

Michigan court rules that SEP must gather signatures despite pandemic

Joseph Kishore—SEP candidate for US president
10 July 2020

On Wednesday, a federal judge in the Eastern District of Michigan denied the Socialist Equality Party's challenge to the state's 12,000 physical signature ballot access requirement during the coronavirus pandemic.

The judge, Sean F. Cox, a Republican, sided with the Democratic administration of Governor Gretchen Whitmer in ruling that the coronavirus pandemic did not seriously "burden" our constitutional rights or the rights of those Michiganders who want to vote for our campaign.

Cox issued his ruling as the deadly coronavirus pandemic is spiraling out of control. Yesterday, the official global death toll surpassed 550,000, and the number of infections increased to more than 12.3 million.

The United States is the epicenter of the virus, which is now spreading without restraint. Already, COVID-19 has claimed more than 135,000 lives in the United States. More than 61,000 people tested positive yesterday, a new record, and the daily death toll is approaching 1,000.

Hospitals in Texas, Florida and Arizona are overwhelmed, and nurses are again facing critical shortages of personal protective equipment and ventilators. Cases are increasing in most states, including in Michigan, where they are at levels not seen since the end of May.

The surge in cases and deaths is the direct and predictable outcome of the criminal policies of Trump and the entire political establishment, including the Whitmer administration. Even as the pandemic exacts its horrific toll, the White House is demanding that schools reopen in the fall, threatening the lives of hundreds of thousands of teachers and students, as part of the overall back-to-work campaign.

It is under these conditions that Judge Cox declared

his full support for the argument of the state of Michigan that SEP should have been gathering signatures and that it still should be doing so.

Cox's decision is not a serious legal ruling grounded in jurisprudence or reasoned analysis. It is a political decision aimed at barring socialists from the ballot, with the legal rationalization serving to justify a conclusion determined in advance.

Cox asserts that it is not the coronavirus pandemic or the governor's stay-at-home orders that have prevented signature gathering, but the candidates' own lack of "diligence."

In fact, it is the "diligence" of the SEP that required that it *not attempt* to gather signatures. If we did make this attempt, we would have been violating our own political principles and our warnings of the dangerous consequences of the reckless policies of the ruling class—warnings that have now been completely confirmed.

If our campaign did not want to interact face-to-face with hundreds of thousands of people in the midst of the worst health crisis in the state's history, exchanging pens, clipboards and papers with voters, and talking with them to explain our program, Cox concluded, "that is their own choice." It is our fault, Cox writes, that we did not foresee the coronavirus crisis and did not gather signatures in January, or, as the Democrats' lawyers argued, in 2019.

Cox unquestioningly accepted the Democrats' argument that our campaign should have gathered signatures *during* the period when there existed state-enforced social distancing measures, even though doing so would have violated the stay-at-home orders and subjected our volunteers to arrest.

Meanwhile, the Democratic and Republican candidates do not need to gather any signatures and are

automatically on the ballot. Such is American democracy that Joe Biden can campaign from the safety of his basement and the Democratic National Committee can nominate its candidate at a virtual convention, but socialists must sacrifice their lives and the lives of the public at large just to gain access to the ballot.

The judge's aim was to ensure that voters cannot cast votes that pose a threat to the capitalist system. The unelected ex-corporate attorney, appointed for life by war criminal George W. Bush, has decided who Michigan's 7.6 million registered voters can and cannot vote for. His ruling means voters must choose between the state-sanctioned official candidates of the Democratic-Republican duopoly to which he himself belongs.

The United States has the most restrictive election laws of any major capitalist country in the world. It has a population of 328 million people but a political system that has been dominated by the same two parties for 150 years. The entire electoral process is rigged with massive sums spent by the ruling class to ensure that it gets the best candidates that money can buy.

To get on the ballot, independent candidates and third parties must gather thousands, tens of thousands or even hundreds of thousands of signatures, depending on the state. These requirements have been a principal mechanism for excluding left-wing and particularly socialist opposition to the capitalist parties.

Now there is the pandemic, which makes petitioning impossible if one does not want to risk the lives of petitioners and countless thousands of people.

If such a ruling had been made in a country targeted by the American ruling class, it would be seized on by the media as a justification for "regime change."

Indeed, in a January 9, 2020 statement titled "Free and Fair Presidential and Parliamentary Elections in Venezuela," the State Department demanded that "elections must be open to all parties and candidates." It called on the Venezuelan government to "remove all restrictions on individuals and political parties to allow their free participation in presidential and parliamentary elections."

On February 20, 2020, Secretary of State Mike Pompeo issued a statement titled "The Iranian People Deserve Free and Fair Elections." The announcement explained, "In advance of Iran's upcoming

parliamentary elections on February 21, the Guardian Council blocked more than 7,000 candidates from even running. Many of them were Iranians who questioned the Supreme Leader's policies. This process is a sham. It is not free or fair."

The ruling in Michigan is only further confirmation that the American elections are "not free or fair."

Cox's decision expresses the fear within the ruling class of the growing social anger among masses of workers and young people. There are 40 million unemployed and tens of millions more facing poverty, hunger, foreclosure, eviction and permanent job loss. The two parties provided trillions of dollars to corporations through the CARES Act. Meanwhile, unemployment benefits and eviction protection expire at the end of this month.

Workers and young people have begun to fight back. The eruption of mass, multi-racial and multi-ethnic protests against police violence were an initial expression of deep popular anger. Autoworkers in Michigan staged a series of walkouts late last month and, influenced by the calls of the SEP and the WSW, formed rank-and-file safety committees to organize opposition.

This is only the beginning. The policy of the ruling class will lead to massive social explosions in the United States and throughout the world.

Our campaign will continue to aggressively defend our rights and the rights of voters through the courts. But Wednesday's ruling further exposes the fact that real change will not take place through the existing sclerotic and undemocratic political system. It must and will take place through the mobilization of the working class in the fight for socialism.

The Socialist Equality Party and our election campaign are oriented to the building of a revolutionary socialist leadership in the working class. We call on all those who support the fight for socialism to join the SEP and support this campaign.



To contact the WSW and the Socialist Equality Party visit:

[wsws.org/contact](https://www.wsws.org/contact)