THE PHYLLIS SCHLAFLY REPORT

The Dangers of Early Voting

by John and Andy Schlafly

November 1, 2016

When FBI Director James Comey announced on Friday afternoon that his agents are reviewing 650,000 emails on a computer belonging to Hillary Clinton's closest aide, Huma Abedin, political pundits immediately speculated about how this "October surprise" would affect the election. But the shocking news came too late for many Americans, because they've already voted.

The day after Comey's announcement, the New York Times reported that 22 million Americans have already voted in this year's presidential election. That's more than one-sixth of the expected turnout.

To put that number in perspective, 22 million is more than the margin of victory in every presidential election in American history. President Obama's 2008 margin of victory was only 10 million votes, and even Ronald Reagan's "morning in America" landslide was only 15 million votes.

Early voting began when a few states stopped requiring voters to provide a good excuse for obtaining an absentee ballot. Then a few more states began to set up special polling places for no-excuse early voting. In several states, most ballots are returned by mail long before Election Day.

Like so many bad ideas, early voting began as an accommodation for a small number of sympathetic people who were inconvenienced because they were elderly, disabled, or needed to be away from home on Election Day. The exception widened in a gradual creep, until early voting became taken for granted, and then claimed as a right belonging to everyone.

Early voting is not a constitutional right, as proved by the fact that Pennsylvania, New York and Michigan still allow no early voting at all. Unfortunately, some federal courts have ruled that once a state allows early voting, that practice can never be curtailed because of its "disparate impact" on minority voters.

A federal court ruled that Ohio could not reduce its 35 days of early voting, and another federal court ruled that North Carolina could not cut back its 17 days. The U.S.

Supreme Court has never addressed the claim that early voting, once allowed, can never be limited.

Before 2008, when Obama exploited early voting so successfully, many Republicans were lulled in the complacent belief that both parties would benefit from the added convenience of early voting. Republicans failed to foresee how labor unions and other interest groups could turn early voting into a powerful and one-sided engine for turning out Democratic votes.

Early voting enables Democrats to badger, berate, bribe, or bamboozle reluctant, low-information voters to the polls. Democratic Party and union workers can identify reluctant voters and harass them until the party worker verifies that they have actually cast their ballot.

Democrats no longer hide the advantage that early voting gives them. Right now, as Politico reports, Democrats are going "pedal-to-the-metal" in "an all-out blitz to turn out the early vote for Hillary, hoping to bank enough votes to overwhelm Donald Trump even before the polls open on Election Day."

Democrats are making a special effort to win the swing state of North Carolina, where a federal court overturned needed election reforms passed by the state legislature and signed by the governor. It's no surprise that the African-American early vote for Hillary is running behind what Obama got four years ago, but Democrats hope to make up that lost ground in the final 7 days.

It's time to enforce the federal law which provides that federal elections take place in even years on the Tuesday after the first Monday in November, also known as "Election Day." With a few exceptions for good cause, such as active-duty military service, all votes should be cast in your home precinct on that one day, all across America.

The U.S. Constitution requires that the delegates to the Electoral College cast their ballots for President on the same day, which is the third Monday in December following Election Day. By requiring each state's presidential electors to meet on the same day at their respective state capitols, the Constitution prevents any state from interfering with another state's election process.

We can all agree that no member of a jury should vote on guilt or innocence until all the evidence has been presented at a trial. By the same token, voters should not cast their ballots before the political campaign is over.

The integrity of elections is just as important as the universally accepted rules for jury trials, whereby jurors are asked to keep their minds open and withhold judgment until after closing arguments. Spreading out voting over an extended period of several weeks, or even a month or more, makes it impractical for poll watchers to monitor the voting for fraud.

Internet searches on "can you change your early vote" spiked Friday afternoon after the FBI reopened its investigation of Hillary Clinton. Voters do not want another Watergate, which is what Hillary would be, and early voting should be replaced by traditional, informed voting on Election Day.

John and Andy Schlafly are sons of Phyllis Schlafly (1924-2016) whose 27th book, The Conservative Case for Trump*, was published posthumously on September 6.*