

SEP candidates Kishore and Santa Cruz file federal lawsuit challenging ballot access laws in Michigan

Socialist Equality Party (US)

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Yesterday, the Socialist Equality Party filed a federal lawsuit challenging the state of Michigan's decision to enforce its 30,000-signature requirement for independent presidential candidates to gain ballot access despite the ongoing coronavirus pandemic, which makes physical signature-gathering impossible.

SEP presidential candidate Joseph Kishore and vice presidential candidate Norissa Santa Cruz are the plaintiffs, and Michigan Democratic Governor Gretchen Whitmer and other state officials are the defendants.

The complaint, filed in the US District Court for the Eastern District of Michigan, explains that enforcing these rules during the coronavirus “will leave socialist voters like Plaintiffs and their supporters, who for reasons of political principle are unable to vote for non-socialist candidates, unable to vote at all. This conduct subverts the election process, constitutes voter suppression, and arbitrarily restricts the rights of socialists to run in elections and vote for candidates that share their views.”

The complaint explains that broader democratic questions are involved in the lawsuit:

“Socialism is rapidly gaining popularity in the United States. A Gallup poll released in 2018 found that fewer than half of young people aged 18-29 have a positive view of capitalism, while more than half have a positive view of socialism. As a lawsuit to defend and uphold the rights of the substantial numbers of voters who wish to associate themselves with socialist campaigns and vote for socialist candidates in the upcoming elections, this action is in the public interest.”

Democrat Governor Gretchen Whitmer issued an

executive order on March 23, 2020, requiring all individuals to “stay at home or at their place of residence,” in effect banning “non-essential” work, business, and public gatherings and requiring individuals to not come within six feet of each other outside of their homes. Under these conditions, petition-gathering would endanger campaign volunteers and the general public.

The lawsuit notes how the ballot access requirements and their enforcement are inconsistent with other actions by the Secretary of State, which conducted local elections last month through mail ballots, and not in person.

In a statement delivered at the district court in downtown Detroit on Thursday, Kishore said that securing the democratic right of workers to vote for the SEP candidates “is all the more critical under conditions of growing mass social unrest in response to the ruling class's homicidal policy in relation to the pandemic, including the back-to-work orders, which are being implemented by Governor Whitmer here in Michigan.”

Kishore added: “The enormous social anger of workers and young people throughout the world has found expression in recent weeks in the explosion of protests over police violence and the police murder of George Floyd. But this anger runs far deeper. Workers and young people are moving to the left, they are interested in socialism, and it is their democratic right... to be able to vote for the Socialist Equality Party candidates in these elections.”

Attorney Eric Lee, who filed the suit and represents Kishore and Santa Cruz, told the *World Socialist Web Site*, “The state of Michigan is telling Joseph Kishore

that he can only exercise his constitutional rights by risking his life and the lives of his campaign volunteers. A growing number of socialist voters in Michigan do not want to vote for Biden, Trump or any other capitalist candidate, and the U.S. Constitution affords them the right to cast a meaningful vote.”

A number of workers and supporters submitted affidavits explaining that in their view their right to vote is eliminated by Michigan’s decision to enforce the physical petition requirement.

Florlisa Stebbins, a Flint resident whose water was poisoned in the Flint water crisis and a prominent community activist, wrote in her statement to the court:

“As far as I am concerned, the two parties are one and the same. I do not trust either of them. In Flint, they pretty much tried to kill us. They destroyed our homes and our community and we will feel this for generations. The rich waged a war on the working class here and if we do not have a way to challenge that, they will get away with it. How can we change the conditions here if we are not allowed to vote for the people we want to vote for? If Kishore and Santa Cruz are on the ballot I will vote for them. I am not voting for any of the other candidates and I want my voice to count.”

Henrietta Freeman, a Detroit public school teacher with over 16 years’ experience, wrote, “Michigan is a poor state. The level of inequality present in Michigan is the product of years of rule by both the Democratic and Republican parties. I do not support Republicans, but in Detroit we have always had Democrats in power and nothing has changed.

“As a Detroit public school teacher, I have experienced this first hand. I graduated from the school I teach at. It used to be a full-service high school, with a great library, clean classrooms and arts and music programs. We do not have that anymore. Teacher pay is very poor, the books are old, the buildings are dilapidated, unsafe and unsanitary. There is hardly any art and music. They may make further cuts to our budget. Joe Kishore and Norissa Santa Cruz are the only candidates who have a program that I consider sufficient to defend public education and to oppose education cuts.”

Greg Near, a retired Michigan Opera Theatre Orchestra musician, wrote to the court: “If Joe Kishore and Norissa Santa Cruz are on the ballot, as of right

now I would vote for them. There is very little choice in terms of who is on the ballot. I do not see anything I like in either of the two main candidates, Joe Biden and Donald Trump. Other parties like the Greens and Libertarians do not interest me as much as the Socialist Equality Party in this election.

“I met the Socialist Equality Party in 2010 when the Detroit Symphony Orchestra (DSO) was on strike and I was supporting the musicians. The Socialist Equality Party was very supportive of the right to culture and defended the musicians when the media was biased against us.”

The Socialist Equality Party calls for readers and supporters to support the Kishore/Santa Cruz campaign by signing up for our newsletter, by joining the Socialist Equality Party, or, for US citizens, donating to support the campaign. Illinois residents should sign this petition to put the SEP on the ballot in Illinois.



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