

**VOTING RIGHTS UNDER SIEGE :
RECENT DEVELOPMENTS IN THE UNITED STATES**

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The right to vote in the United States is protected by the federal Constitution but the primary responsibility for administering elections has been delegated to the states. That decentralized system has produced a proliferation of state laws designed to suppress voter turnout in this election cycle that represents, in my view, the gravest threat to voting rights in the United States for the past half-century, at least. These laws, moreover, have a disproportionate impact on certain segments of the voting population: the poor, the elderly, racial and ethnic minorities, and those with disabilities.

Even before this onslaught of new voting restrictions, voter turnout in the United States had been disturbingly low. In 1996, only 48.1% of the voter-age population voted. In 2008, the number was 56.9% (the numbers go up by a few percentage points when measured against voter-eligible population)¹. In non-presidential election years, the numbers are much lower. As a nation, we should be striving to increase voter turnout. Instead, we are in danger of seeing a further decline in voter participation because of new obstacles to voting that are both unjustified and discriminatory.

This paper will first discuss the constitutional framework that governs voting in the United States. It will then survey the new wave of voter suppression laws. Finally, I will review the legal challenges that have been brought to these laws, and how the relevant administrative and judicial bodies have so far responded.

¹ Michael P. McDONALD, *United States Elections Project*, "Presidential Voter Turnout Rates: 1948-2008," disponible sur le site : http://elections.gmu.edu/voter_turnout.htm.