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Our view: We need to restore confidence in elections

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Efforts to make it easier for people to vote are sold to a willing public as improvements to our democracy.

Instead, such "improvements" as early voting, expanded absentee voting and lax registration requirements have undermined democracy, raising doubts in the public mind over the fairness and legitimacy of our elections.

No better example is available than the annual fiasco that is voting in Lawrence.

This year, former Lawrence City Councilor Marcos Devers has claimed fraud denied him a victory in the election for state representative against incumbent Rep. William Lantigua. Lantigua won the Democratic primary election by 399 votes and went on to re-election unopposed Nov. 4.

Marcos Devers sued Lantigua, Lawrence City Clerk William Maloney, and city Election Coordinator Rafael Tejeda claiming that as many as 65 illegal absentee ballots were submitted in the primary. Devers' attorney says that Lantigua and city election staff used the ballots as part of an "early voting effort" to give the incumbent representative's campaign an advantage on the day of the election.

"If you can secure that base ... your campaign can focus on other matters," Nicholas Guerrera said in court. "You've relieved yourself of a lot of the work that has to be done and in a sense have obtained the upper hand."

Devers claims that Lantigua, Maloney and Tejeda conspired to allow illegal voters to register and cast absentee ballots at Tejeda's Greenwood Street home, while other Lawrence residents claimed Lantigua and his campaign workers tried to convince them over the phone and in person to vote by absentee ballot.

Under state election laws, voters must be unable to go to the polls in their community to submit an absentee ballot.

Lantigua has responded that Devers' claims are "nothing but innuendos."

Devers has been dealt an early setback, but says the case will go on. A judge denied Devers an injunction and ruled the city can report its election results to the state by the deadline.

Concerns about "early voting" are not limited to Lawrence. The nation this year was treated to the spectacle of citizens voting for president more than a month before Election Day in Ohio and other states.

Election Day is meant to be a collective civic experience, the people of the nation coming together to express their will at the ballot box. The farther we get from that ideal, the more open our elections are to fraud.

Proponents of such measures claim that no actual fraud has ever been demonstrated. But public confidence in elections can still be undermined.

And we have a well established precedent that appearances matter in politics. The basis of the campaign finance reform movement was, and courts have confirmed, that merely the appearance of corruption — rather than actual proof of corruption — is sufficient to roll back the free speech guarantees of the First Amendment.

It is no great burden on democracy to insist, with few exceptions, that voting be limited to those who are properly registered and report to their polling places on Election Day. That method served our country well for nearly 200 years before voting came to resemble more a lawless free-for-all than the collective civic responsibility it was meant to be.

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