

THE DENVER POST

What They Are Saying ... about the Supreme Court's voting rights decision

What some of the nation's political writers are saying about the Supreme Court's decision on the Voting Rights Act

June 26, 2013

“Come and walk in my shoes”

The Supreme Court has stuck a dagger into the heart of the Voting Rights Act. Although the court did not deny that voter discrimination still exists, it gutted the most powerful tool this nation has ever had to stop discriminatory voting practices from becoming law. Those justices were never beaten or jailed for trying to register to vote. They have no friends who gave their lives for the right to vote. I want to say to them, “Come and walk in my shoes.”

– *U.S. Rep. John Lewis, D-Ga., Special to The Washington Post*

Voters rights will be weakened

The full magnitude of the Supreme Court's decision in *Shelby County v. Holder* has yet to be understood, but it is deeply troubling. The inevitable impact will be to weaken voters' rights at a time when election-driven efforts to suppress those rights in certain populations — for partisan political gain — have increased exponentially. It will be more difficult to prevent states from discriminating against voters on the basis of race. State legislators will be encouraged to see what they can get away with, and race-based incidents of discrimination will increase.

– *Gregory B. Craig, Special to The Washington Post*

Roberts ended the civil-rights era

The civil-rights era ended June 25 — or at least that's what the historians will say about the U.S. Supreme Court's 5-to-4 decision to strike down Section 4 of the Voting Rights Act of 1965 as unconstitutional. Congress enacted that law — one of the two crown jewels of the civil-rights movement — because blacks were being denied access to the vote through unfair state-imposed tests in the still-segregated South. By striking down that law as an outmoded infringement on states' rights, the court has flipped the rules once and for all: The justices, and not the elected Congress, now decide what remedy is needed to effectuate the most basic right in a democracy.

– *Noah Feldman, Bloomberg News*

An odd way to celebrate Martin Luther King

The Roberts court chose a most cynical way to celebrate this summer's 50th anniversary of

Martin Luther King Jr.'s March on Washington. On Tuesday, the Supreme Court's penultimate day in session before the Aug. 28 semi-centenary of King's "I Have a Dream" speech, the court's conservative majority announced a 5-to-4 ruling that guts one of King's greatest triumphs, the Voting Rights Act of 1965. (The Roberts court weakened another of King's triumphs, the Civil Rights Act of 1964, in a pair of 5-to-4 rulings on Monday.)

– Dana Milbank, *Washington Post Writers Group*

Roberts' opinion a lame piece of work

Chief Justice John Roberts' opinion in *Shelby County vs. Holder*, the Voting Rights Act case, is a pretty lame piece of work. There is a longstanding constitutional norm of judges deferring to Congress. Courts strike down laws when they violate rights or exceed Congress' power. But Section 5 of the Voting Rights Act, which requires nine states in the South (and other scattered places) to get approval from the Justice Department before changing their election laws, doesn't violate anyone's rights. It's the type of legislation specifically authorized by the 15th Amendment of the Constitution, which says the right to vote "shall not be abridged" because of race or color.

– Eric Posner, *Slate*

Jim Crow is dead

[The court recognized] that the nation had changed and that "extraordinary measures" could no longer be justified in a nation where widespread racial disenfranchisement is, thankfully, consigned to history books. In practice, however, Congress will be hard-pressed to enact any new coverage formula because the pervasive, systemic discrimination in voting that justified a deviation from the normal constitutional order is now gone. That's a good thing. We can finally move on to a healthier stage of race relations, particularly with respect to how the American people govern themselves.

– Ilya Shapiro, *Bloomberg News*

Is Clarence Thomas a traitor?

[Justice Clarence] Thomas' vote on the voting rights case helped set back the civil rights of people who look like him and inhabit the community from which he comes, immeasurably. Just as legendary civil rights attorney Thurgood Marshall will forever be remembered for his triumph in advancing the civil rights of African Americans with his role in litigating *Brown vs. Board of Education*, it is likely Thomas will forever be remembered for his role in setting civil rights back with *Shelby vs. Holder*.

– Keli Goff, *The Root*