



Editorial Roundup: Iowa

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Voting is a foundational part of citizenship and democracy, not a bookkeeping matter. Iowa should repeal a misguided law that's been used to disfavor tens of thousands of prospective voters.

Voting should be among the least burdensome interactions an Iowa citizen has with the government.

The state, rightly, expends time and money on making it easier to register and to cast ballots and on encouraging people to do so. Last fall, Secretary of State Paul Pate's office said it mailed 47,000 postcards to eligible voters who were not registered for the November election. County auditors do important work to foster participation locally.

Political Cartoons

But for 15 years, that outreach has all but left out tens of thousands of eligible voters who are not proficient in English. The reason is part of former Congressman Steve King's legacy of bigotry in this state.

Thankfully, a court ruling offers some hope that voter registration forms will stop being targeted exclusively to Iowans who speak English.

How we got here: Unnecessary laws and lawsuits

Twenty-two years ago, King was a state senator. He wasn't yet using his seat in Congress to amplify his inaccurate and racist remarks demeaning immigrants and generate embarrassing national headlines about Iowa. Instead, he was the leading advocate for a bill declaring that, with some exceptions, government business in Iowa should be conducted in English alone. He and other backers said they wanted to encourage newcomers to assimilate by learning English more quickly, but the bill was more accurately understood as a mostly symbolic measure aimed at excluding immigrants and making clear that their arrival in Iowa was, at best, tolerated.

The bill passed with bipartisan support. Gov. Tom Vilsack, a Democrat, expressed reservations but, disappointingly, signed it.

A few years later, King took issue with voting-related forms in several languages appearing on a state website. Joined by others, including then-Montgomery County Auditor Joni Ernst, he sued,

claiming that the forms violated his law and that providing the forms in other languages was costly for elected officials. A judge agreed and ordered the secretary of state to remove the forms. It turned out the law did carry some damaging substance with its symbolism.

That was the state of affairs until last month, when Polk County District Judge Scott Rosenberg, responding to a complaint from the League of United Latin American Citizens advocacy group, said that the 15-year-old injunction should be dissolved on the grounds that voting information is, in fact, covered by one of the English-only law's exceptions. LULAC had said that it was carrying the expensive burden of helping English language learners participate in elections and that some county auditors would post forms and information in other languages if they were allowed to.

Voting is a foundational part of citizenship

“The undisputed facts in this case can lead to only one legal conclusion: official materials related to voting are a use of language that is ‘necessary to secure the rights guaranteed by the Constitution and laws of the United States of America or the Constitution of the State of Iowa,’” wrote Rosenberg, a Terry Branstad appointee, citing an exception in the English-only law.

Rosenberg's ruling is welcome in that it recognizes voting as a foundational part of citizenship and democracy, rather than a bookkeeping matter through which the law can put at a disadvantage, conservatively, 25,000 eligible-to-vote Iowa adults, according to a Migration Policy Institute analysis of 2021 census data.

Including Spanish-language voter registration information is a bare minimum every Iowa county could manage. The expenditure required to include Bosnian, Vietnamese and Laotian, the other languages available before the court injunction, should hardly be overwhelming. Maybe throw in Persian, Pashto and Ukrainian, to eventually assist some of the refugees who fled war in Afghanistan and Ukraine in taking an important step toward making permanent homes in Iowa.

What should happen now: Publish multilingual forms, repeal the law

Immediately, county auditors should begin providing voter forms to their county's residents in relevant languages other than English.

As for the 2002 law: It was arrogant and inappropriate for Iowa then, and that's still true today.

Everybody agrees that it is valuable for immigrants to learn English. They mostly do, according to a wide body of research, including a brief from the libertarian CATO Institute. They should not have to struggle until that time to exercise the rights of citizens.

The state could still appeal the ruling in the LULAC case. But there's no state interest worth defending here. The attorney general's office should leave it alone. State legislators should repeal the English Language Reaffirmation Act next year and instead provide resources for election officials statewide to provide multilingual voter outreach.