



Voters' Rights: What's Happening to American Democracy?

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The 2016 United States presidential election is raising fundamental questions about the state of the country's democracy.

Firebrand businessman Donald Trump continues to lead the Republican field against all expectations, campaigning on a right-wing populist platform that plays to the economic anxieties of a shrinking middle class and taps into deep distrust of establishment politicians.

Similar concerns have brought self-described socialist Bernie Sanders success on the Democratic side. Hillary Clinton remains the likely Democratic nominee, but Sanders is doing far better than anyone had imagined, as his outrage at a "corrupt campaign finance system" and tax-dodging billionaires continues to pull in millions of votes.

The American public's rejection of politics as usual also points to deep divisions in the electorate over social and demographic change. A war is being fought against a new emerging majority that is polarising the US and weakening its democratic institutions.

"America is changing, I mean dramatically changing," says Stanley Greenberg, a top pollster who has worked on the campaigns of three Democratic presidential candidates. "If you look at the growing parts of the electorate, you focus on racial minorities, unmarried women, millennials and seculars - people with no religion; in the 2016 electorate they'll be 63 percent. Right now, there is a cultural war, a battle over American values driven by the counter-revolution of the Republican party against this new majority."

Greenberg argues that this counter-revolution began in 2004, when Karl Rove designed the electoral strategy that got George W. Bush re-elected.

"Karl Rove was the manager of the George Bush campaign and he concluded that there were five million evangelical voters who would be brought in to vote if conservatives were focusing on energising their base," Greenberg explained. "His theory was, you have to create this sense of Armageddon, that if we don't stop this new majority from governing, they will destroy our values; our way of life is at stake. It was a strategy that rooted the Republican party in the most rural, most racially conscious, most religiously observant parts of the country, and it enabled them to compete because they've been able to get their voters to vote in larger numbers."

According to Greenberg, the Republicans have relied on this strategy ever since, but as time went by and the US population's make-up continued its transformation, Republicans have had to create a greater and greater sense of urgency to ensure that their base's turnout continues to outpace demographic change.

"That's where you've seen the increasing polarisation of the country and that's what we're watching today as we look at this pretty ugly scene taking place in America," Greenberg says.

Americans today, particularly Republican voters, distrust those who disagree with them far more than they did a decade ago. A 2014 study conducted by the Pew Research Center found that 43 percent of Republican voters have a very unfavourable view of the Democratic Party, more than twice as many as in 2004. At the same time, 68 percent of respondents who described themselves as conservatives say they always vote, versus about half of those who described themselves as liberals.

Greenberg says that in addition to firing up their voters, Republicans have attempted to counter the new emerging majority by trying to make it more difficult for reliably Democratic voters - minorities, the elderly and the young - to cast their ballot.

Since 2010, 21 Republican-controlled states have passed restrictive voting measures, according to the Brennan Center for Justice at New York University. A 2013 Supreme Court decision in a case known as *Shelby County vs Holder* threw out a key provision of the US Voting Rights Act and made it easier for states to pass new voting laws.

The Voting Rights Act resulted from a battle waged in Selma, Alabama 51 years ago. On Bloody Sunday, March 7, 1965, Frederick D. Reese and more than 600 civil rights activists set out on a march from Selma to Montgomery, the state capital, to demand voting rights for African Americans.

Reese says "it was a day wherein you looked at where you had been and where you wanted to go and then proceeding with a determination at whatever cost we were going to move forward." As the civil rights marchers made their way across the bridge, they were brutally attacked by state and local law enforcement officers before the eyes of journalists from around the country.

Two weeks later, Martin Luther King Jr, who Reese had asked to come to Selma as head of the County Voter Rights League, marched with thousands to Montgomery under the protection of federal troops. The march and the events in Selma resulted in the passage of the Voting Rights Act. Signed by President Lyndon Johnson in August 1965, the landmark legislation brought millions of disenfranchised African Americans into the political process.

"It was a feeling of great triumph and victory," says Reverend Reese, who is now 86.

'Voter suppression'

Ari Berman, a writer for The Nation magazine whose latest book is about the Voting Rights Act, argues that "American democracy has taken a huge step backward in recent years. We have the gutting of the Voting Rights Act, one of the most important pieces of legislation ever passed in the United States. We have states all across the country making it harder to vote."

In the *Shelby County v Holder* case, the Supreme Court struck down the section of the Voting Rights Act that required states with a history of racial discrimination, including Alabama, to seek approval from the federal government before making any changes to state electoral law. Within 24 hours of the decision, Alabama and four other southern states rushed to put new voter ID laws in place.

"They implemented a voter ID law they knew would disenfranchise a lot of poor people and a lot of older people," says Catrena Norris Carter, a civil rights activist who is the national coordinator for the Selma Bridge Crossing Jubilee. "In the past, you could have your social security card, a power bill, just something that showed you were a resident of Alabama," she explains. The new voter ID laws require citizens to produce government-issued photo identification before they can vote.

The easiest form of photo ID to obtain is a driver's licence at a motor vehicle department office. However, last September Alabama's Republican governor and legislature closed 31 motor vehicle offices in the state citing budgetary concerns. Norris Carter, as well as many others in the African American community, are convinced that state Republicans were concerned more about political power than money.

The shutdowns occurred in eight out of 10 counties with the highest percentage of minority voters. All of the counties where African Americans make up 75 percent of registered voters were affected.

"We're talking about \$100,000 in total for the entire state," Norris Carter says of the amount the government said it would save from the DMV office closures. "I think it's voter suppression pure and simple," she says. "We're being legislated back into the 60s."

Governor Robert Bentley of Alabama turned down multiple requests for an interview and refused to answer questions about the DMV office closures when Al Jazeera caught up with him at a National Governor's Association meeting.

"There's a lot of nuance to these voter ID laws," says Berman. "It's not just that you're preventing people from voting, it's that you make voting so inconvenient that people choose not to do it."

Some conservatives say voter ID laws were put into place because of popular demand, and that the controversies that surround them are overblown.

"It's like the typical *New York Times* story: 'World ends, minorities and women hit the hardest' - I mean it's just a non-issue," says Ilya Shapiro, a senior fellow at the Cato Institute, a Libertarian think-tank funded by Charles and David Koch, the billionaire owners of Koch Industries, as well as other wealthy conservatives.

Shapiro wrote a brief to the US Supreme Court on behalf of the Institute before it decided the *Shelby County v Holder* case arguing that the section of the Voting Rights Act requiring southern states to preclear new voting laws was no longer needed.

Shapiro argues that voter ID laws don't reduce fraud or turnout, making them "a red herring on both sides".

"It's understandable why the Democratic Party would try to make an issue out of this, but ultimately it doesn't affect our democracy one way or another," Shapiro says. "This is only an issue for elites in Washington that debate this back and forth and activist groups that can raise money on it."

According to a study by the US Government Accountability Office, voter ID laws contributed to lower turnout in Tennessee and Kansas in 2012. Republican leaders in Pennsylvania and other states have also spoken about the benefits of voter ID laws in reducing Democratic voting.

When voters go to the polls in November to elect the next president of the US, 16 states will have new restrictive voting measures in effect for the first time in a presidential contest. Berman notes that in addition to "requiring strict forms of ID to cast a ballot that were not needed in previous elections, states are shutting down voter registration drives, requiring proof of citizenship to register to vote, and cutting back on early voting, the amount of time you have to vote before Election Day."

"All across the country - not just in traditional southern states such as Alabama and Mississippi, but in key swing states like North Carolina and Wisconsin and Ohio - voters are going to go to the polls and face new restrictions," Berman says. "So you're talking about a very large number of voters, definitely large enough to swing a close election."

In addition to implementing restrictive voting measures, Republicans in several key states have redrawn the boundaries of congressional districts to dilute the electoral impact of minority voters. One of those states is Texas, where demographic growth has exploded in recent years. According to the US Census bureau, the population of Texas grew by more than 20 percent between 2000 and 2010, with 89 percent of the growth occurring within minority groups.

"I see this as a racial fight," says Jose Garza, a Texas voting rights attorney. Garza is representing Latino legislators who are bringing suits against Republicans for the way districts were re-drawn after Texas was awarded four extra seats in the US House of Representatives as a result of population growth in the state.

"Seventy-five percent of that explosion of population growth was Hispanic," Garza explained. "So going to the redistricting, we were getting four new seats, the Latino community felt: 'We're going to get at least two of those districts. With gerrymandering, we ended up with a zero net gain.'"

Gerrymandering, the redrawing of electoral districts for partisan advantage, is "something both parties do", Berman points out, "but because Republicans control so many states now they've been more aggressive about doing it. We have a Congress now that because of gerrymandering and other factors is not reflective of the country that it's supposed to represent. The Congress is more white, it's more rural and it's more male than the country as a whole."

In the 2012 election, Democrats in the House of Representatives got more than a million more votes than Republicans, but because of gerrymandering the Republicans were able to maintain a strong House majority.

Republicans assured themselves a seat in Texas' 27th Congressional district, which includes Corpus Christi and all of Nueces County.

"There was enough Mexican American population so that you could create an additional Latino district," Garza says. "Or you could splinter the Latino population, and that's what they did. Almost 300,000 people are in Nueces County, 60 percent of them Hispanic. They are now in an Anglo-controlled district in which they have no voice in the choice of their Congressman."

"Running a good campaign or a hard campaign will only take you so far when the numbers just simply aren't there," said Solomon Ortiz Jr. He had aspirations of running for his father's old seat in Congress before Republicans moved the 200,000 Hispanics in Corpus Christi into a district with a Republican majority, now represented by a conservative Tea Party Republican in Congress, Blake Farenthold.

"When I was in Congress, Republicans and Democrats, we would get together to get a Texan on every committee so we would know what was going on," remembers Solomon Ortiz Sr. "Now you don't see members talking together. Now it's more of a power play than representation."

A message of impending doom

Gregory Abbott, the current governor of Texas, has called Texas "the last line of defense" in protecting the future of the US from Democratic rule.

"Republican messaging is very good at having this alarmist message: 'Oh my goodness, we're being overrun'," says Solomon Ortiz Sr. "Somehow we're going to be taken over by Mexicans. And that type of rhetoric, that type of alarmist attitude, works."

Greenberg points out that "if you believe that your values are going to be undermined, that we face Armageddon, then you can justify these actions to keep this new majority from governing, and that requires evermore intensity, evermore emotion to keep your people engaged so you have a chance of winning." The Republican message of impending doom also resonates with the party base in Terre Haute, a city in Indiana whose inhabitants have a knack for picking the winning presidential candidate.

"The Roman Empire collapsed due to economic failure based on moral decline," says Pastor Dan Willis, from the Hulman Street Wesleyan Church in Terre Haute. "I believe there is a very strong possibility that we could walk in the same footsteps."

Willis seems to be leaning toward Donald Trump in the presidential race. "Trump is incredibly interesting: he is saying things a lot of people have thought but not said and then maybe things that are offensive to some people," says Willis. "But I don't think that Trump is really going to do anything that I believe is morally wrong against my belief system."

A surprise to many pundits and analysts is how well Trump is doing with evangelicals, who were supposed to be a strength of his main opponent US Senator Ted Cruz. Cruz is well-versed in the language of the culture war. He has warned supporters of a "liberal fascism that is dedicated to going after and persecuting believing Christians."

The death of conservative Supreme Court Justice Antonin in February left one of the Court's nine seats to be filled, and Cruz was quick to use the vacancy to stir up passion among evangelical voters. "If we get this wrong, if we nominate the wrong candidate, the second amendment, life, marriage, religious liberty, every one of those hangs in the balance," a grave Senator Cruz told the cameras in his closing statement of the televised debate that followed Justice Scalia's death.

As a replacement for Justice Scalia, President Obama has nominated US Court of Appeals Judge Merrick Garland, a moderate jurist who easily won confirmation to his current post with support from politicians on both sides of the aisle. But Republican leadership in the Senate sees electoral benefit in preventing a Democratic appointment, refusing to even consider any nominations by the current administration even though the US Constitution requires the Senate to provide "advice and consent" for the president's nominee.

Institutional gridlock is a central strategy of those waging the culture war, Greenberg says. "Polarisation is fine. If people think government fails and can't address problems that's fine. You're willing to do that because what you're stopping is this new majority from governing in its name."

Shapiro of the Cato Institute argues that polarisation fuelled by the fight over the Supreme Court vacancy "is a very healthy thing. It crystallises this issue for voters." He also isn't worried by the difficulties government faces in getting things done.

"I think you can't simply say it's bad governance if nothing gets passed," Shapiro says. "If the options are bad laws versus no laws, well, you'd want no laws."

The Tea Party and Freedom Caucuses, far-right Republicans in Congress, also seem to prefer polarisation to compromise on their free market principles. They have brought down a House speaker and tied the Congress in knots, supported by the billionaire Koch brothers and other wealthy conservatives.

Ken Vogel, an investigative reporter at Politico who has broken a number of stories on the Kochs, says that they "have essentially built a privatised political party that in some ways surpasses the capabilities of the Republican National Committee and all of its arms. It's totally unprecedented."

Vogel argues that political parties have to show they are willing to compromise, but "these billionaires and multimillionaires don't have that and many times they would prefer to pick a principle fight that may shut down the government."

The battles and paralysis in Washington DC have taken a toll. "Thirty-six percent of Republicans tell us they think the Democratic Party is a threat to the wellbeing of the nation," says Michael Dimock, the president of the Pew Research Center. "Twenty-seven percent of Democrats say the same thing about the Republican Party. That sense of distance makes it hard for political leaders to reach out towards the centre."

Dimock says polarisation is also amplified by where people choose to live - urban or rural areas - the media they consume, and ever more sophisticated campaign technology.

"Most of us have at least one issue we're passionate about, he says. "The more campaigns can find ways to engage us, it pulls our thinking into a more polarised kind of world."

"In a fractured society such as ours, people retreat into very particular interests and very particular identities," says Chris Hedges, a Pulitzer Prize-winning journalist and leading socialist critic of neoliberalism. "That fracturing of society makes it easier to control."

Hedges believes the US is now a managed democracy, a term coined by the late political philosopher Sheldon Wolin. "By managed democracy he means that it's choreographed," Hedges

explains. "It's political theatre. That's why they spend so much money on it. It's a way of corralling people into a system that mocks the whole concept of the consent of the governed."

Hedges criticises the corporate-owned broadcast media for prioritising profit over substantive political debate. "Every newscast on the election is like a day at the races," he says. "It's all about ratings. It's all about raising money from advertising and entertainment." Trump's success in garnering coverage, he argues, reflects the fact that "he will get them all three".

Is the US heading towards authoritarianism?

Hedges fears that the erosion of America's democratic institutions is leading the country towards authoritarianism. "Sometimes these decaying systems have far more resiliency than you expect, but that something is coming I think is undeniable," he says. "But you know, I think we have a moral responsibility to do everything we can to reinstate democracy and to save the country."

In fact, many in the US are concerned that Donald Trump's success reflects the growing appeal of an authoritarian leader to voters. There are disturbing signs that his Campaign to Make America Great Again is unleashing intolerance and sparking violence. Confrontations between his supporters and liberal activists staging protests are occurring with ever-more frequency.

Republican leaders and many in the Koch network now fear that having Trump at the top of the ticket in November would be a disaster for the party and its congressional candidates. Wealthy conservative donors are reluctantly uniting behind Ted Cruz and pouring millions of dollars into negative advertising targeting Trump. But so far, the former reality television star's billion-dollar brand has made him impervious to even the most relentless and concerted attacks on his business record and character. Trump has warned of "riots" if party leaders broker a deal to deny him the nomination at the Republican convention in July.

"I think this will be a shattering election for the Republican Party," says Greenberg, the Democratic pollster. "Trump is as extreme as can be and he is a threat to democracy of course, if he were to be elected."

But Greenberg doesn't believe that will happen: "We have a growing, diverse country, a more tolerant country beyond the tipping point of the new majority, which is growing at a huge pace. But the Democrats have to rise to the occasion. When this election is over, will they take up the mantle of reform? I think it really does depend on the public and social movements and pressure building in civil society in order for that to happen."