



## Background Reading for Voting Rights

In the United States, voting is a Constitutionally protected right. The Ninth Amendment established the fact that citizens have “unenumerated rights” that are not specifically listed within the Constitution including, according to the Supreme Court, the right to vote. The Fourteenth Amendment’s “Equal Protection Clause” expanded the reach of protection for citizen’s rights (including the right to vote) from laws made by the federal government to state and local laws, as well. The Fifteenth Amendment prevents any discrimination in voting rights on the basis of “race, color, or previous condition of servitude.” The Nineteenth Amendment, which celebrated its centennial anniversary in 2020, extended the right to vote to women. The Twenty-fourth Amendment outlawed poll taxes, which were used in many places to suppress the right of poor people and people of color from voting. Finally, the Twenty-sixth Amendment established the voting age as 18.

In addition to the Constitution’s specific protections, citizens’ right to vote has been upheld by historic Supreme Court cases. In legislative terms, the most significant laws protecting the right to vote arose from the work of leaders and citizens during the Civil Rights Movement of the 1950s and 1960s, culminating in the Civil Rights Act of 1964 and the Voting Rights Act of 1965, which outlawed poll taxes, literacy tests, and other methods which suppressed citizen’s right to vote.

In this podcast, voting rights are discussed in light of concerns about large gatherings of people during the Covid-19 pandemic. During the 2020 election, Kentucky and many other states created more ability for voters to use absentee ballots or vote early. High turnout was anticipated in the podcast discussion and was realized on and before election day 2020. Fears of both voter fraud and voter suppression were also discussed, especially in regard to the Supreme Court ruling in *Shelby County v. Holder*, a decision which allowed states to more easily make alterations to voting practices, for example, by having fewer polling places, purging voter rolls (which, if not done carefully, can remove eligible voters), and putting into place more ID requirements.

According to a recent briefing report from the nonpartisan United States Commission on Civil Rights, the Department of Justice should, “pursue more Voting Rights Act enforcement in order to address the aggressive efforts by state and local officials to limit the vote of citizens of color, citizens with disabilities, and limited English proficient citizens.” ([https://www.usccr.gov/pubs/2018/Minority\\_Voting\\_Access\\_2018.pdf](https://www.usccr.gov/pubs/2018/Minority_Voting_Access_2018.pdf)) This point is countered by many opinion polls, which show American’s trust in our electoral systems is low. (<https://www.npr.org/2020/01/21/798088827/american-distrust-of-the-voting-process-is-widespread-npr-poll-finds>)