cast their ballot and presumably then jump right back into the surf.

**TENPAS:** So, it's interesting to me, E.J., and I think that if there are listeners out there who aren't very familiar with American politics or if there are people from other countries perhaps, they might listen and think, how can there be so much disagreement on removing barriers to entry for voting? Like, why is this a difficult topic? Why is it that we we can't pass these reforms overnight?

[17:58]

**DIONNE:** Well, the easiest way to pass reforms is when, at best, both parties are for them or at worst, neither party thinks they'll be hurt by them very much. And I think right now you've had various moments in history where, people have tried to exclude some groups from voting. We obviously have a long history of discrimination against Black Americans, you know, explicitly excluding them from the vote or implicitly doing so with phony literacy tests. Guess how many jellybeans are in this jar? The would-be Black voter is asked—

**TENPAS:** And women have only had the right to vote for a little over 100 years.

**DIONNE:** Correct, yes. And at the beginning of our Republic, it was white men with property in most places. So, we have steadily expanded the right to vote. A lot of people mistrusted immigrants, you know, with a Know Nothing Party in the 1840s, 1850s. Even some Progressive reformers were mistrustful of immigrants at the turn of the last century, because they often voted for machine Democrats and or political machines. Actually, there were Republican machines, too.

[19:07]

So, we've always had battles over, you know, exclusion of groups. And now those battles are are fought indirectly, where, no one says, well, we want to stop X group

from voting, but they use voter fraud as a flag. Or, you know, one of the most popular these days among opponents of, you know, opening up the process are, well, illegal immigrants will vote. There's no evidence, no evidence that, you know, that illegal immigrants vote in, in, in barely at all, but in any substantial numbers. It's illegal in every state. Yet, that's used as an excuse.

Again, putting aside our idea, we welcomed what happened in the pandemic election. And I think as a country, we should celebrate what we did. Early in the pandemic everyone wondered, how can you have an election if people are worried that the price of casting a vote will be to show up and get COVID? And all over the country again in Republican as well as Democratic jurisdictions, local and state officials said, we've got to make it possible to hold an election where people don't have to worry about getting infected with COVID. And that's how we opened it up. And we got the highest turnout in about 100 years. Two-thirds of us voted. That's a cause for celebration.

I always like to say that I cast my mail ballot in a drop box in front of Walt Whitman High School in Bethesda, Maryland. I love that for two reasons. One, reasons one is that's where our kids went to high school. But two, Walt Whitman was the poet of American democracy. And so, I thought of it as a poetic act as I dropped that ballot in that drop box. But why shouldn't we make it easy all the time for everybody?

**TENPAS:** And are there any other ideas that you have besides universal voting that you think could help restore trust in elections? What will it take besides maybe a certain individual sort of moving on to other things?

[21:08]

**DIONNE:** Well, I think given that the polls are very clear, as you suggested earlier, that the Americans who claim that the 2020 election was rigged are overwhelmingly Republican, I think it's very important that Republicans, Mitt Romney is a good example, who actually lost a fairly close election to Barack Obama, never went out and cried voter fraud. And I so, I think it's very important for Republican politicians not to be complicit in this or worse, kind of half complicit in this and say things like, well, I don't believe that, but there were problems in the election. What problems? You know, you know, spell those out. It's usually a way of evading.

And, you know, as I say, the the secretary of state in Georgia, Republican who said no, this was an honest election, actually won the next election. I think he ran ahead of the ticket because a lot of people on both sides appreciated that, you know, he said, honestly, we ran a good election. So, I think, that's part of it.

And then I think that every change that's made to make it easier to vote, I think local election officials, I think they are transparent about what they do, but I really think they need to go out in the community and tell people, here is what we are doing and here is why we are doing it. And, you know, before all of this hue and cry about the so-called stolen election, in a lot of communities Republicans and Democrats were grateful in 2020 that local officials went to a lot of trouble to make it easier for people

to vote. And they were thanked for it. And I think they need to go out there and just say ... do a lot more civic work at Rotary clubs and churches and schools.

**TENPAS:** Education, yeah.

**DIONNE:** Yeah, just to say, here's how our elections run. And if you want to be involved, we would welcome you there.

**TENPAS:** So, one final question. I think that anybody who's concerned about trust in elections might also be concerned about the future of American democracy. So, on a scale of 1 to 10, how worried are you about the future of American democracy?

[23:19]

**DIONNE:** I'm sort of more on the worried side than I would have been even a year or two ago. So, I'd probably put myself at a 6 or maybe even a 7. Obviously, I think it depends a lot on how this election turns out and what happens afterward. And so, neither the outcome nor what's going to happen after is easily predicted. By the way, I'm also worried about what will happen at polling places. There's a lot of talk about people showing up at polling places to fight voter fraud. Will that turn into voter intimidation at the polls? I think that if you ask me, which am I more worried about this time, another January 6th or voter intimidation on Election Day? I think I'd lean toward right now voter intimidation on Election Day. I hope we don't have to go through that which we have at some points in our history, particularly after Reconstruction in the South.

So, I am concerned. And a lot of us, a lot of people say we have great institutions in America, and they have stood the test of time. And we do have really strong democratic, small D democratic institutions, although some of them—and this is an argument for another day about the Electoral College and the structure of the Senate—some of them are anti-democratic. The Supreme Court and the way it works. But these are institutions that we should, and I do, value.

[24:46]

But we've seen again and again in history that institutions are only as good as the actors called upon to protect and defend them. And it's very easy even for the best of institutions to go haywire, to operate badly if the stewards of those institutions don't take full responsibility for them. And right now, we ... if you look at the polling, we don't even agree what we mean when we say we're trying to protect democracy. It's a really striking thing that Democrats will say protecting democracy means making sure that no one is deprived of the right to vote, to make it as easy as possible to vote, to accept the outcome of legitimate elections. Republicans will say, oh, I care about democracy too. I don't want people illegitimately to participate in the process. I don't want people to rig the elections. And so, they both say, they mean democracy, but it's as if they're speaking two languages. And it's really hard to hope that we can

unite to defend our democracy when there is this kind of division over what defending democracy means.

**TENPAS:** Yeah. So, if you had to end on an optimistic note, what would you look to for your source of optimism?

[26:05]

**DIONNE:** Number one, I have had the blessing of teaching for 20 years. And I really do love the generation that is coming up now. I've taught a whole generation, I guess you could say, over those years. And I find, contrary to what a lot of people say about the new generation, I find a lot of real engagement with problems of democracy, wanting to protect the country. And, yes, right now, there's some disillusionment out there that's going to be a challenge this year. But I find real engagement among the young. And that sort of gives me hope for the future.

I do think that in principle, despite this split I just said, the vast majority of Americans do appreciate their institutions and understand the value of liberal democracy. I use "liberal" not in the ideological sense, but to refer to democracy linked to rights. Or you could say constitutional democracy. So, democracy linked with freedom of speech, press, assembly, religion. I think people in principle know that's valuable. A significant majority knows that's valuable. And I think you're going to see play out in this election a lot of explicit arguments about why defending democracy right now matters a great deal to our country.

And so, the fact that you're holding these discussions I think fits in with the fact that in this particular election year, democracy will not be some side issue or back of the train issue. I think it's going to be central to the conversation.

[music]

You've got to talk and argue about democracy if you're going to spend the energy to save it. And so, that gives me some hope, too.

**TENPAS:** Well, it was a pleasure to talk to you this afternoon. And thank you so much for your time.

**DIONNE:** Thank you.

**TENPAS:** And now Elaine Kamarck. She's the author of numerous works including *Primary Politics: Everything You Need to Know about How America Nominates Its Presidential Candidates*, now in its fourth edition, just in time for the 2024 presidential election. Elaine, welcome to *Democracy in Question*.

**KAMARCK:** Thank you, Katie. Nice to be here.

**TENPAS:** Yeah. And maybe we could just kick it off with, you know, the central question of this podcast episode, which is how do we build trust in elections?

[28:42]

**KAMARCK:** Well, the first way we build trust in elections is making sure that there's honest data out there about exactly the extent of fraud in elections. And for this, I would turn people to an article that we wrote a couple of years ago here at Brookings. And it took it took as its basis the Heritage Foundation's Think Tank Monitoring Election Fraud. And this is a very interesting project they've got. As you know, Heritage is a conservative think tank. And they have been very supportive of Donald Trump. And they have been blasting headlines about the election fraud cases.

Well, here at Brookings, we went through every single election fraud case on the Heritage website. And we realized that what they were doing was they were not examining the numbers in the context. For instance, in Texas Heritage found 103 cases of confirmed election fraud. But those cases ranged from 2005 to 2022, during which time over 107 million ballots were cast. In other words, the fraud in Texas amounted to 0.000096% of all ballots cast. This is hardly evidence of a fundamentally corrupt system.

Now, as we know from studying conspiracy theorists, they'll always come back at you and say, oh, well, you know, they didn't bother to commit much fraud there because Trump was going to win, so the Democrats didn't try, etcetera. But the story is the same in the swing states. For instance, in Arizona, where Biden won by a mere 10,000 votes, Heritage documents four, four cases of fraudulent voting in the general election. This is hardly enough to swing the election. And that, by the way, goes on and on. I would ask you to have a look at this on the Brookings website if you want to hear more.

But essentially, this notion that Trump himself has started and the Republican MAGA types have promoted that elections in America are fundamentally corrupt, simply doesn't bear up even on the Heritage Foundation's own website.

**TENPAS:** And so what could combat that? That it would have to be some sort of extensive civic education program? Or how do people who believe in elections and have faith and understand that there is not enough evidence to say that these elections are fraudulent, like, how do you combat the perception that there is fraud?

[31:30]

**KAMARCK:** Part of it is just simply educating the public on what the voting system is like. So, let's take the case of the widespread rumor that there were fraudulent ballots shipped to Maricopa County, Arizona—this is the county that has Phoenix in it—from China, and that these ballots were all pre-, you know, filled out with Biden's name. Now, if you know anything about voting, you know that ballots, first of all are printed county-by-county because there's all sorts of different people on them. Who knows? Maybe the Chinese could have figured out all the dog catchers and county commissioners, etcetera, in Maricopa County. But that that's the first challenge.

Secondly, ballots are printed on a special kind of paper. And the theorists were looking for bamboo traces in the, quote, alleged Chinese paper. Well, don't you think that the Chinese, if they were really trying to do fraudulent ballots, would have not

used that kind of paper? Tried to use the kind of paper that they use in Maricopa County?

Thirdly, the ballots themselves are kept under lock and key both before Election Day and after Election Day. And here's the thing that I think people really don't understand—elections are contests between two big, well-funded, and highly competent political parties. In most of these elections, when there's a counting going on or a recount going on, the Democrat and the Republican Party have a representative in the room. Those representatives run to court the minute they see something fishy. Okay? They're armed with injunctions. They get themselves to the courthouse. The judges are alerted, etcetera.

For there to have been widespread fraud in 2020, you have to assume that the Republican Party was completely asleep at the switch. Which is why, basically, going back to the Heritage Foundation study, you find a minuscule, minuscule amount of voting fraud in the United States.

**TENPAS:** And it's interesting, too, that even in 2020, there were, you know, so many lawsuits and claims of fraud, but none of the other Republican races mattered. So, all the other Republicans that won, those elections were fraud free somehow.

**KAMARCK:** Right. Right. The only fraudulent elections in 2020 were the ones that Donald Trump lost. And by the way, the down ballot Republicans in 2020 did pretty well. So, you know, they didn't they didn't challenge those.

**TENPAS:** And so, heading into 2024's elections, do you just expect more of the same. Is there any reason to expect something different or that maybe people have become more attuned to what each state does to try to protect the election and so they're more respectful of it? Or do you just think it's going to be more of the same?

[34:34]

**KAMARCK:** The secretaries of state are making concerted efforts to educate the public. There is a lot of public education going on. And do I think that Donald Trump and the MAGA people will cry fraud? Yes, of course, they're already doing it and not a ballot has been cast. Right? They will. But the question is really, do people take this seriously? Is it undermining confidence in the elections?

The situation in Maricopa County where you had people looking for bamboo traces in paper ballots they were examining was so ridiculous that, in fact, a lot of people probably looked at that and said, boy, that's dumb. And this time the secretaries of state are not taking for granted that voters know what happens to their ballots before they get to the polling place and after they get to the polling place. So, my guess, and maybe I'm just being an eternal optimist on this, but my guess is that it will be harder to argue massive fraud this time than it was four years ago.

**TENPAS:** In one of your emails, you mentioned that you're working with secretaries of state across the country. Can you talk a little bit about that?

[35:49]

**KAMARCK:** Yeah, I mean, we've been in conversations with several secretaries of state over the last four years. I mean, it began with a project we did in 2020 where we were monitoring the adaptations of the secretaries of state were making to deal with voting in a pandemic, to deal with COVID. And so, that began our relationship with them. And we followed ever since then particularly the actions of people in swing states who are trying to educate the public and make sure that they don't have the same kind of high levels of suspicion as there was last time.

And remember, in 2020, there were massive changes in how people voted, how Americans voted. There had to be. Election Day 2020, we didn't have a vaccine yet. Okay? We were we were still hurting as a country. People were still dying. People were sick. People were scared. So, in order to run a presidential election in the middle of a pandemic, most secretaries of state did things like ease up on the requirements for absentee voting. They did a lot of the early voting, etcetera.

Now that became the basis for a lot of suspicion post- ... and Trump, of course, played into that to argue that he had really won the election, not lost it. What we have to realize is that at the same time it played into sort of conspiracy theories. People loved it. People loved the new way of voting. It was very popular. You could vote early—

**TENPAS:** —Wasn't the participation rate up compared to other elections?—

**KAMARCK:** —Oh, yeah, participation was way up. And and basically, people loved the fact that you could get an absentee ballot, you could go to early voting, etcetera. So, there's very little public demand for this these new voting systems to be taken back.

[37:49]

The second thing, and this I think is something we can do something about, because the Republicans made such a big deal about there's going to be fraud in the absentee ballots, what happened was on election night, the in-person vote came in first. And that was a Republican vote, because Republicans were told, don't vote absentee. When they added in the absentee votes, absentee ballots and early ballots, etcetera, in many states, the picture changed. And the Democrats, you know, caught up and in some cases surpassed Trump. Now that was interpreted in many places as, oh, they did some funny business in the middle of the night. They did some funny business. And that now is in the hands, really, of the reporters.

I have made a more radical suggestion. My suggestion would be that states not report votes until they have 99% of the votes in, that they not even talk to the media on election night. We probably, probably the media would have a fit about that. They love election nights. But at least what they are doing is they are, and you saw this in 2022, they're constantly reminding the voters this is only part of the vote. We don't have the absentee vote, etcetera.

But still, it makes people suspicious. You know what I mean? One candidate is winning at one point, then losing and another point, then winning in another point, etcetera.

**TENPAS:** And did the secretaries of state, were they were receptive to this idea of just waiting until all the ballots were in? I know the media would be impatient, but were they okay with it?

**KAMARCK:** No, the media hates it. I don't know. I can't talk for the secretaries of state on this.

**TENPAS:** Because it, I mean, in a way it makes it easier for them because it's just one answer.

**KAMARCK:** I think it would make it much easier for them. And I may promote this a little bit more again because, it just is it is crazy the way this goes on. It is crazy the way people that, you know, if you go to bed at 10:00 and you think your candidate has won, and you wake up at six in the morning, and your candidate has lost, you know, you're going to be upset. And you might, you might wonder, and if somebody is telling you that there's a lot of fraud, guess what? You're going to believe that there's a lot of fraud.

**TENPAS:** So, I wanted to talk a little bit for a moment because you mentioned that people are inclined to believe certain things that they hear. And you and our colleague Darrell West have recently written a book about AI and disinformation and misinformation. Can you talk a little bit how that plays into Americans' capacity to trust election results?

[40:33]

**KAMARCK:** Yeah, there's two two aspects to disinformation. Right? One of them is the persuasion aspect. Right? And this is where people are very worried about deepfakes and things like that that would have, you know, Kamala Harris doing something outrageous or saying something outrageous, or Donald Trump doing something outrageous. I mean, that that is a big worry. And that goes to the persuasion part.

There's also disinformation that goes to the voting part. And this is really as old as Methuselah, but it's now got a different form. And that is emails that come to you that say, oh no, voting day has been moved from Tuesday to Wednesday because of thunderstorms or because of snowstorms or something like that. In other words, try to confuse the voters, particularly the other person's voters, about when the election is. I mean, basic stuff like that. Or sending out fake information on getting absentee ballots, when do you need to register for an absentee ballot.

All of that stuff is all over the place. And a lot of that is noise in the system. Doesn't matter. But when you are in a very, very close election, then all of these little things end up mattering. So, while most of us would not believe that, you know, Kamala Harris was in a porno film—okay? that's one of the one of the favorite ones running around—most of us would say, oh, that's ridiculous, that's not going to happen. The

fact of the matter is that when the elections are this close, you just need a very small number of people to believe it to make a difference.

**TENPAS:** So, tell me that you have a solution for how to combat that. Is it possible or is it just technologically we can't keep up?

[42:24]

**KAMARCK:** Right now, technologically we can't keep up. But campaigns are going to have to spend a lot of money and a lot of resources instead of reaching voters on literally looking for this junk on the internet and stopping it as soon as they possibly can. And it's it's hard to stop it. Okay? It's hard to trace who's doing it and where it is. But it's the campaigns that have the primary responsibility right now. It's in their interest. Eventually we might have technological solutions to this. Eventually we may have ways of instantly seeing an AI fake. Right now, though, it's it's hard and we're not there.

And let me let me just say, I think 2024 is one of the most dangerous elections ever on disinformation. And the reason is, it's new enough and it's good enough that we can't really combat it. I'm hoping, and this may be being too optimistic, but I'm hoping by 2028 and 2032, two things have happened. One, the public has gotten sophisticated, and they'll they'll see some of these, these things and say, oh, that's ridiculous, that's probably fake.

And B, there will be tools at hand for you to decipher disinformation from real information. You know, it's like the McCaffrey virus bug that we have on our computers, right? We're going to have something like that. People smarter than me tell me that that's not happening right now, which is why I say 2024 is a very dangerous year. My guess is we will adapt to this as we've adapted to other forms of technology.

**TENPAS:** Well, of all the times for it to be at its zenith in terms of effecting an election outcome, it's affecting one that's as close as can be.

**KAMARCK:** Yeah. It's a it's a bad year for it to be having this effect.

**TENPAS:** And do you have any other ideas about rebuilding or building trust in elections? I know you've talked a lot about civic education, and secretaries of state being more transparent about what they do so that voters understand how careful election workers are with ballots and things of that nature. But do you have other ideas?

[44:41]

**KAMARCK:** Well, I think that educating the public on the on the party system. The parties are often forgotten in this, and yet the parties are the major players in keeping the elections honest. You know, look, let's face it, we're all we're all familiar with the underlying theory of capitalism. The underlying theory of capitalism is that competition is good, that competition will give us a car that has the doors falling off will not sell well. Right? And the competition does that.

Well, it's the same in elections. The two political parties are mostly fairly competent at watching elections. They have an idea of where their vote is. If it's coming in all screwy, right, if the South Bronx is voting 85% for Donald Trump, people run to the courts and say, hey, something's something's wrong here.

So, the two parties are in fact the primary line of defense to keep our elections honest. And, you know, you could even contribute to the parties. You can contribute to their election funds to pay for the work that they do. But I mean even very educated people actually sometimes talk to me as if only the Republicans or only the Democrats are going to be able to get away with things. It's like, no guys, there's two of them and they are usually fairly competent, and they will litigate this. And that is what keeps it fairly honest.

**TENPAS:** And historically, can you think of another moment in time where the American electorate has had such doubts about election outcomes?

[46:22]

**KAMARCK:** Well, the election of 1876. Yeah. I mean, that was the Reconstruction election. That was where white southerners took over from newly enfranchised Black voters, and three states sent in confusing and opposite electoral slates. And it had to be decided in the House of Representatives. It was a mess, it was just a mess. But it was a mess because the actual voting was a mess because in some places, they were lynching freed slaves who tried to vote. In other places, the Union Army was protecting the polling places from the white Southerners. I mean, it was it was, you know, that makes today look like a picnic. Okay? That was that was the Civil War fought to its fought to its end.

**TENPAS:** What about *Bush v Gore*? Do you think that has cast or made people more likely to be concerned in this current era?

[47:19]

**KAMARCK:** Well, Bush versus Gore was simply a very, very close election. There is data available from the press recount of Florida that indicates that if Gore had chosen to go for a statewide recount, as opposed to a recount of Broward, Dade, and one other county, that he probably would have won the state. Because they ignored, Jacksonville was left out of that, and it turns out that there was a lot.

So, basically under the theory and the legal process that followed, and the Supreme Court did cut off the recount. I mean, they did stop this, saying that they had to have the, the Electoral College vote by the second week of December, which is in the Constitution.

So, I think we know what happened in *Bush v Gore*. Gore got the most votes. There's no doubt about it. But the Electoral College vote in Florida made, which was very close, was decided legally by the courts. And that was that was the end of it.

And what what this brings up for us is a bigger problem, which is the problem of the Electoral College. And I think the Electoral College undermines trust in government

because the person with the most votes twice now, twice in this century, the person with the most votes has not most votes has not become president.

And, you know, a small portion of the electorate now decides who is the majority of the United States Senate. And every state, even very tiny ones with no people have, you know, two senators. So, we're in we're in we're in trouble now because of the Electoral College.

**TENPAS:** And, on a scale of 1 to 10, where would you be in terms of your concerns that things like declining trust in elections is undermining American democracy? Do you think that it's affecting American democracy? How do you feel generally? Like, are you nervous about the future of American democracy?

[49:25]

**KAMARCK:** I am. I am as as most people are. I am very nervous about it. But I also think that we have a lot of guardrails built into the system. If you remember, in 2020 there were 62 lawsuits brought by the Trump campaign alleging one kind of voter fraud or another. Sixty-one of them were thrown out of court. Some of them were thrown out by Trump judges, Trump-appointed judges, by Republican judges, etcetera. So, there are guardrails still in America. They are still working. Like many people, I fear a Trump presidency would try to undermine those guardrails, but so far, so good.

**TENPAS:** And where would you be on that scale of 1 to 10 if you had to put a, a number to your level of concern about.

**KAMARCK:** Which is which?

**TENPAS:** Ten is like you're the most afraid about the future of American democracy. One is at least.

**KAMARCK:** I would probably be a seven.

**TENPAS:** Interesting. And then one other question, and this is sort of relates to something that E.J. said. He was talking about not being so concerned about the fact that faith in election results is declining because he thinks it's largely a function of a personality, which is Donald Trump, who's saying don't trust the election results. And I was just wondering, do you think that the decline in trust is sort of an aberration? And it really is the function of an overwhelming personality that is casting doubt? And that without that personality, Americans will be more inclined to trust election outcomes?

[50:53]

**KAMARCK:** Yeah, I think so. I mean, Trump is very unique, and I get this question all the time about presidents. Okay? Is it just something when when Trump was president? A lot of young people would say, well, is this is, is this how it always is? And no, it's not how it always is. Donald Trump was a very, was and is, a very unique actor in American politics.

[music]

And I, for one, think that once he goes from the scene, either he loses and he's done or he wins and he only has four years, I think once he goes from the scene, we will have turned the page on a pretty ugly chapter in American history.

**TENPAS:** Well, thank you Elaine, I'm really grateful for your time and your insights.

**KAMARCK:** Nice to see you, Katie.

**TENPAS:** *Democracy in Question* is a production of the Brookings Podcast Network. Thank you for listening. And thank you to my guests for sharing their time and expertise on this podcast.

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I'm Katie Dunn Tenpas. Thank you for listening.