

# In a pandemic, electronic signatures are needed to protect our democracy

It is imperative that the court and the secretary of state find a way to maintain the prospect of citizen initiative at this critical moment in the coronavirus pandemic.

By Eric S. Maskin and Lawrence H. Summers Updated April 15, 2020, 4:50 p.m.





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Earl Sholley (right) of Norfolk got a signature from Elaine Lapides of Wellesley in the Roche Brothers parking lot for a ballot initiative that would repeal the individual mandate in health care reform in June 2018. MICHELE MCDONALD FOR THE BOSTON/GLOBE FREELANCE

The Supreme Judicial Court of Massachusetts will hear a case Thursday with implications for the collection of signatures for placing issues on the election ballot that has profound importance for the quality of democracy in Massachusetts. It is imperative that the court and the secretary of state find a way to maintain the prospect of citizen initiative at this critical moment in the coronavirus pandemic.

[Article 48](#) of the Massachusetts Constitution gives citizens the right to petition the state government and make law through ballot initiatives. That is, we can put potential laws directly on the ballot in general elections and have our fellow citizens vote these up or down (recreational marijuana was legalized in this way in 2016).

To prove that a measure has core support, Massachusetts requires that a petition to put a proposed law on the ballot must include two rounds of certified signatures: 80,234 by December of the year preceding the election, and another 13,374 by the following July.

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For the 2020 election, several ballot initiatives easily passed the first signature hurdle (e.g., the initiative we personally are working on — [ranked-choice voting](#) — attracted over 111,000). However, these ballot initiative campaigns now face a daunting challenge with meeting the second hurdle. Historically, the vast majority of signatures are collected by volunteers in public places — shopping centers and the like. But this can't work during the COVID-19 pandemic, as a person handing another person a pen and a clipboard for the ballot signature is a public health threat.

To preserve what is embodied in the Massachusetts constitution, the people should be allowed — for this election only — to sign petitions electronically.

There is no reasonable alternative. The traditional open-air method is dangerous and so not available, and collecting signatures solely by US mail is formidably cumbersome, time-consuming, and expensive.

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The Supreme Judicial Court [will hear the case](#) brought against Secretary of State William Galvin, asking him to permit electronic signatures for primary election candidates. In his written response to the lawsuit, filed on Tuesday, Galvin appeared to show some sympathy for this cause, and even outlined a method of electronic signature gathering and certification that would meet reasonable anti-fraud standards.

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We urge the court to rule that, in this unprecedented emergency, electronic signatures are acceptable and for Galvin to implement the process that he proposed himself.

*Eric S. Maskin and Lawrence H. Summers are professors of economics at Harvard University and are on the advisory board of Voter Choice Massachusetts.*