

Detroit suburb to vote on measure to restrict democratic rights

A reporter

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The Detroit suburb of Southfield will vote November 6 on an amendment to the city charter to ban the circulation of petitions by nonresidents. While Proposal A is limited to petitions to force a referendum on local city ordinances, the ballot measure is a reactionary attack on democratic rights and should be rejected.

The ballot measure arises from a dispute over the rezoning of property on the city's northern edge to permit Target Corporation to open a large retail store. There was considerable opposition to the rezoning because of the noise and traffic volume, among both Southfield residents and those living in adjacent communities, including Beverly Hills, Birmingham and Bloomfield Hills.

Opponents circulated petitions in the spring of 2006 to force a citywide vote on the rezoning, but the Southfield City Clerk, Nancy Banks, rejected the petitions, claiming that more than 1,000 of the 1,800 signatures were invalid, mostly because the signers were non-residents.

The supporters of the campaign collected additional signatures in a 15-day grace period provided by the city charter, winning enough support among Southfield residents to force a vote. The city clerk again rejected the petition, this time claiming that it did not comply with state election laws.

One campaign organizer, Laurice Covensky of Bloomfield Hills, took this decision to court, but Oakland County Circuit Judge Mark Goldsmith ruled in August 2006 that the petition was invalid. No citywide vote was ever held, and the Target store has now opened.

The city government has placed two charter amendments on the November 2007 ballot in a vindictive effort to block future challenges to its deals with developers. Proposal A would provide that "any

person circulating a petition calling for an election to initiate or repeal an ordinance be required to be a registered voter in the City of Southfield." Proposal B would eliminate the 15-day period grace period to collect additional signatures.

While the scope of the measure is limited to petitions to force a vote on a city ordinance, the proposal has much wider implications. By the same logic, the city could prohibit the circulation of other kinds of petitions by nonresidents, such as those on broader political topics, or to place independent and third-party candidates on the ballot.

Even on the issue of commercial development, the restriction of petitioning to city residents is completely reactionary and parochial. Southfield, a city of 70,000 people, is the location for numerous office complexes and corporate headquarters that employ many times that number. The city even adopted the advertising slogan, "The center of it all," to highlight its role as a commercial and employment hub for the Detroit metropolitan area.

Decisions made in Southfield on rezoning and other commercial development have an impact on the entire Detroit area. The attempt to ban nonresidents from circulating petitions to influence those decisions—which will still be made by Southfield residents—is a clear infringement of the right of free speech and a violation of the First Amendment.



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