

# Nygaard Notes

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## Rigging the Election: The Real Issue

President Trump has repeatedly refused to commit to a peaceful transfer of power should he lose the upcoming presidential election. Most of this issue of Nygaard Notes is devoted to the constitutional crisis that would likely occur should the President refuse to leave office.

The President's claim is that the election is being "rigged" by Democrats. Such an explosive charge is bound to make headlines, as it should. But in the midst of these wild accusations, the danger is that we will lose sight of the very real "rigging" of our elections that has been going on for decades. That threat to free and fair elections presents itself in the form of voter suppression. The Brennan Center for Justice summarizes the problem:

"Over the last 20 years, states have put barriers in front of the ballot box — imposing strict voter ID laws, cutting voting times, restricting registration, and purging voter rolls. These efforts, which received a boost when the Supreme Court weakened the Voting Rights Act in 2013, have kept significant numbers of eligible voters from the polls, hitting all Americans, but placing special burdens on racial minorities, poor people, and young and old voters." One cannot help but notice that, with the exception of older voters, all the groups facing "special burdens" tend to vote Democratic. Which is why most voter suppression efforts have been, and are being, led by Republicans.

Let's have a brief look at some of the ways votes are being suppressed in the 21<sup>st</sup> century in the United States. The following list of voter suppression tactics comes to us courtesy of The American Civil Liberties Union, which has on its website a section called "Block the Vote: Voter Suppression in 2020."

1) Voter ID Laws: "Strict ID laws are part of an ongoing strategy to suppress the vote, and it works. Voter ID laws have been estimated by the U.S. Government Accountability Office to reduce voter turnout by 2-3 percentage points, translating to tens of thousands of votes lost in a single state."

2) Voter Registration Restrictions: "Restrictions can include requiring documents to prove citizenship or identification, onerous penalties for voter registration drives or limiting the window of time in which voters can register. Politicians often use unfounded claims of voter fraud to try to justify registration restrictions."

3) Voter Purges: "Cleaning up voter rolls can be a responsible part of election administration because many people move, die, or become ineligible to vote for other reasons. But sometimes, states use this process as a method of mass disenfranchisement, purging eligible voters from rolls for illegitimate reasons or based on inaccurate data, and often without adequate notice to the voters. A single purge can stop up to hundreds of thousands of people from voting. Often, voters only learn they've been purged when they show up at the polls on Election Day."

4) Felony Disenfranchisement: "A felony conviction can come with drastic consequences including the loss of your right to vote. But different states have different laws. Some ban voting only during incarceration. Some ban voting for life. Some ban people while on probation or parole; other ban people from voting only while incarcerated. And some states, like Maine and Vermont, don't disenfranchise people with felony convictions at all. The fact that these laws vary so dramatically only adds to the overall confusion that voters face, which is a form of voter suppression in itself. Due to racial bias in the criminal justice system, felony disenfranchisement laws disproportionately affect Black people, who often face harsher sentences than white people for the same offenses."

5) Gerrymandering: "Every 10 years, states redraw district lines based on population data gathered in the census. Legislators use these district lines to allocate representation in Congress and state legislatures. When redistricting is conducted properly, district lines are redrawn to reflect population changes and racial diversity. But too often, states use redistricting as a →→→

Greetings,

The period leading up to, and immediately following, the November elections in the United States is a dangerous moment. This issue of Nygaard Notes is premised on the idea that each one of us can do something to protect democracy and slow the rise of authoritarianism that would be accelerated by the reelection of Donald J. Trump.

Don't feel hopeless, please! In this issue you will find ideas and resources aimed at encouraging you to do something, in whatever way fits for you. Remember, getting active is great therapy for anxiety and depression.

It's all hands on deck at this moment. Stay healthy. Stay sane. Stay active!

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### **Rigging** *from page 1*

political tool to manipulate the outcome of elections. That's called gerrymandering — a widespread, undemocratic practice that's stifling the voice of millions of voters."

Many of the tactics that we are seeing, and will see, in the way of threats to a free and fair presidential election posed by Donald Trump are new and original: defunding the Post Office, threatening violence in the streets, questioning the very validity of the election itself. But, as the list above shows, US elections have been "rigged" for years, by favoring some voters and excluding others. The success of these ongoing structures of voter suppression and disenfranchisement are likely among the conditions that brought us Donald Trump in the first place.

On the bright side, the increasingly frantic behavior of the Trump-led Republican Party should give us cause for hope. The fact that Republicans feel they have to introduce an evermore brazen set of dirty tricks in order to stay in power is a tacit acknowledgment that the standard tactics of vote-rigging (listed above) can no longer be relied upon to reward power with more power. American democracy has always been limited, embedded as it is in a society plagued by white supremacy and other forms of social oppression. But maybe, just maybe, there is enough life left in our democratic system to prevent the rise of fascism represented by the presidency of Donald Trump. This issue of Nygaard Notes describes a few of the democratic efforts that are the real hope for our democracy. ♦

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## The Transition Integrity Project

If you haven't really thought about what might happen after the upcoming presidential election, perhaps it's time that you do. I suggest you start by looking at the report of the Transition Integrity Project. Back in June a group of roughly 100 "senior government and campaign leaders and other experts" came together to conduct "gaming exercises" aimed at exploring what might happen in four different scenarios: A decisive Biden win; a decisive Trump win; a narrow Biden win, and; "a period of extended uncertainty as in the election of 2000."

About halfway through the authors of the report offer 5 "Recommendations to Avoid a Crisis." They recommend that we:

- 1) Plan for a contested election
- 2) Focus on readiness in the states, providing political support for a complete and accurate count.
- 3) Name the elephant in the room: President Trump is not running normal reelection campaign.
- 4) Address the two biggest threats head-on: lies about "vote fraud" and escalating violence.
- 5) Anticipate a rocky administrative transition.

Read the full report, released in early August, online: <https://assets.documentcloud.org/documents/7013152/Preventing-a-Disrupted-Presidential-Election-and.pdf>

Now, as to what we can do about this, read on... ♦

## The Hold The Line Guide

A small group of activists recently published a remarkable booklet called "Hold the Line: A Guide to Defending Democracy." I highly recommend the Guide, which is "designed to help people from all walks of life take action to assure that the (presidential) election is free and fair, and that the results are respected." ↗↗↗

→→ The motivation for publishing the Guide is simple: “We face a long list of real and potential challenges in the upcoming November election that demand a heightened level of civic awareness and engagement.”

Citing some of the problems discussed elsewhere in this issue of the Notes, the authors concede that they can seem overwhelming. But they go on to state that “Fortunately, there’s a lot that each of us can do to help. Everyone has a role they can play to ensure that voting is accessible and safe; that people turn out to vote; that the rules are applied fairly; and that the results are respected.”

The Guide is divided into four parts. Part 1 talks about what we can do before the election. Part 2 lays out some scenarios of what might happen after the election (if you’ve read the Transition Integrity Project report, you can skip this). Part 3 “provides a four-step process to start an election protection group in your community and to begin planning actions to protect democracy in case they are needed.” This section, which starts on page 22 of this 53-page document, is a very detailed, step-by-step guide for people who want to begin learning how to become an organizer. Sort of an “Organizing for Dummies” instruction booklet. If you think that you don’t know how to be an “organizer,” you should read this section of 15 pages. Maybe you’ll start thinking of yourself differently!

Part 4, which starts on page 38, I especially recommend for people who want to “do something,” but don’t know what to do. The authors lay out “a combination of civic engagement and nonviolent civil resistance,” and

illustrate why “civil resistance is far more impactful than most assume.”

The Guide stresses that “there are hundreds of ways that people can engage in nonviolent action, depending on where they want to target their pressure, and the particular circumstances they find themselves in.” They state clearly that “Civil resistance is *not* just about protest.”

The Guide discusses “three key principles that make civil resistance powerful,” and offers an answer to the question “What kind of tactics should I choose?”, citing (among other things) “acts of omission” and “acts of commission.”

We are hearing in the current moment calls for “law and order” which are being utilized to delegitimize principled resistance to Trumpism. This makes particularly relevant the discussion of the strategic importance of nonviolence that appears on pages 48-49.

(If you have not thought much about how to carry out nonviolent resistance, check out “198 Methods Of Nonviolent Action” from the Albert Einstein Institution [www.aeinstein.org/nonviolentaction/198-methods-of-nonviolent-action/](http://www.aeinstein.org/nonviolentaction/198-methods-of-nonviolent-action/))

The half hour or so it will take you to read “Hold the Line: A Guide to Defending Democracy” will be time well spent. At minimum, you will understand better what is going on in the streets of your own city or town. And – who knows – you might be inspired to participate in ways that you have never imagined. ♦

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## Stop a Coup, Choose Democracy

The website “Choose Democracy” begins with these words: “Democracy is fragile. We have reason to worry that this fall we may see an undemocratic power grab — a coup. We also know that the people can defend our democracy. Nonviolent mass protests have stopped coups in other places, and we may have to do the same in this country.” (<https://choosedemocracy.us/>)

In the spirit of “Hope for the best, prepare for the worst,” I recommend that you check out the website of Choose Democracy. Choose Democracy is not a permanent organization. Rather, the organizers state that “We focus on ‘What if there’s a coup?’ so other groups can keep their focus on other important efforts: voter outreach,

preventing voter disenfranchisement, defending vote-by-mail, and making things better whoever wins. We offer the pledge, training, handbooks and resources on how efforts can succeed to stop a coup.”

The Pledge is powerful, with the first point being “We will vote,” and the final point being “If we need to, we will shut down this country to protect the integrity of the democratic process.”

I encourage you to get on their mailing list, sign the pledge if you feel up to it, and take three minutes to read this: “10 Things You Need to Know to Stop a Coup” <https://choosedemocracy.us/prepare/#.X3IVCe17nhc> ♦

## Protect the Results

The groups Indivisible and Stand Up America are the lead organizations in a 100+-group coalition calling itself “Protect the Results.” <https://protecttheresults.com/>

On their homepage, Protect the Results says, “We cannot ignore the threat that Trump poses to our democracy and a peaceful transition. We will stand together to ensure that if Trump loses the 2020 presidential election he will not throw our country into a constitutional crisis. We will honor the valid results of the 2020 election, ensure that every vote is counted, and show up to demand that the losing candidate put their ego aside and concede for the good of our country.”

Partners who have signed on with Protect the Results include labor unions, progressive nonprofits, environmental groups, antiracist groups, and a whole bunch of other groups that defy categorization. If you are a member of an organization that may be a good fit, consider lobbying your group to become a partner of Protect the Results. There is power in organizations, and even more power in coalitions.

For individuals, there is the option of signing up for action alerts and checking a box “if you want to organize actions in your hometown.” ♦

### “Quote” of the Week: *“Everyone Has a Role They Can Play”*

*“We face a long list of real and potential challenges in the upcoming November election that demand a heightened level of civic awareness and engagement. You may have read about some of these problems already, or experienced or witnessed them firsthand at some point. They can seem overwhelming, and sometimes popular media focuses more on chaotic scenarios for the election than on possible solutions. Fortunately, there’s a lot that each of us can do to help. Everyone has a role they can play to ensure that voting is accessible and safe; that people turn out to vote; that the rules are applied fairly; and that the results are respected.”*

Those words are from “Hold the Line: A Guide to Defending Democracy,” which is highlighted in this issue of the Notes.

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