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rule of law in Pennsylvania Elections need rules, and they must be applied equally and consistently.

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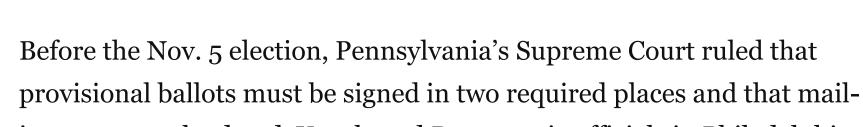
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By the Editorial Board November 15, 2024 at 6:22 p.m. EST



in votes must be dated. Yet elected Democratic officials in Philadelphia and three other counties — Bucks, Centre and Montgomery — voted this week to defy these and other court decisions at the request of lawyers for Democratic Sen. Bob Casey, who trails GOP challenger Dave McCormick by about 24,000 votes, with almost all of the roughly 7 million ballots cast having been counted. These Democrats' decisions will almost certainly be overturned on appeal, but the mere attempt to defy judicial rulings is corrosive to democracy and invites similar behavior in future elections. Bucks County Commissioner Diane Ellis-Marseglia, a Democrat, offered this breathtaking rationalization on Thursday: "I think we all know that precedent by a court doesn't matter anymore in this country," she said,

they want. So, for me, if I violate this law, it's because I want a court to pay attention. There's nothing more important than counting votes." Sign up for the Prompt 2024 newsletter for answers to the election's biggest questions Democrats would surely protest if a Republican commissioner made the

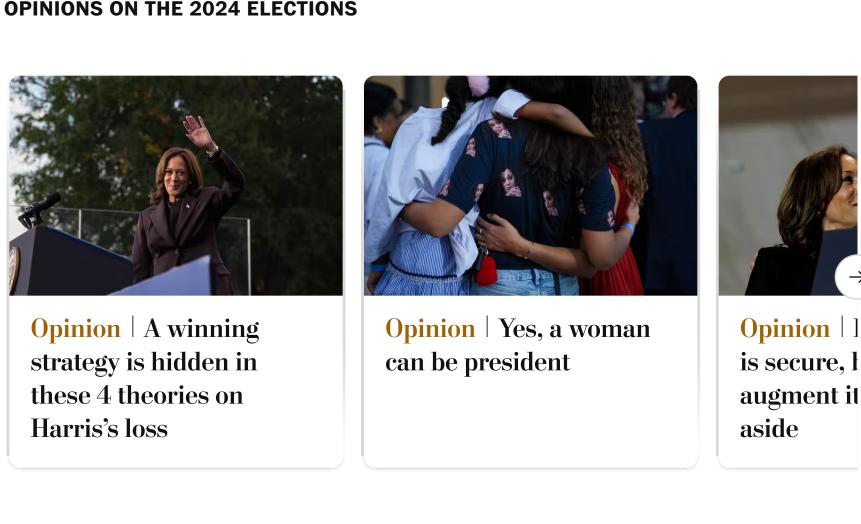
same statement to justify tipping the scales for their party's Senate

according to the Philadelphia Inquirer. "People violate laws anytime

advance of the voting, and those rules must be applied equally and consistently. Pennsylvania's Supreme Court, by the way, includes five justices elected in partisan elections as Democrats and just two elected as Republicans. Even if that partisan balance were reversed, however, the court's authority would be equally legitimate.

nominee — and they would be right. Elections need rules, established in

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Counting mail and provisional ballots has been a contentious issue in

multiple lower courts have ruled that it's unconstitutional or illegal not

to count ballots lacking formally required signatures or dates, the state

Pennsylvania since the pandemic-year election of 2020. Though

Supreme Court blocked those decisions from going into effect before Nov. 5 — most <u>recently on Nov. 1.</u> Democrats argue that they're refusing to let constituents be deprived of their constitutional right to vote over an "immaterial" issue, as Montgomery County Commissioner Neil Makhija put it during a public meeting. His frustration is understandable, to a point. Votes are being discarded over seemingly mundane clerical errors. The Casey campaign notes that, two years ago, Mr. McCormick sued for an order to count undated or misdated mail ballots during his hard-fought GOP primary battle with Mehmet Oz (who eventually won the nomination), but now he's arguing they should be invalid. Back then, it says, the McCormick campaign attacked the requirements it now defends as "games of 'gotcha." **W1 Follow** Editorial Board There's hypocrisy on both sides of this dispute — this is politics, after all — but it is irrelevant to the legal merits. Mr. Makhija and other county officials do not get to decide whether a legal requirement is "material"

insurmountable. The three-term incumbent sees it differently and has every right to plead his case in court. State law also entitles Mr. Casey to a statewide recount because Mr. McCormick's margin of victory is smaller than half a percentage point, though not by much. A recount is unlikely to change the outcome.

Mr. Casey has almost certainly lost this race. The Associated Press called

and must be followed. Courts do. And they have spoken clearly.

it for Mr. McCormick on Nov. 7. Mr. Casey's deficit still appears

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Elsewhere, two Republican Senate candidates are <u>also refusing to</u>

concede their apparent defeats: Eric Hovde in Wisconsin and Kari Lake

in Arizona. Democrats in both states are attacking them as sore losers.

losing candidates this year. The vast majority, including downballot

Fortunately, Mr. Casey, Mr. Hovde and Ms. Lake, are exceptions among

Republicans in tight races, have accepted defeat, though the story might

well be different had <u>Donald Trump</u> lost and cried fraud. It cannot have been easy, but it was honorable for President Joe Biden to welcome his predecessor and successor for a two-hour visit at the White House on Wednesday, especially because Mr. Trump refused to extend him such courtesy four years ago. The picture of the two presidents signaled to the world that the United States believes in the peaceful transfer of power. It was also appropriate for Senate Majority Leader Charles E. Schumer (D-New York) to invite Mr. McCormick to

attend an orientation for new senators this week, despite his initial

hesitation in deference to Mr. Casey's stance. Pennsylvania Democratic elected officials should take heed, especially if they want to continue claiming theirs is the party of democracy. The Post's View | About the Editorial Board Editorials represent the views of The Post as an institution, as determined through discussion among members of the Editorial Board, based in the Opinions section and separate from the newsroom. Members of the Editorial Board: Opinion Editor David Shipley, Deputy Opinion Editor Charles Lane and Deputy Opinion Editor Stephen Stromberg, as well as writers Mary Duenwald, James Hohmann, Eduardo Porter and Keith B. Richburg.

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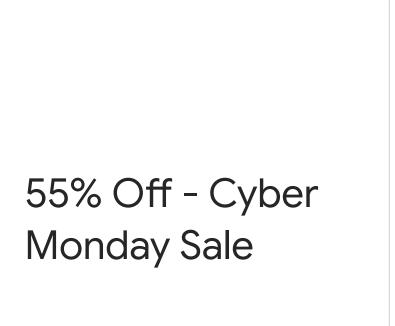
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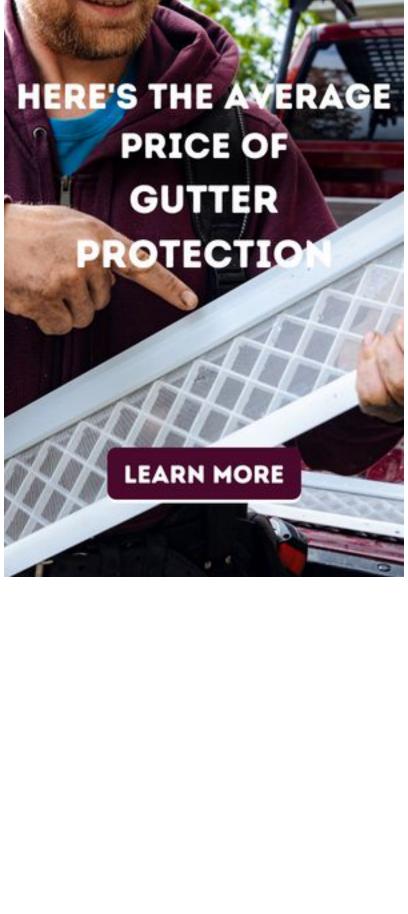
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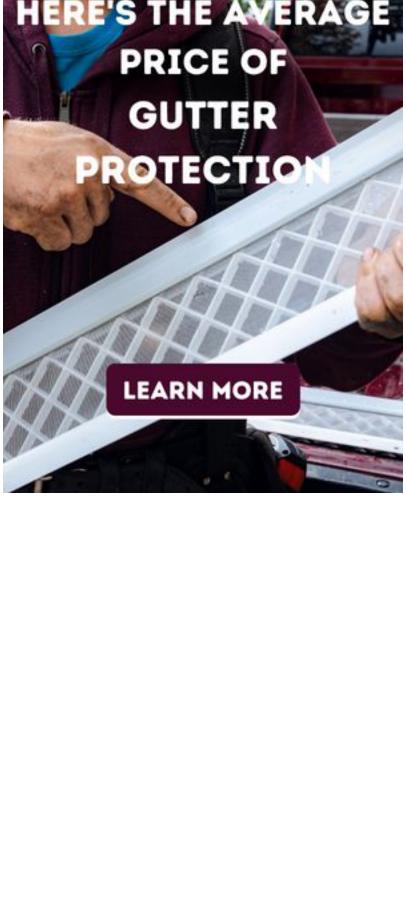
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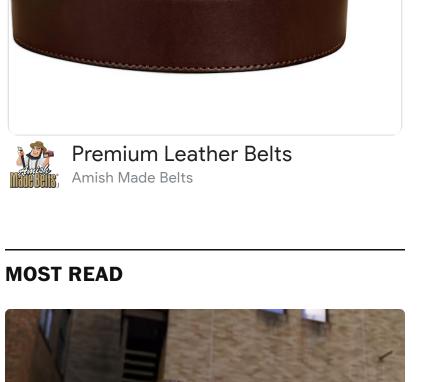


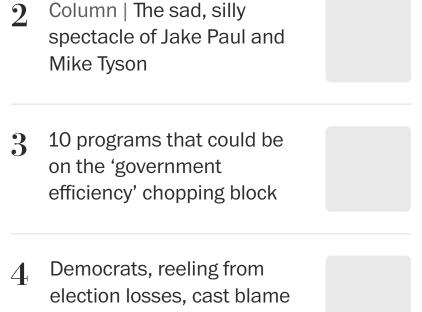






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