We Need Voter ID For Honest Elections

by Phyllis Schlafly November 1, 2006

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In at least six states, the crucial issue in the November 2006 election may turn out to be whether or not voters must present photo ID. Since we have to show government-issued ID in order to board a plane, cash a check, enter a federal building, and for many trivial pursuits such as buying alcohol or renting a video, why not make it a requirement in order to verify that you are a legal voter?

Honest elections should not be a partisan issue. After all, the bipartisan commission headed by Jimmy Carter and James Baker studied election reforms and issued a report in September 2005 recommending that voters be required to show photo ID.

The Arizona photo ID requirement was part of Proposition 200, a statewide referendum passed two years ago by 56 percent of the voters. It requires voters to prove citizenship when registering to vote and to show a photo ID when they vote.

This law was upheld by a federal district judge in September, but on October 5 the infamous Ninth U.S. Circuit Court of Appeals issued an injunction against Arizona enforcing it. That decision was vacated on October 20 by the Supreme Court, so the Arizona photo ID law remains in effect for the 2006 election.

The Arizona case was brought by minority groups asserting they might be harmed by the law, but a unanimous Supreme Court recognized that others might be harmed by the absence of the law. In the words of the Court, "Voter fraud drives honest citizens out of the democratic process and breeds distrust of our government. Voters who fear their legitimate votes will be outweighed by fraudulent ones will feel disenfranchised."

The Court recognized important voter interests on both sides of the case. Quoting an earlier decision, the Supreme Court stated, "The right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise."

Proponents of the law say it is needed to prevent voter fraud which is so easy to commit because registration rolls contain thousands of names of persons who are non-citizens, dead, moved away, or even non-existent. Senator Kit Bond (R-MO) often showed a picture of a dog that was registered to vote in Missouri.

Opponents of photo ID laws claim they discourage the elderly, poor and minorities from voting because they don't always have IDs. The Arizona law answers that argument by providing that voters without photo ID may cast provisional ballots and then furnish proof of citizenship within the next five business days.

Even civil rights activist Andrew Young, a former Atlanta mayor, says that free IDs would be a boon to poor minority families.

Indiana's new voter ID law is now before the Seventh U.S. Circuit Court of Appeals, which won't rule until after November 7. Indiana's law is similar to Arizona's in its flexibility; voters without IDs can get a free ID from the Bureau of Motor Vehicles, and they can cast provisional ballots to give time to prove their identity.

Lawsuits filed by the American Civil Liberties Union and other liberal groups are keeping this issue alive. The Missouri state supreme court threw out Missouri's voter ID law on October 16, and a similar ruling by a Georgia judge is pending before that state's supreme court.

Fewer than half our states require photo ID. In California, it is illegal for election officials to ask a voter to provide identification.

On September 20, the U.S. House of Representatives passed legislation that would require voters to show a valid photo ID in all federal elections. The Federal Election Integrity Act, H.R. 4844, sponsored by retiring Rep. Henry Hyde (R-IL) passed 228-196, but has been ignored by the Senate.

Lawsuits trying to persuade activist judges to rule that states must allow felons to vote have been filed in at least four states, even though the 14th Amendment, Section 2, explicitly allows states to bar felons from voting. There are enough felons in many states to swing a close election.

Voter ID is only one of dozens of ways that states should tighten up their requirements to improve the honesty of our elections. States should clean up their registration rolls (for example, Philadelphia has more registered voters than adults eligible to vote).

States should also plug the opportunities for fraud in their absentee ballot procedures. A Californian can register without any ID by filling out a postcard at any post office, and nearly half of Californians now vote by mail using absentee ballots.