



Preventing Election-Related Violence in the United States

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Summary

Astute watchers of democratic processes across the globe understand that no country is immune to election-related violence; neither is it a new phenomenon in the history of the United States.¹ A confluence of several compounding factors in 2020 have increased the risk of violence and contributed to the volatile context the country currently faces. This year, the United States is facing an unprecedented level of protests, elections amid a public health crisis, and a level of policymaking gridlock that is extreme even in context of increasing partisanship for years.

Bold leadership and decisive action from elected political leaders is proven to directly limit the potential for violence. Political leaders of all stripes must unify behind shared democratic values, work to counteract disinformation and conspiracy theories, and challenge the presence of private armed groups at protests. Police and federal security forces must deescalate tensions rather than take a heavy-handed approach.

Key Events from 2020

While the current state of affairs in the United States is rooted in long-simmering tensions, economic discontent, and crippling partisanship, a number of key events this year are worth discussing.

An unprecedented level of protests, demonstrations, and street clashes. Between May 24 and August 22, there were more than 10,600 protests nationwide, signaling deep discontent with the state of the country. The vast majority of these protests, approximately 95 percent, were peaceful. However, a few high-profile

incidents of violence, with heavy-handed and sometimes militarized government response, have eroded public confidence and feelings of security.²

Mail-in voting amid a public health crisis. President Donald Trump has signaled that he may contest the results of the presidential election on November 3 unless he emerges as the clear victor in the race.³ As his poll numbers have remained weak, he has questioned the legitimacy of mail-in-ballots and claimed widespread voter fraud without producing any evidence to support his claim.⁴ Voting by mail is expected to be at record levels this year because of the ongoing public health crisis. When the highest leader of a country questions the legitimacy of the electoral process, voter confidence and trust in democratic systems erode.

Hyperpartisanship and policymaking gridlock. Americans are increasingly feeling hate for people on the other side of the partisan divide.⁵ And polling data is beginning to show an increasing level of approval for violence in order to advance political goals.⁶ Furthermore, these entrenched positions translate into gridlock in the country's legislative body, where Congress is yet to find agreement on a second economic stimulus to support suffering Americans. Highly partisan maneuvers such as the House's impeachment of the president and the Senate's proceedings to approve the Supreme Court nomination feed into legislative gridlock. A government's inability to enact policy solutions for its citizens feeds into the vicious cycle of partisan animosity, further escalates hate, and increases the possibility of violence.



Risk Factors That Could Trigger Violence

Several potential scenarios in the United States may heighten tensions and trigger risk factors for violence during the postelection period.

Contested Election and Mass Violence in Kenya

Kenya offers an important example of how a contested election can have grave consequences. Following the 2007 presidential election in Kenya, the incumbent was declared the winner, while the opposition contested the declaration and claimed the election was rigged. Both parties mobilized their supporters to protest, which turned violent, spread nationwide, and ultimately killed 1,500 people and displaced 600,000.²³

Mass Atrocities and Disinformation in Myanmar

The mass violence that embroiled Myanmar in 2017 serves as an ominous warning for the United States. A concerted disinformation campaign on Facebook incited and accelerated atrocities against Myanmar's Rohingya Muslim minority. Myanmar's military intelligence division spread messages on Facebook targeting Muslim and Buddhist groups, claiming an attack on each group was imminent from the other group. Thousands of Rohingya Muslims were killed, and over 700,000 people were forcibly displaced.²⁴

Prolonged uncertainty about the winner. Due to the unprecedented circumstances of this election, Americans can anticipate not knowing the winner of the race on election night. A record number of people are expected to vote by mail because of public health concerns. Mail-in ballots could be the decisive factor in battleground states that could shift the balance toward former Vice President Joseph Biden in the days following the election.⁷ The time it takes to count all ballots, as well as the precariousness of which presidential candidate may lead in early reported results, will provide a window for campaigns, the media, and other actors to cast doubt on the integrity of the electoral process.

Media narratives, disinformation, and conspiracy theories. Public trust in the electoral process depends on a belief in the integrity of the system. Conspiracy and disinformation campaigns, which tend to spread quickly through social media platforms, can and do shape public impressions of the electoral process. While Facebook, Twitter, and other social media platforms have taken steps to curb disinformation and conspiracy theories,⁸ experts contend this does not go far enough. Outlets that regularly use Facebook to publish disinformation have roughly tripled compared to the same time during the 2016 presidential campaign.⁹ In the absence of public trust in our most basic and fundamental instrument of democracy, tensions can turn into visible conflict that can lead to violence.

Street protests and violence due to private armed groups. If Trump or Biden supporters are drawn to street protests, the presence of vigilante and private armed groups could trigger clashes and increase the likelihood of violence. This violence could be intentionally sparked by private armed groups to advance their own ideological goals by taking advantage of a fragile political moment. Even if a group does not intend to engage in violence, the presence of private armed groups at protests could instigate violent, unanticipated clashes.

Particularly concerning is the recent increase in the number of private armed groups around the country both on the right and the left.¹⁰ The isolation and economic anxiety caused by the pandemic have provided an opportunity for fringe elements to recruit and grow their ranks.¹¹ A corollary risk factor is the spike in gun sales this year.¹² During the particularly divisive moment of the postelection period, if ideologically opposing groups that are armed meet in street protests, a potentially bloody episode could unfold, as happened in Kenosha, Wisconsin, when an armed vigilante shot and killed two Black Lives Matter protesters.¹³

Government response to protests and demonstrations. Deployment of federal forces in response to protests has shown that it escalates tensions and increases violence. In Portland, Oregon, for example, the number of violent demonstrations rose from 17 percent to 42 percent after federal authorities were deployed.¹⁴ A heavy-handed response by police and the federal government will likely inflame tensions and increase the possibility of violence following the presidential election.

Recommendations for Immediate Action

The possibility of election-related mass violence in the United States is real. However, bold and decisive action by leaders from across the political spectrum can prevent violence and avert a postelection disaster. The United States has been through moments of electoral crisis before and has managed to uphold the peaceful transfer of power.¹⁵

Uphold and Reaffirm Democratic Values

Officials need to unify behind shared democratic values as Americans. During times of intense crisis, leaders must take extra care to craft their messaging to find common ground rather than inflame partisan tensions.



Influential leaders from all political parties, including Trump and Biden, must vocally denounce violence as often as possible. Reaffirming the right to peaceful protest, fair elections, and the peaceful transfer of power by the highest-level leaders of the country can go a long way toward reducing tensions. This messaging from both campaigns must be especially vocal in the days following the election, as potential protesters will be paying attention to cues from their respective candidates and party leaders.

Members of Congress can play a particularly pivotal role in preventing the outbreak of violence. Republican and Democratic leaders in Congress must make extra efforts to unify behind the democratic process. Elections are administered by state and local officials, and while states are much more prepared to handle a prolonged postelection process, they will need political space to ensure every vote gets counted.¹⁶ Furthermore, public trust in state and local government remains high in spite of low levels of confidence in the federal government.¹⁷ Highlighting the functions of state-level electoral institutions will be important to bolstering public confidence.

House Speaker Nancy Pelosi, Senate Majority Leader Mitch McConnell, and other Republican and Democratic congressional leaders should hold press conferences, issue statements, and introduce resolutions to affirm the importance of letting the democratic process work, which includes counting every ballot, the right to peaceful protest, and rejecting baseless voter fraud claims. Officials from all parties should support narratives that aim to reduce tension rather than inflame differences.

State and local leadership is also vital to ensuring a smooth postelection process. In states where election tallies are delayed, the chief election official for that state must be fully transparent with the public about the process and procedures for counting mail-in ballots, possible recounts, challenges by campaigns, and certification of the results.¹⁸

Counteract Disinformation and Conspiracy Theories

In highly volatile contexts, when disinformation spreads, the risk of violence exponentially increases. Government leaders at the local, state, and national levels should both pressure and partner with social media companies to ensure that their platforms are not used as vehicles for spreading disinformation and conspiracy theories. While Facebook and Twitter have taken steps recently to curb disinformation, company leaders and content moderators must remain extra vigilant to tamp down efforts to foment division and organize violence.¹⁹

State and local officials, especially in swing states, should consider establishing a social cybersecurity team to actively monitor and refute disinformation during the election period. Correcting and providing accurate information in real time by official local government sources can significantly slow the spread of disinformation. Additionally, journalists, especially at the local level, should be ready to call out inaccurate information.²⁰

Furthermore, social media companies should proactively promote and elevate accurate information from trustworthy leaders and influencers. While shutting down or curtailing disinformation campaigns can go a long way toward preventing violence, promoting positive messages from trusted sources can build resilience and increase public trust in the electoral process.

Challenge the Presence of Private Armed Groups at Protests

State officials, police officers, civil society organizations, and legal advocates must be ready to challenge the presence of private armed groups at protests. All 50 states have constitutional or statutory provisions that restrict private armed groups.²¹ When peaceful protesters are met by armed actors intending to intimidate and silence their message, the armed actors are violating the law. State officials and police officers must be willing to enforce the law and be ready to prohibit private armed groups at protests. It is incumbent upon the state to protect protesters who are peacefully exercising their right to free speech under the First Amendment of the US Constitution. Furthermore, civil society organizations and legal advocates must be ready to document and record incidents of violence and intimidation and file court challenges if armed actors are intimidating peaceful protesters.

Building Trust and Unity during the Bosnian Civil War

Tuzla is a Bosnian city that avoided violence during the brutal civil war in Bosnia. The city's mayor worked with other government, civil society, and religious leaders to promote an inclusionary identity for the city residents. These actions were strong enough to resist ethnic and religious divisions even when the city came under siege and a shell killed 71 young people.²⁵



Police and Security Forces Must Work to Deescalate Tensions

The deployment of federal agents and aggressive policing tactics have exacerbated tensions and increased violence at protests. If federal forces are deployed to protest sites, they must make it clear that they are there to protect First Amendment rights rather than take aggressive action against protesters.

Congress must be ready to flex its oversight authority if federal forces are deployed and it appears that police are taking a heavy-handed approach to protests. For example, Senators Tammy Duckworth, Tim Kaine, and Ron Wyden have introduced legislation to prohibit federal agents from wearing camouflage patterns

in the United States.²² Members of Congress should be ready to consider legislation that would protect peaceful protesters and define how federal agents should behave in response to protests on American streets.

Conclusion

Prevention of election-related mass violence is not only possible but necessary to ensure the survival of democracy in the United States. Politicians showing bold leadership and taking decisive action would lay the foundation for rebuilding unity and trust across lines of division.

Endnotes

- ¹ Jelani Cobb, “Our Long, Forgotten History of Election-Related Violence,” *New Yorker*, September 6, 2020, accessed October 7, 2020, <https://www.newyorker.com/magazine/2020/09/14/our-long-forgotten-history-of-election-related-violence>.
- ² Dr. Roudebeh Kishi and Sam Jones, “Demonstrations & Political Violence in America,” Armed Conflict Location and Event Data Project (ACLED), Bridging Divides Initiative, September 2020, 3, https://acleddata.com/acleddatanew/wp-content/uploads/2020/09/ACLED_USDataReview_Sum2020_SeptWebPDF_HiRes.pdf.
- ³ Caitlin Huey-Burns, “What Happens If the President Doesn’t Accept the Election Results?,” CBS News, July 23, 2020, accessed October 16, 2020, <https://www.cbsnews.com/news/what-happens-if-the-president-doesnt-accept-the-election-results/>.
- ⁴ Aaron Ruper, “How Trump’s Mail Voting Sabotage Could Result in an Election Night Nightmare,” Vox, August 11, 2020, accessed October 12, 2020, <https://www.vox.com/2020/8/11/21358960/trump-mail-voting-sabotage-explained>.
- ⁵ Lee Drutman, “How Hatred Came to Dominate American Politics,” *FiveThirtyEight*, October 5, 2020, accessed October 8, 2020, <https://fivethirtyeight.com/features/how-hatred-negative-partisanship-came-to-dominate-american-politics/>.
- ⁶ Larry Diamond, Lee Drutman, Tod Lindberg, Nathan P. Kalmoe, and Lilliana Mason, “Americans Increasingly Believe Violence Is Justified If the Other Side Wins,” *Politico*, October 1, 2020, accessed October 5, 2020, <https://www.politico.com/news/magazine/2020/10/01/political-violence-424157>.
- ⁷ David Lazer et al., “The State of the Nation: A 50-State COVID-19 Survey, Report #16: Partisan Differences in Intention to Vote by Mail,” COVID-19 Consortium for Understanding the Public’s Policy Preferences Across States, October 2020, 8.
- ⁸ Sheera Frenkel, “Facebook Removes 790 QAnon Groups to Fight Conspiracy Theory,” *New York Times*, August 19 2020, accessed October 12, 2020, <https://www.nytimes.com/2020/08/19/technology/facebook-qanon-groups-take-down.html>.
- ⁹ Davey Alba, “On Facebook, Misinformation Is More Popular Now Than in 2016,” *New York Times*, accessed October 12, 2020, <https://www.nytimes.com/2020/10/12/technology/on-facebook-misinformation-is-more-popular-now-than-in-2016.html>.
- ¹⁰ Joshua Partlow, “Politics at the Point of a Gun,” *Washington Post*, July 28, 2020, accessed October 10, 2020, <https://www.washingtonpost.com/politics/2020/07/28/conservative-armed-militias-protests-coronavirus/>; Michelle Goldberg, “Rise of the Armed Left,” *New York Times*, November 2, 2018, accessed October 10, 2020, <https://www.nytimes.com/2018/11/02/opinion/socialist-left-guns-nra-trump.html>.
- ¹¹ Cynthia Miller-Idriss, “Portland and Kenosha Violence Was Predictable—and Preventable,” *Conversation*, September 8, 2020, accessed October 9, 2020, <https://theconversation.com/portland-and-kenosha-violence-was-predictable-and-preventable-145505>.
- ¹² Phillip B. Levine and Robin McKnight, “Three Million More Guns: The Spring 2020 Spike in Firearm Sales,” July 13, 2020, accessed October 18, 2020, <https://www.brookings.edu/blog/up-front/2020/07/13/three-million-more-guns-the-spring-2020-spike-in-firearm-sales/>.
- ¹³ JJ MacNab, “Assessing the Threat from Accelerationists and Militia Extremists,” Testimony before Subcommittee on Intelligence and Counterterrorism, Committee on Homeland Security, July 16, 2020, accessed October 10, 2020, <https://homeland.house.gov/imo/media/doc/Testimony%20-%20MacNab.pdf>.
- ¹⁴ Kishi and Jones, “Demonstrations,” 8-11.



- ¹⁵ Wendy R. Sherman and David Gergen, “If We Are Patient, Election Will Deliver Peaceful Transfer of Power,” USA Today, October 16, 2020, accessed October 19, 2020, <https://www.usatoday.com/story/opinion/2020/10/16/history-shows-patience-deliver-peaceful-election-results-column/3666635001/>.
- ¹⁶ Michael Waldman and Wendy Weiser, “6 Reasons Not to Panic about the Election,” Politico, October 5, 2020, accessed October 19, 2020, <https://www.politico.com/news/magazine/2020/10/05/6-reasons-not-to-panic-about-the-election-426415>.
- ¹⁷ Lydia Saad, “Trust in Federal Government’s Competence Remains Low,” Gallup, September 29, 2020, accessed October 19, 2020, <https://news.gallup.com/poll/321119/trust-federal-government-competence-remains-low.aspx>.
- ¹⁸ The structure for the office of the chief election official varies from state to state. National Conference of State Legislatures, “Election Administration at State and Local Levels,” February 3, 2020, <https://www.ncsl.org/research/elections-and-campaigns/election-administration-at-state-and-local-levels.aspx>.
- ¹⁹ Mark Sullivan, “Facebook and Twitter Are Finally Using Their Most Effective Tool against Disinformation,” MSN, October 15, 2020, accessed October 19, 2020, <https://www.msn.com/en-us/money/other/facebook-and-twitter-are-finally-using-their-most-effective-tool-against-disinformation/ar-BB1a3sfv>.
- ²⁰ Julie Mattera, “Experts Discuss Combating Disinformation One Month from the Election,” Carnegie Mellon University, October 14, 2020, accessed October 19, 2020, <https://www.cmu.edu/news/stories/archives/2020/october/experts-discuss-combating-disinformation.html>.
- ²¹ “Prohibiting Private Armies at Public Rallies: A Catalog of Relevant State Constitutional and Statutory Provisions,” 3rd ed., Institute for Constitutional Advocacy and Protection, Georgetown Law, 2, September 2020, accessed October 11, 2020, <https://www.law.georgetown.edu/icap/wp-content/uploads/sites/32/2018/04/Prohibiting-Private-Armies-at-Public-Rallies.pdf>.
- ²² “Duckworth, Wyden, Kaine Introduce Bill to Prohibit Federal Law Enforcement Officers from Wearing Camouflage Patterns in the U.S.,” press release, office of Tammy Duckworth, September 23, 2020, accessed October 6, 2020, <https://www.duckworth.senate.gov/news/press-releases/duckworth-wyden-kaine-introduce-bill-to-prohibit-federal-law-enforcement-officers-from-wearing-camouflage-patterns-in-the-us>.
- ²³ Kathleen Klaus, “Why Do People Participate in Election Violence? Insights from Kenya’s 2007 Elections,” Conversation, August 18, 2020, accessed October 7, 2020, <https://theconversation.com/why-do-people-participate-in-election-violence-insights-from-kenyas-2007-elections-143016>.
- ²⁴ Paul Mozur, “A Genocide Incited on Facebook, With Posts from Myanmar’s Military,” New York Times, October 15, 2018, accessed October 12, 2020, <https://www.nytimes.com/2018/10/15/technology/myanmar-facebook-genocide.html>.
- ²⁵ Nichole Argo Ben Itzhak, Rachel Brown, and Heather Hurlburt, “Building U.S. Resilience to Political Violence: A (Globally-Informed) Framework for Analysis and Action,” New America and Over Zero, 7, accessed October 7, 2020, https://d1y8sb8igg2f8e.cloudfront.net/documents/2019_OverZero_Brief_vDigital_full.pdf.

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