The Scam of Voting by Noncitizens and Felons

by Phyllis Schlafly Aug. 18, 2004

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As the country appears so closely divided between the red and blue states, the Democrats are seeking odd-ball constituencies to enhance their numbers. They and their liberal-advocacy law firms and lobbyists have been working for months to get convicted felons credentialed to vote for John Kerry, and now they are going after the votes of noncitizens.

Many millions of noncitizens live in the United States, some legal and some illegal, and the Democrats see this as a win-win effort to get them to the polls on election day. They figure the percentages are pretty good that those constituencies will vote Democratic.

Local decisions to allow noncitizens to vote in city, county and school board elections should not give them a pass to vote in federal elections, but once they are on the precinct registration rolls, who is going to stop them? Certainly not the Democratic polling officials.

Five Washington, DC City Council members (fortunately, not a majority) just announced their support for a bill that would allow thousands of noncitizens to vote in local and school board elections. They are waving signs and slogans such as "Democracy for all" and "No taxation without representation."

The District may have as many as 40,000 resident noncitizens. That's clearly enough to provide the margin in a close election.

Americans don't have to stand by and tolerate this impertinence since, as in so many dilemmas, the U.S. Constitution provides the remedy. Article I, Section 8, gives Congress the power to pass "exclusive legislation in all cases whatsoever" over the District of Columbia, and the Republican Congress would be foolish if it doesn't act immediately to nip this mischief in the bud.

The DC City Council isn't the first to think up this thoroughly bad idea. San Franciscans will vote in November on whether to allow noncitizens, including even illegal aliens, to vote in school board elections even though this is probably a violation of the California state constitution which requires U.S. citizenship to be eligible to vote.

Other efforts to reward noncitizens with the franchise have emerged in New York City, Hartford, Los Angeles, Colorado, New Jersey, and Texas. Scattered municipalities in Massachusetts, Maryland, Illinois and New York have already gone down this road.

Giving voting rights to noncitizens is a thoroughly bad idea from every point of view. It cheapens citizenship and it could give legal cover to would-be terrorists who come to this country with hate in their hearts.

Enough problems are already caused by the Motor Voter Law, under which voting registration is offered to everyone getting a driver's license. This even includes those states that grant driver's licenses to illegal aliens.

Becoming a resident of a state may confer the right to get a driver's license, but it does not and should not confer citizenship. According to U.S. law, lawful residents must also speak English and swear allegiance to the United States before they can become citizens.

And they must become citizens before they can vote. We don't want any immigrants voting who haven't made the conscious and sincere decision to renounce loyalty to the country they came from and pledge allegiance to the United States of America.

The Constitution should also be our starting point in the matter of allowing convicted felons to vote. The U.S. Constitution reserves the matter of voting regulations to state legislatures and, in the 14th Amendment, Section 2, specifically authorizes the disenfranchisement of felons.

Nevertheless, the Democrats have persuaded activist judges to force the state of Florida to assist felons, as they leave prison, in getting the right to vote. The Kerry campaign has already set up a nationwide legal network to recruit litigators and election lawyers to challenge the election results in Florida and other close states.

The Democrats have been whining about people who were mistakenly listed as felons on a state database during the 2000 Florida election. But the Democrats are silent about the convicted felons who actually did vote illegally in the 2000 Florida election, as well as the people who received absentee ballots to vote in both New York and Florida.

I suggest that those who are worried about whole groups of people not being able to vote, or not having their votes counted, should look into the matter of guaranteeing that U.S. military personnel serving overseas will have their ballots counted. In the uncertainties that followed the 2000 presidential vote count in Florida, an untold number of military ballots were never counted.

Today, about 150,000 of our service men and women are in Iraq or Afghanistan, and they above all deserve to have their right to vote assured and their ballots counted.