

Statement of SEP candidate Tom Mackaman to Champaign County, Illinois Election Board

7 July 2004

Below is the statement given by Tom Mackaman, Socialist Equality Party candidate for state representative in the Illinois 103rd legislative district, to a hearing of the Champaign County Election Board. The hearing was held July 5 to consider a challenge from Illinois Democratic Party officials against the petitions filed by Mackaman for ballot status in the November election. (See: Illinois election board defers ruling on ballot status for SEP candidate)

The objection filed by the Democratic Party against my candidacy is a serious attack on democratic rights. It has no factual basis and should be rejected by this panel.

The issues involved in this attempt to keep me off of the ballot have implications that go far beyond the 103rd district of Illinois. The right to vote, the right to have one's vote counted, and the right of citizens to have as wide a spectrum of political choices as possible have emerged as critical matters of public concern in America, especially in the aftermath of the contested national election of 2000.

It is ironic that this hearing takes place only two days after the Fourth of July, which celebrates the birth of the United States as a democratic republic, and two days after the fortieth anniversary of the Civil Rights Act of 1964, which lifted long-standing legal infringements on the democratic rights of African-Americans.

There is another irony. The state of Illinois is proud to declare itself the "land of Lincoln." But Lincoln came to prominence as the candidate of a third party that challenged the existing bipartisan consensus in favor of slavery.

Serious defenders of democratic rights believe the electoral process should provide a forum for the widest possible discussion and debate on important issues of the day. The public must have the right to consider a wide range of views and make up its own mind. Keeping independent and third-party candidates off the ballot undermines this essential function of elections, and violates the letter and spirit of Bill of Rights, which guarantees freedom of assembly and freedom of speech.

In the challenge filed by Geraldine Parr, treasurer and former chairman of the county Democratic Party, the Democrats claim that 1,021 signatures, more than half of the

2,003 signatures I filed, are invalid. Our preliminary review of the objection demonstrates that this claim is not only factually wrong, but has been lodged in bad faith.

Working under clearly prejudicial conditions, in a very short time period and with limited resources, we have thus far examined nearly 30 percent of the challenged signatures. This is a time-consuming and arduous process. Nevertheless, we have found, based on the registration records supplied by the County Clerk, that at least 55 percent of the challenged signatures that we have checked are clearly valid. Extrapolating from the sample thus far checked, it is clear that our petitions have far more than the legal requirement, which, according to the Illinois Board of Elections web site, is 1,344 signatures.

On one petition sheet, Ms. Parr objected to seven of the twenty signatures. Upon examination of voter registration rolls, every one of these signatures was verified. On another sheet, nine out of ten challenged signatures turned out to be valid. In one case, the Democrats attempted to purge a voter from the petition by claiming she resided outside of the district, even though her name appeared on the roll of registered voters in the district.

The registration records show that a very large majority of our petition signers were registered at the addresses which they listed on the petitions. This in itself shows that the Democrats have no good faith basis for asserting that more than half of the signatures are invalid.

The objections filed by Ms. Parr make claims that are obviously untrue. For instance, she asserts that some of our sheets were not signed and notarized, making all the signatures on them invalid. In fact, all 105 sheets of signatures were signed by the circulators and notarized as required by law. She also claims that some signatures are forgeries, an extremely serious allegation for which she provides no evidence.

Those Democratic Party functionaries who filed this challenge are trying to misuse the procedures of the election law to disrupt and, if possible, suppress a candidacy that opposes the Democratic Party from a socialist standpoint.

The procedure employed in this challenge is unfair and

undemocratic. My petitions were filed on Monday, June 21. They contained nearly 700 more signatures than the number required.

The next morning, Tuesday, June 22, a Democratic employee of the state legislature, Liz Brown, picked up copies of the petition and another Democratic Party representative, Brendan Hostetler, viewed them. On June 28, Ms. Parr filed her objection.

On Wednesday, June 30, I was informed of the objection by telephone, and on Thursday, July 1, I received the notification by registered mail. The detailed paperwork listing the objections did not arrive until Friday, July 2.

While the Democrats had six days to review my petitions—using their vast resources, including the services of full-time employees of the state legislature—my supporters, who are all volunteers, have been given only three days to examine these objections and refute them. These fell on the three-day holiday weekend, when all election offices are closed. The disparity in time and resources is obvious and unfair.

According to our information, both Ms. Brown and Mr. Hostetler are employed by the Illinois House of Representatives and are therefore employees of the State of Illinois. Apparently, these two state employees, during normal working hours and at taxpayer expense, engaged in overtly partisan political activity in pursuance of the Democrats' objection to my petitions.

Consequently, we request that we be given more time to review and check all of the challenged signatures. We also require time to secure legal counsel. This is a matter of elementary fairness. However, even the partial review we have thus far carried out demonstrates that we have more than enough valid signatures.

There are other reasons for believing that the objection to my ballot filing is a politically motivated attempt to exclude a third-party candidate. The objection to the SEP petitions was filed on June 28, the same day that other Democratic Party representatives filed similar objections to the petitions of independent presidential candidate Ralph Nader and the Green Party presidential and senatorial candidates. The Republican Party filed similar objections that same day to a half dozen Libertarian candidates for state legislature.

What is taking place here is not some neutral or objective process of holding all candidates to the legal requirements, but rather an effort to suppress opposition to the Democrats and Republicans by third-party candidates. In this division of labor, the Democrats suppress candidates who, they believe, are likely to attract more liberal voters, while the Republicans do likewise to candidates who are deemed likely to win the votes of conservatives.

Both of the so-called major parties want to prevent

opposition, under conditions where they do not even run candidates themselves in half of all the state legislative and state senate seats. Thus, half of the population of the state of Illinois is not afforded even the minimal and inadequate choice of alternatives within the existing two-party system.

The election laws and rules in Illinois are highly restrictive, and are subject to manipulation by politically motivated parties. George W. Bush himself failed to qualify to be on the ballot for the fall election. The state legislature had to pass a special law to put the incumbent president on the ballot because the Republican National Convention is being held after the filing deadline in this state. The Democrats went along with this bill and, apparently in return, received their own perks, including relief from as much as \$1 million in fines for violations of campaign finance laws.

The Democratic-controlled state legislature passed the bill to put Bush on the ballot on June 30, two days after the Democrats filed their challenges to Nader, the Greens and the Socialist Equality Party. This suggests that the Democrats are more concerned with suppressing candidates who are critical of the war in Iraq than they are with defeating George W. Bush.

We intend to retain legal counsel. In the event of a decision by this panel to disenfranchise more than 2,000 Champaign-area voters who signed petitions to place a socialist, anti-war candidate on the ballot, we will bring legal action to defend our right to participate in the elections.

It is a travesty of democracy for the Democratic and Republican parties to make the decision as to who will appear on the ballot to run against them. This attempt at political censorship has already aroused widespread opposition from around the world, as the letters and e-mails to the Champaign County Clerk's office have demonstrated.

The Socialist Equality Party followed the procedures. We collected far more than the required number of signatures and filed our petitions before the deadline. We therefore have as much right to appear on the November ballot as any of the candidates of Democratic and Republican parties.

The Democratic Party objection flies in the face of the democratic principle that the people should have the right to vote for the candidates of their choice. It has no validity and should be rejected.



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