

Sixteen for '16 - Number 13: Let People Vote

By [Salvatore Babones](#), Truthout | Op-Ed

Most law-abiding Americans are guaranteed the right to vote, but most Americans don't vote most of the time. Of course, that's their choice. Or is it?

It's one thing to choose to vote when voting is as easy as clicking on a link or mailing back a postage-paid form. It's another thing to choose to vote when voting means waiting outdoors in a six-hour line without food or water on a workday when you could lose your job if you are late to work.

The first two centuries of American democracy saw repeated electoral reforms aimed at fulfilling the US Constitution's promise of a more perfect union by expanding the franchise and making it easier for people to vote. Voter suppression has reemerged as a dangerous strategy for winning elections.

But since 1991 the historical record has been more uneven, and in many states the trend is now in the wrong direction. Many states are making it harder to vote and erecting barriers to voter registration. Voter suppression has reemerged as a dangerous strategy for winning elections.

In the four years from 2010 to 2014, at least 22 states introduced new restrictions on voting, according to a report from New York University's Brennan Center for Justice. (1) These include new restrictive regulations on voter registration drives, new limitations on early voting and new avenues for partisan lawyers to challenge voters inside polling places on Election Day.

Some of the most underhanded and pernicious approaches to voter suppression involve voter ID laws. On the surface these laws sound reasonable enough: People should have to show a valid ID in order to vote. In practice in a free country like the United States, these laws are highly repressive.

In a free country like the United States, people are always on the move. People get married, get divorced, and change their names just because they feel like it. Teenagers go away to college without asking their parents' permission, never mind the government's. You can choose to be footloose, and you can even choose to be homeless.

When you show up to vote, you may have an ID card that is expired, has your old address on it, or has your old name on it. You may not have any ID card at all. In a free country, you don't have to carry your "papers" to prove who you are. And in a free country that is also a democracy you are guaranteed the right to vote.

In theory voter ID laws exist to protect the right to vote by guarding against voter impersonation. Impersonating a voter by pretending to be someone else and voting in his or her place is a serious

crime, but it is a crime that almost never occurs. The reason is obvious: any one vote is almost always irrelevant in a typical election.

It would take massive levels of voter impersonation to swing the typical election. Studies of voter impersonation show that this simply does not happen in the United States. For example, an exhaustive News21 investigation was able to identify just 10 cases of in-person voter fraud occurring over an 11-year period, from 2000 to 2010, or less than one case per year. (2)

In reality voter ID laws exist to prevent certain types of people from voting: women (whose names change regularly), the young (whose addresses change regularly), the elderly (who often don't have drivers' licenses), and the homeless (who don't have fixed addresses). (3)

Research by MIT political scientist Charles Stewart III shows that in the 2012 elections the residents of 75 percent minority zip codes waited more than twice as long to vote as the residents of 75 percent white zip codes.

To be effective in swinging an election, a voter ID law doesn't have to prevent every woman, young person, old person and homeless person from voting. It just has to reduce voting in these categories in ways that systematically affect the total vote. Voter ID laws can suppress the vote even when people do have proper, current identification because they foster an atmosphere of fear on Election Day.

It can be scary when partisan lawyers in suits and dark sunglasses invade your polling place and demand to see your papers. And that's what the lawyers are there for: to scare people away. They particularly try to scare away voters of color, and they succeed. (4)

Long lines are another tool used to discourage voting by African-Americans and other people of color. Massive lines for voting are almost exclusively experienced by these communities. Research by MIT political scientist Charles Stewart III shows that in the 2012 elections the residents of 75 percent minority zip codes waited more than twice as long to vote as the residents of 75 percent white zip codes. (5)

There was almost no difference in waiting time by average income level. The zip codes with the longest lines were minority zip codes, not poor zip codes. Queue up pictures from Miami and Cleveland.

These kinds of problems really are serious enough to swing elections. If the 2000 presidential election was stolen, it was stolen not by the Supreme Court and hanging chads but by systematic voter suppression among people of color, the elderly, the young and the poor. (6) Hanging chads only became an issue because the actual vote was so close. In the absence of systematic voter suppression, the actual vote might not have been close at all.

Similarly, the outcome of the 2004 presidential election was almost certainly affected by voter suppression (if not outright fraud). (7) Lines of four hours were commonplace in minority districts in Ohio, discouraging tens of thousands of African-Americans from voting. (8) Similar problems of disenfranchisement were experienced in at least two-dozen states. (9)

The right to vote is the most basic democratic right. Without it democracy is meaningless. But the right to vote is not a strict either-or dichotomy. Like all rights, it exists (and can be infringed) in varying degrees.

Progressive public policy should always seek to encourage people to vote by ensuring that voting is as quick, easy and unthreatening as possible. Polling stations should be welcoming, not hostile or forbidding. Election monitors should offer cookies, not challenges.

People have to vote where they live, not where they work, so elections should be held on weekends, not on workdays. Election Day is set by federal law as a Tuesday, but this is not specified in the US Constitution. Congress can change it at any time.

Voting hours should be expanded, and more voters should be encouraged to vote early and vote by mail. Why not mail a registration form to everyone in the United States? Or even register people automatically and send them ballots? If junk mail companies can find us, so can state election agencies.

Most importantly, no one should be turned away at the polls. If someone accidentally turns up at the wrong polling station, surely the information technology of the 21st century can handle the situation. States should be helping people vote, not preventing them from voting.

Voter suppression is antithetical to democracy. It dishonors the extraordinary sacrifices that past generations of Americans have made to create, safeguard and spread the right to vote from a few small British colonies to the rest of the world. Suppressing the vote in order to win an election is both petty and criminal.

Petty it may be, but voter suppression is so widespread in the United States that it criminally undermines the integrity of our democracy. Progressives are right to fight for voters' rights. And for once the moral high ground is also the political high ground: The more people are able to vote, the more progressives are likely to win.

Footnotes

1. Brennan Center for Justice, States With New Voting Restrictions Since 2010 Election, updated June 18, 2014.
2. Natasha Khan and Corbin Carson, Comprehensive Database of U.S. Voter Fraud Uncovers No Evidence That Photo ID Is Needed, News21, August 12, 2012.
3. Brennan Center for Justice, Citizens without Proof: A Survey of American's Possession of Documentary Proof of Citizenship and Photo Identification, November 2006.
4. Project Vote, The Role of Challengers in Elections, January 3, 2008, page 4.
5. Charles Stewart III, Waiting to Vote in 2012, The Journal of Law and Politics, Summer 2013, page 458.
6. Myrna Pérez, Voter Purges, Brennan Center for Justice, 2008, page 3.
7. Steve Freeman and Joel Bleifuss, Was the 2004 Presidential Election Stolen? Exit Polls, Election Fraud, and the Official Count, Seven Stories Press, 2006.
8. Adam Cohen, No One Should Have to Stand in Line for 10 Hours to Vote. New York Times, August 26, 2008.
9. People for the American Way, NAACP, and Lawyers' Committee for Civil Rights under Law, Shattering the Myth: An Initial Snapshot of Voter Disenfranchisement in the 2004 Elections, December 2004