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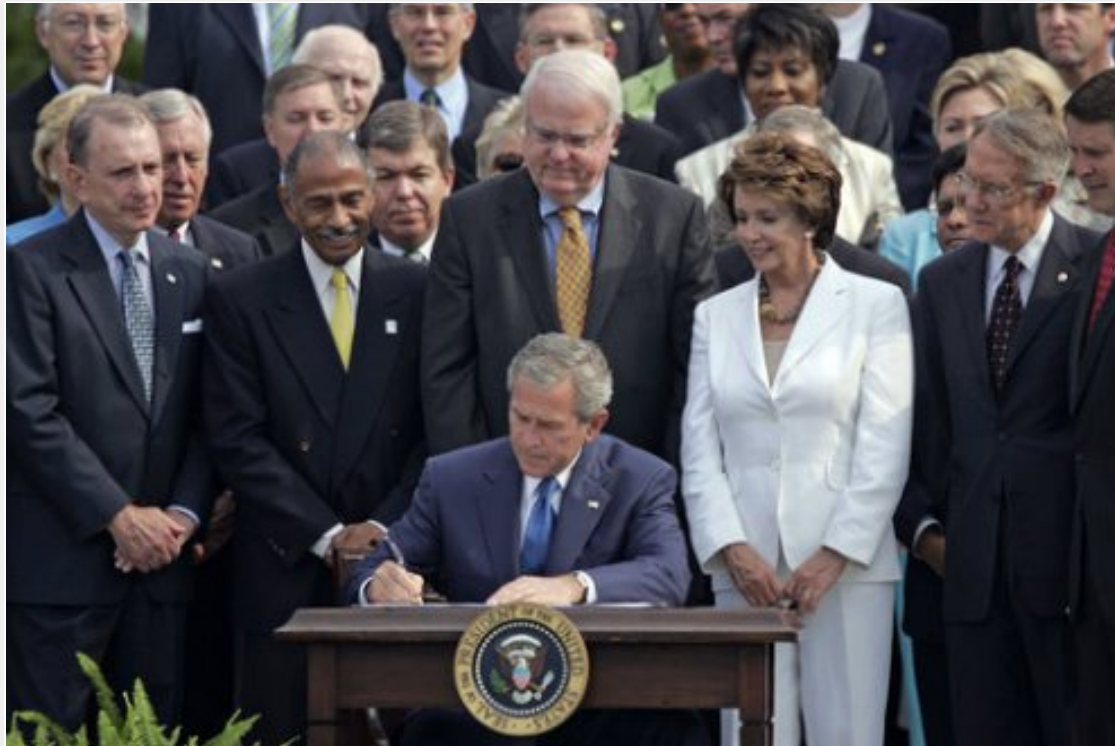
JANUARY 28, 2015

## As 2016 nears, voter disenfranchisement rolls on

 January 8, 2015 by [stevenyoder](#)  [Leave a Comment](#)

### FEATURED VIDEO

[Aziz Abu Sarah – For more tolerance, we need more ... tourism?](#)



President George W. Bush signs H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, on the South Lawn Thursday, July 27, 2006. Courtesy Wikimedia Commons

It's been 15 years since a bare Supreme Court majority reminded Americans in its *Bush v. Gore* decision that they have no constitutional right to vote. Voting, the majority justices pointed out, is a right conferred by state legislatures. If lawmakers so chose, they could pick the state's Presidential electors themselves rather than letting their voters go to the polls.

U.S. treatment of voting as a privilege instead of a right makes it relatively unique among modern democracies. But a 10-year-old movement to pass a Constitutional amendment to give the right to vote federal protection is slowly gaining ground.

As the Presidential election heats up, voting rights will be front and center again. The League of Women Voters has identified about 20 states that have a good chance of passing laws that drive down the number of voters—new voter ID laws, restrictions on early voting, elimination of same-day registration, restrictions on voter registration drives, and the like.

But lost in the media coverage will be an ongoing policy of denying voting rights to those who don't have them. In 2010, nearly 6 million people who had served time for felony convictions were barred from voting—a fivefold increase since 1976. One of every thirteen African Americans of voting age is disenfranchised.

The U.S. has scant company on felon voting rights among first-world democracies. Only Armenia, Belgium, and Chile restrict those who have served their time from voting—the other 45 countries in that group **don't**. Almost half of European countries allow *all* prisoners to vote, including those still serving time. And the European Court of Human Rights ruled in 2005 that a blanket ban on voting from prison violates the European Convention on Human Rights.

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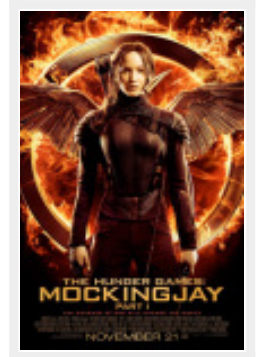
### Commentary: For Hunger Games – Mockingjay, teens are doing the marketing

December 4, 2014

By Joan Oleck – The Hunger Games:

Mockingjay—Part 1

is, for its teen fan base, a powerful lesson in marketing manipulation. For anyone not living in a cave, this third film in the series of four is based on the über-successful book series by



One study found that felony disenfranchisement policies likely tipped the results of seven U.S. Senate races from 1970 to 1998 and the Bush-Gore election.

And these same prisoners are included in the U.S. census population tallies for the jurisdictions where prisons are located—even though the prisoners can't vote. That boosts the electoral representation of areas where prisons are located and dilutes it for prisoners' usually low-income or minority home neighborhoods. That practice undermines the Supreme Court's requirement that political power be apportioned on the basis of population, say critics. Research by the Prison Policy Initiative found that in a number of places, elected officials owe a majority of their clout to the prisoner populations in their districts.

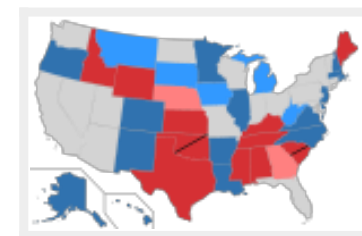
Voting restrictions, of course, have a long history. John Ferling's masterful 2013 book *Jefferson and Hamilton: The Rivalry That Forged a Nation* points out that America's was a profoundly conservative revolution. Alexander Hamilton was among the many framers who were enemies of democracy—his shocking speech at the 1787 Constitutional Convention proposed a system in which landowners would elect a king and noted that every society was divided into the few and the many and that latter “seldom judge or determine right.” Later, after the 14<sup>th</sup> Amendment outlawed voting preferences based on race, many states began using felony disenfranchisement to restrict the voting power of the lower classes.

That's why, even as multiple Constitutional amendments have forced the expansion of voting, the right has remained embedded in narrowly tailored amendments that prohibit voting discrimination based on race, sex, and age. As Matthew Iglesias pointed out last October in *Vox*, state voting restrictions outside of those narrow bands might just fly in front of the right set of Supreme Court justices: “A law requiring you to cut your hair short before voting, or to dye it blue, or to say ‘pretty please let me vote,’ all might pass muster.”

Outside of overt discrimination, that is, nothing prevents the arbitrary whims of local

Suzanne Collins and weaves a compelling tale of teen survival in [...]

**Commentary:  
The 2014 US  
Midterms –  
The  
democratic  
election  
that wasn't**



November 11, 2014

Commentary: The 2014 US Midterms – The democratic election that wasn't American democracy is predicated on two critical pillars. The selection of political representatives by the majority via the ballot box, and the availability of timely and accurate information that is vital for voters in their assessment of candidates and policies consistent with their self-interest. [...]

**Commentary:  
International  
community  
must address  
Myanmar's  
mistreatment  
of Rohingya  
minority at East Asian summit**



October 31, 2014

As Myanmar, a country with an

officials from keeping people from the ballot box. “Our structural democracy deficit,” notes Maryland state senator and law professor Jamin Raskin, “reflects the fact that our pervasive popular beliefs about universal suffrage are still not embodied in affirmative constitutional language.”

A few House members are trying to change that. In the current Congress U.S. Representatives Mark Pocan and Keith Ellison, both Democrats, are expected to re-introduce House Joint Resolution 44, which would establish an explicit right to vote in the Constitution. The amendment has been introduced in every Congress since 2001, and it drew more than 50 co-sponsors in the last Congress. It’s also [gotten support](#) from respected Washington insider Norm Ornstein, resident scholar at the American Enterprise Institute.

The law would guarantee every citizen of legal voting age the fundamental right to vote in any election in the jurisdiction where they live. If passed, the amendment would require the Supreme Court to weigh state voting laws using the standard of “strict scrutiny,” meaning that governments would have to show that any restrictions were narrowly tailored to achieve a compelling state interest. That would make those restrictions more likely to fall in a legal challenge.

The prospects for the amendment passing in the short term are slim given the high bar of the amendment process and the reality that a three-fourths majority of the bodies most responsible for restrictive voting laws—state legislatures—have to ratify it.

Still, if history is a guide, the next Constitutional Amendment to pass well could expand voting rights. Of the 17 Amendments since the Bill of Rights, 7 either directly expanded the franchise or sought to expand the power of voters in elections. At a time when American diplomats talk of expanding democracy around the world, a 2016 election full of arbitrary rules that offend the sensibilities of a majority of voters could well spur rethinking of current protections for the franchise.

incipient democracy and alarming human rights record, prepares to host a prestigious regional issues summit in coming weeks, the Southeast Asian nation’s galling treatment of its ethnic minority populations is receiving renewed attention. It’s an inopportune time for the country’s president, Thein Sein, for these issues to be resurfacing in [...]



**Commentary:  
Bandwagon  
outrage over  
Brunei’s strict  
Islamic  
criminal  
code all  
but gone**



October 18, 2014

When Brunei became the first Southeast Asian country to nationally adopt a strict Islamic penal code known as Sharia earlier this year, the world was outraged. News and social media told us so in such headlines as “Brunei adopts sharia law amid international outcry” and “Ellen DeGeneres backs boycott of Brunei-owned hotels over ‘stone the [...]”

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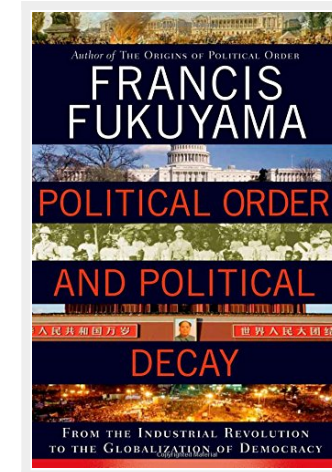
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### Book recommendation: Political Order and Political Decay



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### Book recommendation:



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