

U.S. Supreme Court cripples voting rights law

By: Bankole Thompson – June 25, 2013

The U.S. Supreme Court, in a devastating blow to voting rights activists and people of color, including African Americans who have long been fighting for full access to the ballot box, today handed down the most extreme rule on the right to vote in decades. The court in a 5-4 rule in *Shelby County v. Holder* invalidated Section 4 of the Voting Rights Act, known as the coverage formula for identifying states that are violating voting laws or impeding on the right of minorities to vote.

The ruling cripples Section 5 of the Voting Rights Act which requires states such as Alabama, Georgia, Louisiana, Mississippi, South Carolina, Alaska, Virginia and Arizona that have a history of oppressing Black voters to preclear with the U.S. Department of Justice before changes to their voting laws.

The conservative Cato Institute filed an amicus brief in the *Shelby County* case saying, "America is no longer a land where Whites hold the levers of power and minority representation depends on extraordinary federal intervention."

Congressman John Conyers, the highest ranking Democrat on the House Judiciary Committee and dean of the Congressional Black Caucus, expressed his disappointment.

"While I am encouraged the Court upheld the preclearance requirement of Section 5, its decision striking the coverage formula in Section 4 will do real damage to voting rights absent a swift and clear congressional legislative response. It is unfortunate the Court ignored Congress' unprecedented and comprehensive legislative findings in reenacting the Voting Rights Act in 2006 on an overwhelming and bipartisan basis," Conyers said.

"Today's decision missed an opportunity to reinforce the important role that the federal government has in ensuring that all Americans have an equal right to access the ballot box and have their votes count. I am committed to working with my colleagues on both sides of the aisle to ensure that the voting rights of all Americans are protected."

Detroit Branch NAACP President Rev Wendell Anthony called the nation's high court decision "a supreme overreach."

"Today's ruling by the United States Supreme Court to eliminate Section 4 of the Voting Rights Act, thus negating Section 5, is an example of an outrageous misfortune for the people of our nation," Anthony said. "While this ruling places the future of the Voting Rights Act and its enforcement in the hands of a Congress that is dysfunctional, intransigent and often engaged in political stagnation, it is indeed a betrayal of the fundamental voting rights of every American."

He said African Americans, Latinos and other minorities are still the victims of the severe misuse of voting ID laws.

"Early voting restrictions, even in the 2012 elections, demonstrate very clearly the need for monitoring and enforcement of state and local communities who violate the rights of the people," Anthony said.

U.S. Attorney General Eric Holder, addressing a media conference at the Justice Department in Washington, today said the court has "invalidated an essential part of the Voting Rights Act, a cornerstone of American civil rights law. Like many others across the country, I am deeply disappointed with the Court's decision in this matter. This decision represents a serious setback for voting rights, and has the potential to negatively affect millions of Americans across the country."

Holder said the DOJ "will continue to carefully monitor jurisdictions around the country for voting changes that may hamper voting rights. Let me be very clear: We will not hesitate to take swift enforcement action — using every legal tool that remains available to us — against any jurisdiction that seeks to take advantage of the Supreme Court's ruling by hindering eligible citizens' full and free exercise of the franchise."