

Voting rights in America under attack

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The weeklong trial on a new voter ID law in the state of Texas concluded with members of a three-judge federal court panel indicating they would uphold the federal Department of Justice and block the implementation of the law on the grounds that it has a discriminatory effect on minorities.

The Justice Department presented an overwhelming factual case to substantiate the charge that minorities are far more likely to lack the government-issued photo identification required to vote under the Texas law. One expert witness testified that 11 percent of white registered voters lacked the required ID, compared to 18 percent of Hispanic registered voters and 21 percent of black registered voters. A total of 1.5 million people of all races could be denied the right to vote under the Texas law.

Attorneys representing the Texas state government disputed claims that the law would have a “disproportionate” impact on Hispanic and African American voters and claimed that “only” 167,000 current voters would be disenfranchised by the new ID requirements. Significantly, they never called as witnesses the Texas state legislators and government officials, all Republicans, who drafted and pushed through the new law as a countermeasure to the rapid growth in the Hispanic population in the state. This would have subjected the Republican politicians to cross-examination on their political motives in adopting a law to curb voting by minorities more likely to support the Democratic Party.

Texas attorneys did not dispute evidence that 80 of the state’s 200 counties have no location where photo IDs can be obtained, and that many residents would have to drive more than 120 miles one way to get such an identification card, for a fee of at least \$22, a hardship and expense particularly onerous for the elderly and the poor. At one point, Robert Hughes, one of the Texas state attorneys, declared that he also

regarded literacy tests as permissible, although they were one of the principal tactics for excluding minorities barred by the 1965 Voting Rights Act.

The case mounted by the state of Texas was so poor that it suggests the real purpose of the state lawsuit was to prepare an appeal to the US Supreme Court, making a direct and unprecedented challenge to the Voting Rights Act itself. Texas is one of 16 states required under the Voting Rights Act to obtain “preclearance” by the federal Justice Department of significant changes in election practices, because of their history of official discrimination against racial minorities. This means that the state had the burden of proof to show that the voter ID law had no discriminatory intent or effect.

Texas is only one of the states that have enacted voter ID requirements and other measures aimed at curbing voter registration and reducing the number of people able to vote, in the name of a fight against “vote fraud.” There have been virtually no documented reports of voter impersonation, the type of fraud that could be prevented by a photo ID requirement. Not a single person has been convicted in Texas of such an offense.

In Michigan, according to a report by the Republican secretary of state, out of nearly 1.2 million ballots cast in the February 28 presidential primary, there were half a dozen from people believed ineligible to vote.

In Florida, where the state attempted to purge 182,000 people from the voter rolls from a dubious list of supposed “illegal aliens,” the number was first whittled down to 2,600, then to only 47, after press revelations that the “illegals” on the list included such individuals as the state’s Republican governor, Rick Scott, principal sponsor of the law, and a 91-year-old decorated veteran of the Battle of the Bulge in World War II.

Since a reactionary US Supreme Court decision in 2008 upholding a photo ID requirement for voting in

Indiana, such measures have been adopted in a total of 17 states. The Justice Department has blocked implementation of these laws in Texas, Florida and South Carolina, using its powers under the Voting Rights Act, but in states outside the South they have already begun to take effect. By one estimate, as many as five million voters could be disenfranchised by such laws on Election Day, November 6.

One of the most flagrant attacks on democratic rights is in the state of Pennsylvania, whose voter ID law takes effect for the first time in November. According to state officials, some 750,000 people, or nine percent of the state's 8.2 million voters, do not have an acceptable ID card. In Philadelphia, the state's largest city, which has a black majority, that figure rises to 18 percent. The Republican leader in the state legislature, House Majority Leader Mike Turzai, openly admitted the political purpose of the bill, declaring that voter ID "is gonna allow Governor Romney to win the state of Pennsylvania."

The clear intent of these laws is to accelerate the "vote suppression" tactics employed by the Republican Party in the 2000 and 2004 presidential elections, which included massive purges of black and Hispanic voters from the registration lists in the name of eliminating felons and undocumented workers. The vast majority of those removed were, in fact, US citizens eligible to vote, whose democratic rights were denied in order to obtain an electoral advantage for the Republican right.

Of course, the most flagrant case of "vote fraud" in recent years was the stolen election of 2000, when Republican state officials in Florida deliberately suppressed turnout in African American precincts and then declared George W. Bush the victor by a 537-vote margin. When the Florida state Supreme Court ordered a full recount that threatened Bush's supposed victory, the US Supreme Court intervened with its notorious *Bush v. Gore* decision halting the vote counting and installing the Republican in the White House. The Democratic Party capitulated to this attack on democratic rights, setting the stage for the onslaught that has followed.

As the *World Socialist Web Site* noted at the time, the Supreme Court action and the decision by Democratic candidate Al Gore and the Democratic Party to accept the installation of Bush, who had lost the popular vote

by a margin of nearly one million, demonstrated that there was no longer any significant constituency within the US ruling elite for the defense of democratic rights.

While the Democrats, for short-term electoral purposes, oppose the Republican attacks on voter turnout in minority areas, the Obama administration has in every other respect continued and accelerated the attacks on democratic rights carried out by the Bush administration, including stepped-up political spying on the American people, keeping open the US concentration camp at Guantanamo Bay, and the unprecedented declaration that the president has the power to order the drone-missile assassination of any individual, including an American citizen.

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