

ELECTIONS

Rules of the Contest

All election contests have three elements: Objective, Process and Rules. Objective is self-explanatory; a winner. Process is also self-explanatory; determine the winner. Both are predicated by rules.

Can election rules be different? Absolutely. Rules for candidates and voters can be different but one thing is consistent. Qualification of participant.

Qualifications of the Candidate:

Rules are found in the Constitution, in the laws and in the voting process itself. Some are mandatory and some are elective. Many rules are birthed from qualification. For example, the Constitution has three mandatory “rules” that must be met by each candidate for President. You must be born in the US, you must be a resident for 14 years and you must be 36 years old. It also has an elective rule that the Presidential and Vice Presidential candidate cannot be from the same State.

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Some States have additional qualifications for other office holders but the end game remains. To be a candidate in an election contest, you must qualify first.

Qualifications of the Voter:

Here, like the candidates, qualification rules for voters are also found in the Constitution, the laws and the voting process itself. The Constitution has two. You must be a US citizen and at least 18 years old.

Some States have additional qualifications like residence but again the end game remains. To have your vote counted, you must be qualified. Here is the first distinction that causes chaos in the American election process. The candidate must qualify before the contest, the voter can do so after. The process needs to be *fairitized* (simplified). The voter needs to be qualified before the contest as well. That will correct a large contingency of current day agony in determining who can vote and who can win. Think of it like a horse race. Once the horses start to run, you cannot place a bet because the “race has started”.

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So we do have a clear milestone here. Rules before the race starts and rules once the race starts. Like a horse race, there are rules while the race is being conducted. They are called voting rules. Process rules, not qualification rules. What should be the simplest, is just the opposite. Let's have a look.

Federal law is clear that Election Day is "*the Tuesday next after the first Monday in the month of November*". That is the day votes are to be cast. That's the rule. That's the law. But the courts have determined that means cast, not counted. That is why absentee mail-in votes cannot be opened until Election Day. The additional court rule of counting a vote received after Election Day because it was mailed on time, is hogwash. This process also need to be *fairitized*. Cast is cast. Mail-in votes need to be cast (received) by Election Day to be counted, so says 2 U.S. Code § 7. This corrects a second contingency of current day agony in determining which votes are to be counted.

This rule by no means addresses "early voting". That is where a vote is "cast" before Election Day. That

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too needs to be *fairitized*; as a process not provided within Federal rules. This corrects a third contingency of current day agony in determining when votes are to be cast.

Qualification of the Ballot:

The real elephant in the room? Elections cannot be stolen. There can be fraud but the 2020 election fostered ample room for cheating. Avoiding, ignoring or circumventing rules is cheating.

Even if GOD told you it was ok, using “crib notes” or to look over to the person next when writing an exam, is cheating. Fudging on your tax return is cheating. Butting into line is cheating. Saying you did something when you really didn’t is cheating. But those are all personal gain from cheating. What about when the cheating is done by others, and it affects you?

The Presidential election objective is to determine a winner to represent our country. That’s how our Republic works. That the Constitution provides the right to vote and our rules (laws) demand only those qualified votes be counted in that determination. It is

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the process laws and the contest rules, together, that assures which votes are to be counted.

Qualification of the Process:

Rules, rules and laws. All States have similar laws that ***disqualify*** a vote. A vote cast by a dead person is not counted. Why? Because they are dead (hmmm - wonder who voted then?) A vote by a non-resident is not counted. Why? Because they live in a different State (and probably voted twice). An unsigned mail-in ballot is not counted. Why? Because the qualification of the voter cannot be verified. A ballot with more than two candidates is not counted. Why? The voter's intent cannot be determined. Votes cast after Election Day are not allowed. Why? When the game ends (poll closes), the contest is over so the winner can now be determined.

State Election Officials are important people. They are trained, sworn as entrusted gate keepers to uphold the rules of the contest. Rules that make the contest fair and definitive; the epitome of democracy.

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However, something terrible happened in the 2020 election contest. Covid was the excuse, cheating was the objective and stupidity failed to stop either. In multiple States these gate keepers decided, without authority, to accept votes from dead people, counted ballots from non-residence, accepted mail-in ballots without signatures and in many cases “corrected” ballots. Did it raise to the level of fraud or was it no more than it was; outright cheating?

Their argument was the voter would be disenfranchised if his vote was not counted because every vote counts. The justification rings hollow in law and in reality. Like, when you arrive at your gate five minutes after the plane takes off you lost the right to fly on that plane. Or like when you forgot to sign or date your tax return you lost your right to avoid penalties. Or like when you fail to appear in court ... you lose your right to be heard. There are consequences when you do not follow the rules and that includes voting. No one seems to dispute the rule that if you arrive at the polling station the day after the election, your vote will not be counted.

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Wisconsin Supreme court has determined that 17,778 unsigned ballots violated rules and were illegally counted by election officials. There were 12,003 harvested ballots that violated rules and were illegally counted by election officials. Ballots postmarked after election day were illegally counted by election officials and ballots from 9,223 elderly confined were illegally counted by election officials.

Pennsylvania Supreme Court has now held that unsigned or undated ballots violated rules, were illegal and cannot be counted. Those postmarked after Election Day also violate rules which means thousands of 2020 ballots were illegally counted by election officials.

Virginia has determined that some 6,000 voters who cast votes in 2020 also cast votes in West Virginia.

Georgia Supreme Court has now ruled over 21,000 ballots violated residency rules requirements and were illegally counted by election officials.

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Arizona Supreme Court has now held harvested ballots violated rules are not to be counted. In 2020 there were 28,117 harvested ballots.

It wasn't the voter that cheated, or the candidate. It was the "gate keepers" of the process that cheated.

The truism of the Century. It's not that every vote must be counted, but every legal vote must be counted.

Trump was right, he just said it wrong.

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