



Final Days before the U.S. Presidential Election

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The U.S. presidential election is 3 November, but millions of Americans have already voted. The fear of COVID-19 and strong support of their chosen candidate from the early stage of the campaign prompted voters to participate in early voting. While Democratic challenger Joe Biden is indicated as the likely winner, it is possible that the polls do not reflect Donald Trump's actual chances of re-election. At the same time, the president has signalled that he might not concede defeat because of what he has described as a fraudulent process of votes by post. The probability is high of political instability until the next president is sworn in January 2021.

In national polls, Biden maintains a near double-digit advantage (9 percentage points in October) over Trump and has maintained it the entire general election campaign. With the unique Electoral College system in the U.S., polls from states considered key to victory in this election cycle—Arizona, Florida, Georgia, North Carolina, and Pennsylvania—also mostly indicate Biden is winning. This momentum translates into Congressional elections, held simultaneously, in which the Democratic Party is likely to win the House and maybe also the Senate. However, it is possible that—like in 2016—the polls do not reflect the actual support for Trump in some states. Although this will not have much impact on the result of the popular vote, which Biden is likely to win, the indirect election of the president through the Electoral College system means a Trump victory in several key states could significantly affect the balance of “electoral” votes and give him the White House or at least increase his chances of winning by undermining the election results in other contested states.

A Difficult Election Year. The COVID-19 pandemic has forced most state governments to change laws to make it easier for voters to vote ahead of Election Day. This year, early voting totals are record-breaking—by 29 October, as many as 82 million voters had voted early, either physically at polling stations or by post (in 2016, a total of 47 million Americans voted this way). Ultimately, the number of “mail-in” (postal) votes may be equal to, or even higher than votes cast in polling stations (on the day of the election and earlier). So far, applications have been submitted for the issuance of

more than 90 million postal-voting election packages. This represents 65% of all votes cast in the elections of 2016 and may be a harbinger of a higher turnout than ever (this year, probably more than 60%, compared to 50–55% since 1972). Among the participants of postal voting so far, the majority are registered as Democratic Party voters (49.9%), followed by Republican Party voters (26.1%), and then independent voters (23.5%).

The Elections and Trump vs. COVID-19. [The severe course of the pandemic](#) has weakened Trump's chances of re-election. At the turn of May to June when the number of deaths caused by COVID-19 in the U.S. exceeded 100,000 and the economic effects of the pandemic were being felt the most strongly by citizens, support for the president fell to 38% (from a term-high of 49%). At that time, Biden's nation-wide advantage in the polls also increased, reaching an average of about 9-10 pp. This was also in part because of the [wave of protests against police brutality, inequality and systemic racism](#) that broke out in May. These were immediately reflected in the polls, strengthening Biden. In the following months, Trump began to close the gap to Biden as the economic situation improved in the third quarter, but since the beginning of October, as COVID-19 flared in the U.S. (about 80,000–90,000 new cases a day) and the reimposition of local restrictions, that gap is again increasing. The issue of the pandemic and its impact on the economy is the top priority in this year's elections and has undermined the usual importance of election debates, and even the fact that Trump himself quickly recovered from COVID-19. In the

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context of the debate on systemic racism, Trump's weak condemnation of extreme right-wing groups is unnerving independents.

Delay in Announcing Winner Likely. Regulations in some states allow for postal votes submitted on Election Day to be accepted by election committees even several days after the election. It is therefore likely that the winner will not be known on 3 November and that the counting will take at least a few days. Trump has already declared that he will not recognise the results if he loses and it's announced at a later date because of a delay in counting postal votes (which, according to the president, indicates the possibility of election fraud).

All candidates have the opportunity to contest the results, but Trump's declaration has raised concerns about the functioning of the country in the post-election period. A situation in which postal votes are deemed invalid and that changes the results, giving the other candidate the win and possibly changes the electoral votes, there could be large protests. On the other hand, lengthy legal procedures could lead to a failure to count all the electoral votes from a given state by 14 December when the states must officially declare their electoral votes based on the final election result. This could result in the failure of any candidate to obtain the required 270 votes in the Electoral College, which directly elects the president. In this case, the president would be elected in the House of Representatives (each state has one vote, and its delegation must decide whom to vote for) by a majority of at least 26 votes. It is not clear how these votes would be distributed after the November elections, as such a vote would take place on 6 January 2021 at the earliest, or just three days after the new Congress is sworn in.

At the same time, it is possible that the winner will be determined on 3 November (overnight), despite prolonged counting of votes in some states. This would be possible if one of the candidates obtains at least 270 electoral votes from states where it would be clearly possible to determine the winner. Then, the scenario of undermining the result seems unlikely.

Congressional Elections. Besides the presidential election, voters will cast ballots for candidates to both chambers of Congress. Democrats are seen as the favourite to win the majority. In the House of Representatives, there are 435

seats, each member with a two-year term. The Republicans (197 seats now) are unlikely to succeed in taking over from the Democrats (who have 232 seats). In the Senate, 35 out of the 100 seats are up for election (every two years, a third of the Senate is elected to six-year terms). Polls show that Democrats are most likely to win a majority and get the upper chamber back from the Republicans. It is also possible that the Republican Party (53 seats now) will manage to retain the majority, albeit slimly. Another scenario assumes that both parties will have 50 seats each, which will increase the role of the vice-president, who, as president of the Senate, has a tie-breaking vote.

Conclusions. The fundamental impact of the pandemic on voters has diminished Trump's chances of re-election. His extreme stances on COVID-19 and denying the threat are not likely to result in growing his electorate but are intended—like the building message about an unfair or fraudulent election—to mobilise his supporters. Biden's advantage in polls and the high number of Democratic supporters among postal voters may drive the mobilisation of Trump supporters.

Trump's questioning of the election result and possible attempts to stay in power may mean that in the transition period between the election and January he will have a much weaker mandate to conduct politics than past presidents who are ending their term ("lame ducks"). Therefore, if Trump loses, Poland should consider the U.S. may have limited focus and willingness to become politically involved in a security or other crisis in Europe or its neighbourhood.

A scenario in which Trump wins and the Democrats take control of both chambers of Congress would mean a significant obstacle to the implementation of administration policy or Congressional action for at least the next two years. On the other hand it would be possible, that Trump will veto most of the Democrats' bills and use Republicans to block veto overrides. However, if Biden wins and the Democrats have full control of Congress, that would facilitate the swift implementation of the new president's election promises and political programme. It also will enable politicians of the progressive faction of the Democratic Party, which is focused on issues of democratisation, the rule of law, minority rights, and combating climate change, [greater influence on the policy of the new administration](#).