
Reforms I: Voter Fraud and Voter ID

Session 21

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17.263: American Elections

Roadmap

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[Voter Fraud](#)

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The Politics of Science

Political Scientists as Political Actors



- ▶ Political scientists (like all scientists) are **citizens** as well as scholars.
- ▶ We have particular **interests and values** that we would like our governments to further.
- ▶ We also have special **expertise** in politics and arguably an obligation to use this expertise to make the world a better place.
- ▶ Tension between values and expertise

Source: [Library of Congress, Prints & Photographs Division](#), photograph by Harris & Ewing, [LC-USZ62-7916].

The Fact–Value Distinction and the Value-Free Ideal

- ▶ Central to the definition social *science* is the distinction between **values** (normative) and **facts** (positive), and the injunction to eliminate values from descriptions and explanations.
- ▶ Of course, it is impossible to drive out values completely, but the social theorist **Max Weber** proposed the **value-free ideal**: Values can play a role in selecting what to study (“**value relevance**”) but should not do so in the drawing of conclusions (“**value judgements**”).
- ▶ Similarly, **W. E. B. Du Bois** argues that if scientists do not at least aspire to value neutrality, democratic publics and policymakers will not trust them enough to rely on their expertise.

Problems with the Value-Free Ideal

The value-free ideal has been critiqued from several angles:

- ▶ Given that our very perception of the world is colored by our values and identity, neutrality is **impossible**, even when drawing conclusions.
- ▶ Even if it is possible, neutrality is **undesirable** because:
 - ▶ Scientists' conclusions about matters of fact should take into account the **consequences** of their conclusions (e.g., climate change, racial differences in IQ, gender differences in mathematical aptitude).
 - ▶ Science actually works better when scientists are not pure truth-seekers, but rather are motivated by a **diversity** of values and perspectives (e.g., race, gender, region, religion).
 - ▶ Centrality of criticism and debate to science

When to Take a Position

- ▶ As we will see, political scientists must often wrestle with the whether and how to take positions on politically sensitive questions, such as voter ID and voter fraud.
- ▶ Maintaining the discipline's credibility in the public eye may entail rigorous internal debate and criticism, as well as reluctance draw conclusions unless they can be rigorously established.
- ▶ But it is responsible to withhold judgement in the face of uncertainty if the risks of erroneous conclusions are asymmetric?
 - ▶ Worries about democratic backsliding in the US may be alarmist, but the tail risk is very negative.
- ▶ The Trump era has really brought the tensions to the fore.

The Perspectives of Other Disciplines

What tensions between facts and values, or objectivity and moral obligation, have you observed in your own home disciplines?

Voter Fraud

"All the News
That's Fit to Print"

The New York Times

Late Edition

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NEW YORK, WEDNESDAY, NOVEMBER 11, 2020

ELECTION OFFICIALS NATIONWIDE FIND NO FRAUD

Justices Signal Likely Reprieve For Health Act

Two Conservatives Side With Liberal Faction

By ADAM LIPTAK

WASHINGTON — At least five Supreme Court justices, including two members of its conservative majority, indicated on Tuesday that they would reject attempts by Republicans and the Trump administration to kill the Affordable Care Act.

It was not clear whether the court would strike down a provision of the act that initially required most Americans to obtain

Fighting a False Claim

The president and his allies have basely claimed that rampant voter fraud stole victory from him. State officials say there were no irregularities that affected the outcome.

KANSAS
TRUMP +15



"Kansas did not experience any widespread, systematic issues with voter fraud, intimidation, irregularities or voting problems."

The office of Secretary of State Scott Schwab, a Republican

MICHIGAN
BIDEN +2



"We have not seen any evidence of fraud or foul play in the actual administration of the election. What we have seen is that it was smooth, transparent, secure and accurate."

The office of Secretary of State Jocelyn Benson, a Democrat

MINNESOTA
BIDEN +7

"I don't know of a single case where someone argued

Members of Both Parties Praise Process — Rejection of the President's Narrative

This article is by Nick Corcosini, Reid A. Epstein and Jim Rutenberg.

PHILADELPHIA — Election officials in dozens of states representing both political parties said that there was no evidence that fraud or other irregularities played a role in the outcome of the presidential race, amounting to a forceful rebuke of President Trump's portrait of a fraudulent election.

Over the last several days, the president, members of his administration, congressional Republicans and right-wing allies have put forth the false claim that the election was stolen from Mr. Trump and have refused to accept results that showed Joseph R. Biden Jr. as the winner.

But top election officials across

said: "I don't know of a single case where someone argued that a vote counted when it shouldn't have or didn't count when it should. There was no fraud."

"Kansas did not experience any widespread, systematic issues with voter fraud, intimidation, irregularities or voting problems," a spokeswoman for Scott Schwab, the Republican secretary of state in Kansas, said in an email Tuesday. "We are very pleased with how the election has gone up to this point."

The New York Times contacted the offices of the top election officials in every state on Monday and Tuesday to ask whether they suspected or had evidence of illegal voting. Officials in 45 states responded directly to The Times. For four of the remaining states,

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Trump's History of Voter Fraud Claims

The image displays four screenshots of tweets from Donald J. Trump (@realDonaldTrump) regarding voter fraud claims. The tweets are arranged in a 2x2 grid.

- Top Left:** A tweet from Nov 11, 2020, claiming that Pennsylvania and Michigan did not allow poll watchers and observers, leading to thousands of votes being counted. A blue banner below the text states: "This claim about election fraud is disputed".
- Top Right:** A tweet from May 20, 2020, claiming that Michigan sent absentee ballots to 7.7 million people ahead of primaries and the general election without authorization. It mentions a "rogue Secretary of State" and a threat to withhold funding from Michigan.
- Bottom Left:** A tweet from Nov 27, 2016, claiming that Trump won the popular vote if millions of illegal voters were deducted from the total.
- Bottom Right:** A tweet from Feb 3, 2016, claiming that based on the fraud committed by Senator Ted Cruz during the Iowa Caucus, either a new election should be held or Cruz's results nullified.

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A Longstanding Republican Theme

Republicans call Florida recounts 'slow-motion grand larceny'

November 22, 2000

Sesno, Frank. "Republicans Call Florida Recounts 'Slow-Motion' Larceny." CNN. November 22, 2000. © Cable News Network. All rights reserved. This content is excluded from our Creative Commons license. For more information, see <https://ocw.mit.edu/help/faq-fair-use/>.



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Voter Fraud Wanders Off the Reservation

By John H. Fund
Oct 16, 2002 12:01 am ET

Fund, John H. "Voter Fraud Wanders Off The Reservation," *Wall Street Journal*, October 16, 2002. © Dow Jones & Company, Inc. All rights reserved. This content is excluded from our Creative Commons license. For more information, see <https://ocw.mit.edu/help/faq-fair-use/>.

McCain's Warning About Voter Fraud Stokes a Fiery Campaign Even Further

Seelye, Katharine Q. "McCain's Warning About Voter Fraud Stalks a Fiery Campaign Even Further," *New York Times*, October 26, 2008. © The New York Times Company. All rights reserved. This content is excluded from our Creative Commons license. For more information, see <https://ocw.mit.edu/help/faq-fair-use/>.



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The Legacy of the 2000 Election



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Varieties of Voter Fraud

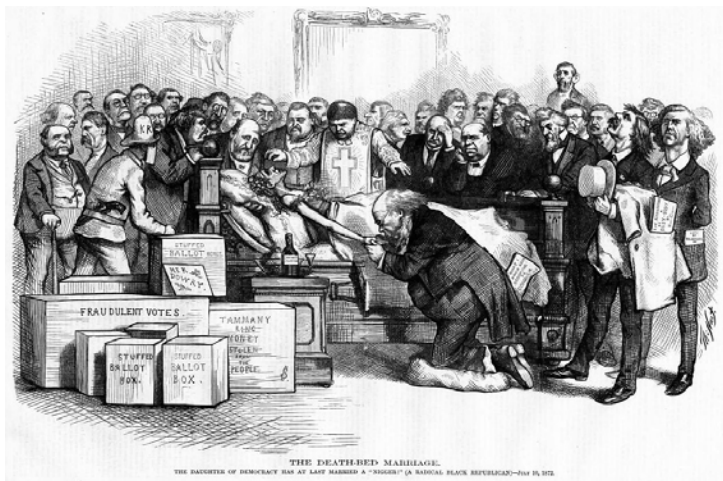
- ▶ Impersonation (pretending to be someone else)
- ▶ Double-voting (casting two ballots, e.g., in different jurisdictions)
- ▶ Ineligible voting (voting when you are not qualified to do so)

Why Is Fraud Bad?

It may sound obvious, but why might fraud be bad—even if it doesn't affect the outcome?

- ▶ Distortion of representational connection
- ▶ Undermining of legitimacy of outcomes

Does Election Fraud Happen?



The Miriam and Ira D. Wallach Division of Art, Prints and Photographs: Print Collection, The New York Public Library. "The death-bed marriage. The daughter of Democracy has at last married a "nigger!" (A radical black Republican)--July 10, 1872." The New York Public Library Digital Collections. 1872-07-27. <https://digitalcollections.nypl.org/items/40bd5640-dc40-0130-a306-58d385a7bbd0>. © The New York Public Library. All rights reserved. This content is excluded from our Creative Commons license. For more information, see <https://ocw.mit.edu/help/faq-fair-use/>.

How Prevalent Is Voter Fraud?

- ▶ All evidence suggests that voter fraud and other forms of election fraud are extremely rare today, especially in general elections.
- ▶ No firm example of electorally consequential fraud for at least half a century, and no evidence of systematically favoring on side.
- ▶ Purported evidence of widespread fraud (e.g., Richman et al. on noncitizen voting) has been effectively refuted.
- ▶ Moreover, it is hard to imagine fraud being in many voters' interests (it's hard enough to get people to vote once!).
- ▶ Still, voter fraud undoubtedly happens—one estimate is perhaps 1000s of double votes across the country—and perhaps it is worth addressing aggressively to avoid taint of illegitimacy.

Voter Identification Laws

What Are Voter ID Laws?

- ▶ Voter identification laws require that a person present an some form of official identification (e.g., driver's license) in order to participate in the electoral process (e.g., register or vote).
- ▶ Some precedents going back to 1950s, but first real move to require occurred as part of **post-2000** electoral reforms.
- ▶ Some action at federal level (e.g., Help America Vote Act of 2002), but mostly in the **states**.
- ▶ Voter ID laws vary greatly in **strictness**:
 - ▶ What kinds of ID are acceptable (e.g., student or non-photo)?
 - ▶ How easy is it to obtain an ID (e.g., free voter ID cards)?
 - ▶ What alternatives if lack ID (e.g., affidavit)?

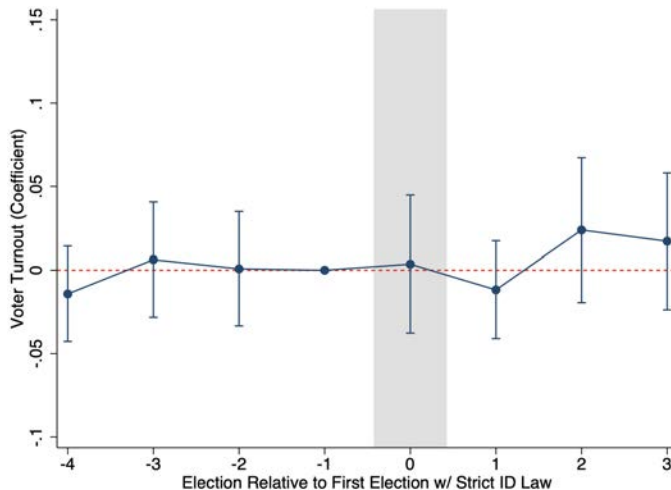
Do Voter ID Laws Deter Fraud?

- ▶ Like other crimes, fraud statistics reflect probabilities of **committing** and **reporting**, and voter ID might affect both (oppositely).
- ▶ Main target of ID laws is **voter impersonation**, which is extremely rare to begin with (about 20 documented cases/decade).
- ▶ In any case, comparing states before and after the adoption of voter ID laws reveals **no detectable effect** on reported voter fraud.
- ▶ Nor do ID laws seem to decrease public **perceptions** of voter fraud, which are arguably just as important for legitimacy of elections.

The Unequal Costs of Voter ID Laws

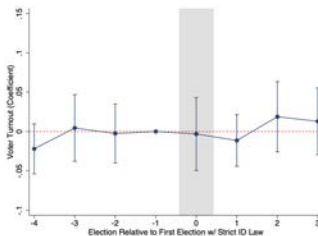
- 👉 Raise your hand if you have a driver's license, passport, or other form of government-issued photo ID.
- 👉 Raise your hand if you know someone 18+ who lacks ID.
- ▶ 5–15% of voting-age Americans lack a valid photo ID.
- ▶ Those without an ID are disproportionately likely to be poor, immigrant, and/or minority.
- ▶ Defenders of ID laws note that states make various provisions for those without IDs, and those in non-poor communities (where IDs are nearly universal) often find it hard to believe that it is that difficult to obtain one.
- ▶ Opponents note that even if ID laws do not make it impossible for a person to vote, they do increase the costs of voting, and these costs fall disproportionately on those who already lack resources/power.

Do Voter ID Laws Suppress Turnout?

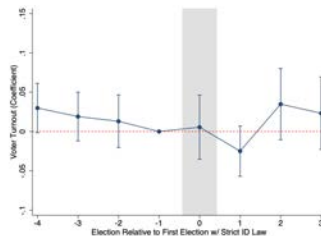


Cantoni, Enrico, and Vincent Pons. "[Strict ID Laws Don't Stop Voters: Evidence From a U.S. Nationwide Panel, 2008–2018](#)," Working Paper 25522. NBER Working Paper Series. February 2019, revised May 2021. © Enrico Cantoni and Vincent Pons. All rights reserved. This content is excluded from our Creative Commons license. For more information, see <https://ocw.mit.edu/help/faq-fair-use/>.

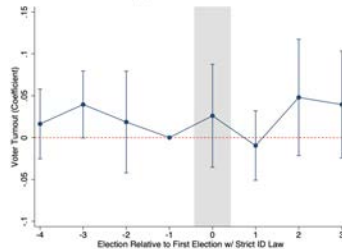
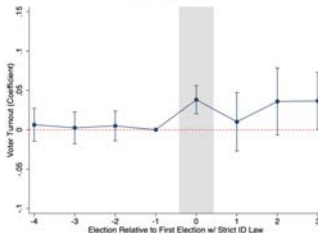
Do Voter ID Laws Suppress Turnout?



(C) Hispanics



(D) Other Races



Cantoni, Enrico, and Vincent Pons. "Strict ID Laws Don't Stop Voters: Evidence From a U.S. Nationwide Panel, 2008–2018." Working Paper 25522. NBER Working Paper Series. February 2019, revised May 2021. © Enrico Cantoni and Vincent Pons. All rights reserved. This content is excluded from our Creative Commons license. For more information, see <https://ocw.mit.edu/help/faq-fair-use/>.

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