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[By Roger Pilon](#)

Today [POLITICO Arena](#) asks:

Given the Civil Rights Commission's investigation of DOJ's handling of the New Black Panther case, talk of voter irregularities in Arizona, and the request by [Rep. Sheila Jackson Lee](#) (D-Texas) that DOJ investigate whether tea party groups are intimidating black and Hispanic voters in her Houston-area district, how serious a threat are voter intimidation and irregularities?

My response:

Relative to elections in many parts of the world, American elections are fairly clean. But that doesn't mean that we don't have voter intimidation and election irregularities. I speak from personal experience: As graduate students, my wife and I were election judges in Chicago during the reign of the first Mayor Daley. We saw up close how big city political machines operate, and it isn't pretty.

Especially in close elections, voter fraud matters, whether it's fraudulent voting and vote counting, as Republicans often charge, or voter intimidation, as Democrats sometimes charge — although it's mainly Republicans making that charge in the Philadelphia New Black Panther case. Against those abuses, a robust two-party system is the best defense, with the parties policing each other. But in many of our cities, and some rural counties, we don't have an effective two-party system. In those cases, we have to depend on impartial, after-the-fact investigation and prosecution to ensure honest elections. That's what makes the Holder Justice Department's handling of the New Black Panther case so troubling, to say nothing of the mainstream media's failure to cover the story.

An October 27 [Washington Times](#) editorial captured that problem exactly:

After 17 months of averting its eyes, The *Washington Post* finally ran a major front-page feature on the controversy on Saturday. Three current Justice Department lawyers told the *Post* that whistleblowers J. Christian Adams and Christopher Coates are accurate in stating that anybody who tries to enforce civil rights laws in a race-neutral fashion will be ostracized, criticized and denied promotions because leaders at Justice believe "it is not the voting section's job to protect white voters." One senior official confirmed and even defended that view.

Eric Holder's Justice Department, which earlier dismissed the default judgment that career DOJ lawyers had already obtained in the case, has been anything but cooperative with the long-running investigation

by the U.S. Commission on Civil Rights of Justice's handling of the matter. That contrasts sharply with [the interest Justice is showing](#) in monitoring the polls tomorrow in Arizona's Maricopa, Apache, and Navajo counties to determine whether voters are being discriminated against on the basis of race or ethnicity. When the back-up protection for honest elections is not itself impartial, we start to look like some of those electoral systems we see abroad.

Again, we're nowhere near that yet, but that's no reason not to monitor the monitors. Election fraud is far from our biggest problem: that's runaway government untethered by the Constitution. But we'll not get a grip on that problem without honest elections that truly reflect the will of the people — this year, it seems, to tie our government more closely to the Constitution. Elections are only a means; but they're no less important for that, because they're a means to honest government, which itself is defined by fidelity to the Constitution.

[Cross-posted from Cato@Liberty](#)

Category: [civil rights laws](#), [election judges](#), [voter fraud](#), [voter intimidation](#), [voter irregularities](#)

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