

SOLACE GLOBAL

# UNITED STATES ELECTION 2020

A CONTENTIOUS ELECTION IN  
AN UNUSUAL YEAR

OCTOBER 2020



# United States Election – A Contentious Election in an Unusual Year

## Executive Summary

With the Presidential election two weeks away, 2020 has already given America a global pandemic that has killed over 210,000 people and counting in the country, widespread protests and rioting over race relations, aspersions over the validity of the electoral process itself, the rise of domestic extremists, and even an incumbent president stating he would potentially refuse to concede. On top of all of this, America is strongly divided on partisan lines to a degree not seen since the build-up to the American Civil War.

Much has been made of how bad 2020 has been, and for those that can remember 1968, known as “America’s Worst Year”, there are some striking similarities. The year 1968 saw widespread race riots, political assassinations, 100,000 dead from the novel Hong Kong Flu and the rise of a conservative government later known for its illegal machinations.

As we approach the US Presidential election in November, all of these factors may impact on the election and the process of power transfer between potential victor and loser. Given the heightened state of tensions and partisan divisions currently evident, it is likely that even a large margin of victory, both in the popular vote and the electoral college, will result in some civil unrest and protest brought about by die-hard supporters of the losing candidate. Should the vote be closer or should the Supreme Court or the president himself get involved, America could potentially see large scale civil unrest and political scheming right up to, and beyond, the inauguration day in January.

## Political Problems

From a political view, the biggest risk in the November election is what happens if President Trump refuses to concede. While this outcome is unlikely, the president has, previously, stated that he believes the only way he could lose is if the election is rigged, he has also previously stated that he would only accept the validity of the vote “*if I win*”. In September 2020, he also declined to promise a peaceful transfer of power if he lost. However, more recently, Trump has backed away from this position stating he would respect the result in the 15 October Town Hall debate, and his son has also confirmed this stating that Trump will concede should he “get blown out the water”.

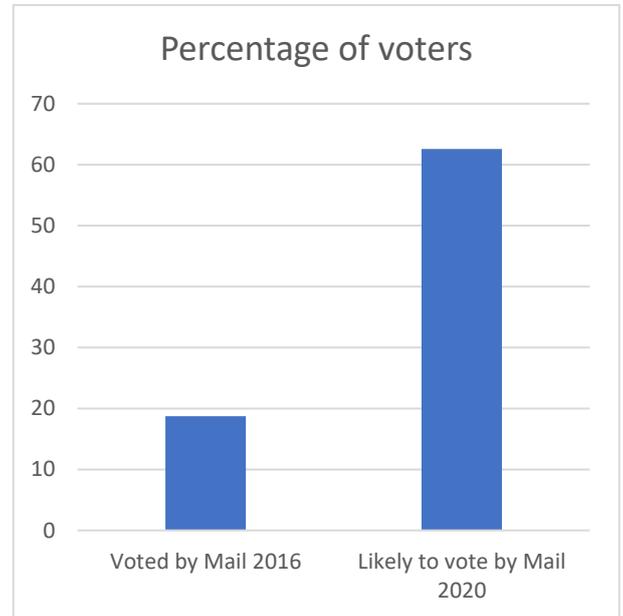
Aside from Trump’s willingness to concede, he could still spend the next few years severely undermining trust in the American democratic process amongst his base supporters in the event of a loss, by repeatedly telling them he only lost the 2020 election because it was rigged. Such actions would help keep the large partisan divide in America open, which in turn would likely lead to other potential political problems, such as gridlock within the various levels of government. It would also likely lead to large numbers of US residents, in particular Trump supporters, believing that they don’t have to follow laws set out by a Democratic government as it is an illegitimate government, and not “their rightful president”. These feelings, though potentially less intense than they may be, were seen among many Republicans during the Obama presidency.

Alongside this risk of non-concession is the associated risks to the election of a vote that is settled over days and weeks with a large “blue shift”. The “blue shift” is a process whereby a number of valid ballots are counted after the election night, such as mail-in ballots, and provisional ballots. These votes historically lean towards the Democratic Party and, as a result, there is usually a shift in the voting outcome away from the “red” Republican Party toward the “blue” Democratic Party. This shift could be big enough to eventually lead to a Democratic victory overall, despite the Republicans appearing to be in the stronger position on election night. Such a Democratic victory would be a worst-case scenario, and likely lead to strong accusations from Donald Trump of Democratic vote rigging and ballot fraud, as seen during the Florida gubernatorial elections of 2018.

Given that through the course of 2020 voting methods have become more partisan, with Republicans more likely to vote in person and Democrats more likely to vote by post, this, in turn, is likely to lead to a larger blue shift than normal, one that could indeed change the electoral results. Such a consequential blue shift, reversing the fortunes of a potential early “victory” for Trump would be seen as a nightmare, due to the ramifications.

Compounding the issues of the blue shift is that fact that over the last half-century, Americans are used to believing that the results on election night are the final results. Despite this belief, however, legally, the final results are never released on Election Night, in 2000 it took 36 days and the decision of the Supreme Court to settle the contest in favour of President Bush. Instead, the election night results are projected or anticipated results which have been provided by television networks to their audiences.

This year, potentially due to the COVID-19 pandemic, there has already been an unprecedented amount of early voting that is already taking place, which could feasibly change the outcome of the election. Thus far, records show that 4 million US citizens have already voted in early voting this year, compared to the 2016 Presidential election at this stage, where only around 75,000 people had turned out to vote early at this stage. This is likely to lead to the highest turnout seen in a century with it being predicted that turnout in the US could even reach 150 million, or 65 percent. The last time turnout at these levels was seen in the US was the 1908 Presidential election.



Although at the current time it is hard to say which candidate may be favoured by a higher turnout, it is likely that such a high turnout will have an impact on the election result. However, one benefit that such a high turnout will have is that it will be hard for any president to argue that they do not have the backing of a majority of Americans. However, should we see a large “shift” in the vote, the results on election night and the actual results, may be quite different.

Any alleged discrepancy between election night results and final results will only serve to fuel any allegations of vote-rigging and may even result in court cases and potentially even large-scale civil unrest. Already, over two weeks before the election has been run, there are 245 lawsuits over the 2020 presidential election being heard across 45 different states and the District of Columbia. Whilst this is an extremely high number, it is likely that a number of these will be resolved by November, which hopefully may limit the chances of an election aftermath such as that seen in the 2000 election in Florida between Gore and Bush.

A final political point to note is that of voter suppression and intimidation. The long lines, often seen in US cities for elections, are often due to archaic or Republican legislation which limits polling booths to just one per county. In Ohio for example, this means that the city of Columbus in Franklin County with 1.3 million residents, has 1 polling station for early voting, as does Vinton County, the state’s least populous with just over 13,000. Republican-led voter suppression efforts have been reported in Georgia, Mississippi, Texas, Georgia and Wisconsin during the course of the 2020 Election.

Closely related to voter suppression is voter intimidation. In 2018, a restriction on the Republican Party sending armed “ballot security” and “election officials” to monitor polling sites was lifted by judges. In response, the Republican party has raised USD 20 million to recruit 50,000 armed “poll watchers” and “ballot security officials”. The Republican plan is to deploy these personnel in Democratic areas, and areas with large minority populations, something which US election experts are claiming would be a classic case of voter intimidation. Such blatant attempts at voter suppression or intimidation could in turn foster further civil unrest.

## Domestic Terror and Civil Unrest

Away from the political arena, is the increased domestic terror risk, which may be heightened by any fallout from the political arena. The US has seen a steady increase in risk from domestic terror since the election of Trump in 2016. During his first term in office, there have been several notable instances when Trump has refused to disavow or distance himself sufficiently from the perpetrators of domestic terrorism perpetrated by far-right groups. Such presidential activity has only served to embolden known far-right and white supremacist groups in the United States. Indeed, since his election in 2016, a number of far-right and white supremacist groups have emerged, increased their membership or re-established themselves, and become well-armed in the process. These include the Boogaloo movement, The Proud Boys and The Base, to name a few.

A new report from the Federal Security Services has made the concerning rise in particular of far-right domestic terrorism clear: “Electoral based violent domestic extremists pose a threat to the presidential election next month, amid a ‘witch’s brew’ of rising political tensions, civil unrest and foreign disinformation campaigns.” Further to this stark warning, since 1994, far-right terror attacks and plots have accounted for a majority of all attacks, and since 1 January 2020, 90 percent of all attacks and plots were linked to far-right extremists.



Such amounts of far-right activity have not been seen in the US since the 1990s, which culminated in the Oklahoma City bombing in 1995. The attack remains the worst ever act of domestic terrorism in the United States. Evidence of the potential scale of the threat from the far-right in America can be seen in the news. In early October the FBI foiled an “advanced” plot to kidnap the Democratic Governor on Michigan, Gretchen Whitmer, and “try” her for treason while also violently overthrowing the state’s government. Those involved in the plot had arms, detailed surveillance of the Governor and her family, and had begun constructing and testing IEDs they intended to use in their attack.

Whilst this shows that the most significant domestic terror threat comes from the far-right and white supremacists movements, it is also believed that there could be threats from religious extremists, inspired by Islamic State and al Qaeda lone-wolf style attacks. Furthermore, over 2020, a number of radical far-left groups, Anarchist networks, such as Redneck Revolt, and the decentralised loose grouping of people and organisations known as Antifa, have begun employing tactics used by far-right groups, such as the online organisation of physical events, the use of codewords, and increasing use of extreme rhetoric. This has begun to spark concerns of a paramilitary arms race.

There are a group of devoted Trump supporters known as 'Trumpenkriegers' -- or 'fighters for Trump.' If the worst-case scenario occurs where Trump loses the election, after appearing to be victorious on election night, then this die-hard group of supporters may decide to use violence to “defend” their “victory”, due to a misconception that there was wide-scale vote-rigging, possibly even goaded on by Trump. Alternatively, if Biden wins, then some of the groups could turn to civil unrest to express their fear that a Biden administration would likely undermine their extremist objectives.

Closely linked to the fears of domestic terrorism are the fears that the large-scale civil unrest seen across the US could be further inflamed by the presidential election. This is likely increased if there is a long period of uncertainty between 3 November (polling day)

and whenever the final results are declared. If this is the case, then it is likely that the US could see a long period of large scale civil unrest across the country, potentially dwarfing the unrest seen earlier in the year, sparked by the police killing of George Floyd.

Such protests may well be designed to try and place pressure on state election officials and political officials, especially in those states where the election result was either too close to call or remains contested. A recent poll conducted of both Republicans and Democrats shows that 21 percent of respondents condoned the use of civil unrest or “minimal violence” should they lose the election. Any lawsuits, or contentions to the election, risk prolonging the time frame for such events to take place, possibly continuing right up to and beyond inauguration day on 20 January 2021.

The concern over civil unrest is shared by many Americans, many of whom are planning foreign vacations, coronavirus permitting, or are looking to head out of cities into rural areas for breaks around the election time. There has also been a surge in firearm sales, with FBI data indicating that a monthly record of 3.9 million guns were sold in June 2020. Ammunition for AR-15 style rifles is also currently sold out in a number of states, including Washington and Colorado.



In some cities, crisis communication lines have been set up between left-wing activists and right-wing ones, with the intention of using these lines of communication to resolve conflicts. Security companies are also being drafted in by banks, Fortune 500 companies and other businesses to assess the risk of business disruption and identify steps to protect employees and assets. Unrest, possibly violent, is expected and is almost guaranteed.

## The Supreme Court

The Supreme Court of the United States has been thrust once more into the very centre of the 2020 election. This through the death of the late justice, Ruth Bader Ginsburg, whose death so close to an election has sparked a political storm over whether Republicans have the right to choose her successor, given they refused the Democrats the choice of appointing a new justice in 2016. They opposed this on the grounds that as it was an election year, the choice should be made after the election, an argument they are now ignoring.

The decision is notable that, whilst the split on the Supreme Court is currently 5-3 towards the conservatives, there are one or two notable conservative justices who have voted with their more Liberal counterparts on previous occasions to try and maintain both the status quo and the political independence of the Court. This means there is the potential for any Supreme Court judgement on the November election to be deadlocked or even swing away from the Republicans, despite on paper the court being conservative leaning. Any deadlocked split in the Supreme Court is then resolved in favour of the lower court of appeals that sent the case to the Supreme Court. A split vote is unlikely, however, since 1946 only 7 percent of all Supreme Court cases have been split.

Until recently, it looked as though the diagnosis of Trump and several high ranking republicans with COVID-19, after the Rose Garden event where he unveiled Judge Amy Coney Barrett as his Supreme Court pick, would derail their attempts to install her to the court before the election. However, Senate Majority leader Mitch McConnell announced on 15 October that he now has enough votes to confirm her nomination to the Court in a vote to be held on 22 October, meaning she would be able to sit on the Court to hear any election-related cases. Her confirmation also opens up the possibility that in the future a number of civil rights gains of the last few decades could be contentiously overturned by a conservative dominated court.

In such a hyper-partisan environment as the one the US polity currently inhabits; it would be likely that Democrats would protest should a conservative dominated court tilt the election towards Trump, especially if Barrett was the deciding factor.

In essence, this means that any involvement of the Supreme Court, in this year's election will only serve to further inflame both Democrats and Republicans, and indeed may even serve to erode public trust and opinion in the Supreme Court. Currently, the Supreme Court is the branch of Federal government most trusted by the US public, and over two-thirds of Americans have satisfaction and approval with the court.

## Conclusion

Even the most optimistic scenario, namely a quick and decisive election outcome, will still likely result in supporters of the losing side triggering civil unrest at a minimum. This is driven by the partisan makeup of the US political map at the moment. Whoever wins, the other side will be angry. Democrats see Trump as a threat to democracy, and so his re-election will cause severe angst and soul searching, and widespread anti-Trump protests. However, if Biden wins, the right-wing will almost certainly stage protests, potentially even protests claiming that the election was rigged. Indeed, one-third of Republicans believe if Trump loses, he should refuse to vacate office, a dangerous prospect. Even a convincing win for Biden, who at the time of writing leads Trump by ten points in the polls, is likely to result in unrest. Even if the president does concede, he might not be able to completely calm any right-wing dissent.

Should there be some form of long protracted election process involving lawsuits and multiple recounts or should the Supreme Court be forced to step in, then there is likely to be large, prolonged, civil unrest. In addition to the large-scale civil unrest which could threaten to undermine the rule of law in the country, they both heighten the risk of domestic terrorism by extremists both on the far-left and the far-right.

In American politics, the period between the election in November and the inauguration of the new President in early January is a fragile period in the US transfer of power system. It can be seen as a no man's land between the end of one presidency, and the potential commencement of a new one. During this time, it is likely that this period will attract a significant amount of civil unrest, especially should court hearings and ballot recounts occur.

Whilst both the far-right and the far-left appear to be readying for post-election civil unrest, it appears the more extreme violence may come from the far-right in the event of a Biden win. This may be fuelled by claims by Trump, especially if it appears that he is unlikely to win in a narrow vote. These groups may feel marginalised by the vote and have a deep-rooted mistrust for the political elite. An extremely small minority may act on this mistrust, especially if egged on by the president, and look to attack the political elite in a similar fashion to the plot to kidnap the Michigan governor.

However, should Trump win a second term, it is likely that late 2020 and early 2021 will see large scale counter-protests, perhaps even bigger than those seen at the start of his first term. These are likely to be driven by fear and anger, especially among minorities, that the very real issues that they experience, such as police discrimination, will be ignored, echoing the violence seen earlier in the year and in 1968.

Given the unrest that the United States has seen in 2020, the fact that the current US election could reshape the US, regardless of who wins, and that already the election is contentious, 2020 certainly has echoes of 1968 for the United States. This year it is likely that regardless of the result, it will be greeted with anger and unrest. Indeed, this year's Presidential Election could push 2020 into claiming America's new "worst year".



Solace Global remains available to provide our full range of Travel Risk Management services to clients throughout this current pandemic. Whether you require customised reports, training, comprehensive crisis management, in-country journey management, tracking, response, evacuation services or something specific, we are able to tailor our services to your operational needs, wherever or whatever they may be.

For further details, please email [risk@solaceglobal.com](mailto:risk@solaceglobal.com) or give us a call on +44 (0) 1202 308 810.