

Mounting attacks on voting rights in US

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21 June 2011

In the run-up to the 2012 presidential elections in the United States, several states are racing to enact sweeping measures designed to keep working class and poor people from voting. The measures aim to limit voter participation through photo ID requirements, restrict early and absentee voting, and eliminate same-day registration.

Republican-controlled legislatures are in the forefront of these attacks on voting rights, in the first instance because of their interest in limiting primarily Democratic voters among minority and working class citizens.

More fundamentally, however, the recent spate of anti-democratic voting restrictions is a continuation of a process that has been underway for the past decade, starting with the theft of the 2000 elections. The Democrats' abject capitulation to the fraud underscored the lack of any serious commitment by any section of the political establishment to the defense of democratic procedures and rights. Today, the Democrats offer no serious resistance to the imposition of new laws transparently aimed at depriving millions of people of the right to vote.

So far, six states have passed new photo identification laws this year: Alabama, Kansas, South Carolina, Texas, Tennessee and Wisconsin. Laws have passed the state legislature in two more, New Hampshire and North Carolina, but still must be signed by the governor. Bills are pending in Iowa, Maine, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island. The legislatures of Illinois and Nebraska voted to carry over Photo ID voting requirement bills into the 2012 sessions.

Counting the legislation awaiting governor approval, the total number of states with laws requiring voters to present photo ID will rise to at least 17 by the next election. Only three states—Oregon, Vermont and Wyoming—have no voter ID requirement and did not consider voter ID legislation this year.

The stated reason for pursuing such legislation—to prevent voter fraud—is simply a smokescreen. Voters in the US must already apply for and receive a voter registration card. The additional requirement for state-issued photo ID has by far the biggest impact on the poor, the elderly and the young. It recalls the types of barriers that once existed in the Jim Crow South against voting by African-Americans, such as the infamous poll tax and so-called “literacy tests.” The purpose of photo ID requirements is essentially the same, although it targets broader

social layers than a single race.

A study by the Brennan Center for Justice at the New York University School of Law found that as many as 11 percent of United States citizens—more than 21 million individuals—have no government-issued photo identification. This includes 18 percent of individuals over age 65, or six million people, who have no valid photo ID.

The 21 million potential voters without ID also include 25 percent of voting-age African-Americans, as well as 15 percent of individuals with annual incomes below \$35,000. Eighteen percent of Americans between the ages of 18 and 24, a generally liberal voting block, do not have ID that lists their current address, reflecting the situation of many youth who are in college or otherwise change addresses frequently.

Other elements of the attack on voting rights include the shortening of early voting periods and greater restrictions on the time allowed for voter registration. Early voting allows many people, especially workers and students, to participate more easily in elections and has been proven to substantially increase voter turnout.

A new Georgia law restricting the early voting period from 45 days to 21 will go into effect on July 1. North Carolina is considering a bill to end same-day registration and to curtail the early voting period.

Maine's state legislature has approved a bill eliminating election day voter registration as well as registration in the two business days preceding election day. The Ohio senate has approved a bill that would limit the early voting period from 35 to 21 days.

The attack on voting rights in Florida

On May 19, Florida Governor Rick Scott signed a bill cutting the period for early voting from 14 to eight days. Florida residents who recently moved from one county to another and want to change voting precincts on election day will now have to cast a provisional ballot, subject to review by election officials.

The attack on voting rights in Florida is particularly significant given its central role in the theft of the 2000

elections.

A lawsuit filed in anticipation of the June 28 mayoral elections in Miami-Dade County by the American Civil Liberties Union (ACLU) challenges the legislation for violating the federal Voting Rights Act. The US Department of Justice did not grant the state pre-clearance for the legislation as required under the act.

The Voting Rights Act was enacted in 1965 following massive popular resistance to Jim Crow segregation and voter intimidation in the South. It requires that the Department of Justice investigate proposed changes in election laws and rules that affect counties with a history of racial discrimination.

Legal commentators say the provision reducing the number of early voting days illegally targets African Americans, who comprise a high proportion of early voters. Among other things, the new law eliminates the Sunday before election day as a voting day. This is a day when many African American churchgoers have in the past gone to the polls following services.

More than half of all African-American voters in Florida who participated in the 2008 presidential election did so by means of early voting.

According to an analysis by Michael McDonald, an assistant professor of government and politics at George Mason University, African-American voters comprised roughly 22 percent of the daily turnout at the early voting sites in the 2008 election, although they were only 13.1 percent of registered voters in the state.

Non-profit organizations promoting ballot access are also caught in the crosshairs of the new Florida law. It places bureaucratic hurdles in the way of those who would volunteer to register people to vote, including fines for individual volunteers who turn registration papers over to state officials two days after the deadline.

As a result of the new election law, the Florida branch of the League of Women Voters has decided to cancel its efforts to register voters. The organization has conducted voter registration campaigns in Florida for 72 years.

“This law has created, really, a draconian, very broad, ambiguous bureaucracy that is going to make it impossible for volunteers to continue our voter registration work,” said Deirdre Macnab, the head of the Florida branch of the league.

Derek Newton of the ACLU of Florida spoke to the *World Socialist Web Site* about impact of Florida’s new election law, as well as the state’s history of banning convicted felons from voting.

Newton said the ACLU has a draft copy of the implementation order for Florida’s new election law. The order allows third party voter registration volunteers to avoid registering with the state provided that they are only handing out voter registration applications, and not speaking!

Newton said that Floridians who have been convicted of a felony and served their time, face taxation without representation. Florida is one of three states with automatic

lifetime disenfranchisement for ex-felons (others are Virginia and Kentucky). These Floridians cannot vote in any election, local, state or national, that is overseen by the state of Florida. Over one million Floridians are disenfranchised in this manner.

Newton said that one of Governor Rick Scott’s first acts upon taking office was to radically alter the process of having one’s right to vote restored. Prior to Scott’s revisions, the Florida Department of Corrections automatically applied for non-violent ex-felons to have their rights (including the right to vote) reinstated by the Board of Executive Clemency. Even then, it could take two to three years to get a hearing before the board.

Now, there is no automatic application. Instead, the newly released ex-felons must obtain an attorney at their own expense to guide them through the process. Newton pointed out that most people just getting out of prison could not immediately make restoration of their civil rights a first priority, as they faced more pressing needs in putting their lives back together.

These ex-felons are required to wait five to seven years before they are even allowed to apply for a clemency hearing. It often takes between two and three years after application to have the rights reinstated, so ex-felons now face up to ten years after their release from prison before they can vote, assuming they can afford an attorney.

This spate of ballot-suppressing legislation constitutes a new stage in the prolonged degeneration of American democratic norms.

The general response of the US political establishment to the theft of the 2000 presidential election, in which the US Supreme Court halted a recount of votes in Florida ordered by the Florida Supreme Court, thereby handing the presidency to the loser in the national popular vote, George W. Bush, has been to erect ever greater barriers for working class voters.

The assault on the right to vote has been bound up with an overall attack on democratic rights carried out by both parties. The Obama administration has deepened the policies of Bush, including the use of domestic spying and immensely expanded powers for the intelligence apparatus.

The Democratic Party itself has a long and sordid history of attempts to keep “third party” candidates, particularly those with left-wing or socialist views, off the ballot altogether. This includes systematic attempts to restrict ballot access for Ralph Nader and Green Party candidates. Democrats in Ohio, Illinois and Michigan have fought tooth and nail to keep candidates from the Socialist Equality Party off of the ballot in state elections.



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