

The filthy underside of American “democracy”: how Ohio officials have conspired against the SEP and its supporters

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The effort by Ohio officials to deny ballot status to the Socialist Equality Party presidential and vice-presidential candidates is an object lesson in the realities of what passes for democracy in America. Republican state officials and Democratic and Republican local officials have joined forces, using undemocratic rules, arbitrary technicalities and outright fraud, in a concerted attempt to prevent the socialist campaign from appearing on the November 2 ballot.

The Ohio Secretary of State's office determined on Wednesday, September 8, based on the results of signature checking by county registrars, that there were only 3,811 valid signatures on the petitions filed on behalf of the SEP presidential ticket, Bill Van Auken and Jim Lawrence, well short of the 5,000 required by state law. The registrars had disqualified more than half the 7,983 signatures filed by the SEP campaign last month, claiming they were not those of registered voters.

The claim that less than half of those signing the SEP petition were registered to vote is absurd on the face of it. According to a report last year by Policy Matters Ohio, a Cleveland-based think tank, http://www.policymattersohio.org/pdf/EDR_report.pdf, the proportion of Ohio's voting-age residents who were registered to vote in the 2000 election was 89 percent. That figure has probably increased for the 2004 election, as both Democrats and Republicans have mounted well-financed registration drives that have signed up tens of thousands of new potential voters.

In other words, if one picked 8,000 Ohio residents at random, more than 7,000 of them would likely be registered to vote. Yet Ohio state and local officials claim that of the 8,000 people who signed the SEP petition—people not chosen randomly, but for their interest in working-class politics, and specifically asked if they were registered to vote—less than 4,000 were registered. This claim fails any test of common-sense plausibility. From a statistical point of view, it has a probability approaching zero.

The result of the petition-checking amounts to an indictment, not of the signature collecting by the SEP, but of the abysmally corrupt signature checking by local authorities, an expression of blatant political bias against a socialist and antiwar campaign which challenges the two established capitalist parties. The result is that thousands of Ohio voters who signed petitions to put an alternative to the Democrats and Republicans on the statewide ballot have been disenfranchised.

The Secretary of State's office did not inform the SEP of its decision that the party's candidate had not qualified for ballot status. The SEP learned this only the following day, when our representative

telephoned to inquire about the status of the petition. We were then told that we had six days—counting the weekend—to obtain copies of the checked petitions and voter registration records from more than 60 counties, to review the nearly 4,200 disqualified signatures and seek to have them re-validated. This enormous clerical job was to be accomplished by 5pm Wednesday, September 15.

SEP supporters have begun checking the signatures, and can already report that more than 1,000 of the supposedly invalid signatures do in fact represent registered voters in the state of Ohio. By the Wednesday 5pm deadline, there is no doubt that the SEP will have identified more than enough signatures to bring the total above the 5,000 requirement.

There is no reason to believe, however, that the Ohio state government will take notice of this fact. There are no formal procedures established by the Board of Elections or Secretary of State Kenneth Blackwell allowing the sponsors of a petition to rebut a challenge. A representative of Blackwell's office said that as a “favor” to the SEP, the Secretary of State would have a panel review any of the disqualified signatures the SEP sought to restore. But there is no assurance that the evidence already gathered by the SEP, demonstrating systematic arbitrary disqualification of valid signatures, will be presented to any administrative or judicial hearing, let alone seriously considered.

The task of reviewing the challenged signatures has been made even more difficult by a series of obstacles for which state and local election officials are responsible.

The Secretary of State's office supplied Xerox copies of hundreds of petition sheets on which county registrars had marked the supposed reason for disqualification of each signature: NR for not registered, NRA for not registered at that address, NG for not genuine, ILL for illegible, and so on. On dozens of the sheets, however, the Xerox was cut off so that it was impossible for SEP supporters to read these notations and review their accuracy.

The lists maintained by the county registrars are riddled with errors, including incorrect data, misspellings, numbers in fields which require names, etc. These errors make it more likely that the signature of a registered voter will be ruled invalid.

The lists maintained by the county registrars are out of date. Some counties used registration lists that had not been updated since March. The most current were closed in early July, shortly after the SEP petition drive began. Tens of thousands of voters who registered after those dates would be considered unregistered for the purposes of the petition check.

County petition checkers clearly did not follow one of the

instructions from the Secretary of State, which specifies that a signature is to be marked illegible only if neither the name nor the address can be deciphered. Instead, signatures were marked illegible even though the address was quite readable and could be used to identify the voter and verify their registration—as SEP supporters subsequently did.

Officials of Trumbull County, which includes the impoverished industrial city of Warren, refused to FedEx the county's registration list or make it available online, instead demanding that an SEP representative drive to Warren with a check and pick up the disk. This county had the worst record of signature checking, claiming that fewer than 40 percent of all those signing the SEP petition were registered to vote.

Overall, the methods employed by county officials in checking signatures might be better described as a petition-trashing process. Its hallmark is petty and arbitrary use of technicalities to frustrate the clearly expressed will of 8,000 Ohio residents. A case in point is the first large urban county where SEP supporters have recanvassed all the challenged signatures, Cuyahoga (Cleveland).

The SEP collected 1,142 signatures in Cuyahoga County, where the voter registration rate is estimated at 82 percent—meaning that one could reasonably expect well over 900 signatures to be those of registered voters. Instead, county officials marked only 598 as valid and 544 as invalid. SEP supporters reviewed all 544 signatures and were able to demonstrate that at least 225 of them are valid, bringing the percentage valid up to 72 percent, still below the overall rate of registration.

Of these 225 false disqualifications, 58 signatures were marked as “not genuine” because the voter's name was block-printed instead of signed; 112 were gross errors, signatures marked as “not registered” even though the county's own records show the individuals are registered at the address they used in signing the petition; 55 more were marked as “not registered at address,” although the person is clearly registered at another address in the same community, sometimes having moved only a block or two away.

No petty detail was too small to serve as a pretext for disqualification. A few examples suffice:

* Diane C. Jones signed with a very legible signature, giving her address as 308 Eddy Rd., Cleveland. She was marked “not registered at address” because her address is actually 380 Eddy Rd.

* Willie Griffin, of Cleveland, wrote his address as 14247 Trisett instead of 14247 Triskett (he left out a K). He was marked as not registered.

* An Asian-American voter in the suburb of N. Olmsted, signed the petition as Xiong Fuqin, but was marked as not registered because his name according to the voting rolls is Fuqin Xiong.

* Chris Hansen, a voter in suburban South Euclid, was marked as not registered because she used the diminutive form of her first name in signing the petition, rather than writing out “Christine” in full.

* Bertha Warren of Cleveland signed the petition using the initial B instead of her first name, and abbreviating the name of the street she lives on, Hathaway, in the address. Her signature was determined to be “not genuine.”

Beyond such pretexts as block-printing, use of initials, obvious misspellings, transposed digits and abbreviations, there remain dozens of signatures in Cuyahoga County (and many hundreds statewide) invalidated for no reason at all, not even the most patently trumped up. The number of such disqualifications of perfectly executed signatures has no innocent explanation. It is the result of a political decision to do

everything possible to eliminate the threat of a political alternative to the Democratic and Republican parties.

A recent incident in Dayton clearly demonstrated the political bias of local officials, particularly in the Democratic-controlled urban counties. On September 2 an official from the Montgomery County election office called David Lawrence, the son of the SEP vice-presidential candidate and a petition circulator, asking him about his registration status. Lawrence asked this person to email any communication to him so that he would have a written record. Instead, this official simply disqualified an entire petition sheet containing 22 names collected by Lawrence, adding a note: “Invalid. Potential Fraud. Called 1:50 9/2/04. Left Message.”

Another Montgomery County signature-checker devised a truly Kafkaesque means of disqualifying a petition sheet. The petition's circulator signed, as required by law, indicating the number of signatures on the petition, which was 17. The petition-checker wrote on the sheet, “Invalid. Circulator Count wrong,” apparently taking note of dates filled out in lines 18 and 19 of the petition, which were otherwise blank. In other words, the entire petition, containing 17 signatures, was disqualified because the circulator did not claim the blank lines as valid signatures!

The use of such methods is the sign of a political system corrupted and rotten beyond repair. Procedures such as voter registration and petitioning for ballot status are devised and enforced, not to promote the widest possible public participation in political decision-making, but to ensure that American political life remains confined within the framework of two right-wing big business parties, equally devoted to the interests of Corporate America and equally opposed to the interests of working people.

Transparently arbitrary and cynical attacks on democratic rights, such as that taking place now in Ohio, are further discrediting the political system and fueling popular outrage. This is reflected in the e-mails and letters of protest already coming in to the office of the Ohio Secretary of State.

The SEP calls on all readers of the WSWS and all supporters of democratic rights to demand that the Ohio Board of Elections halt its attack and place Bill Van Auken and Jim Lawrence on the statewide ballot. Send e-mail messages of protest to:

Kenneth Blackwell

Ohio Secretary of State

election@sos.state.oh.us

Please send copies to editor@wsws.org



To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact