Voting

Inquire: What is Required to Vote in the United States?

Overview
Voting. Suffrage. The ballot. In a democracy, the people are in control. However, the people cannot be in control if they do not vote. Voting is their power. It is the weapon to bring government in line with the will of the people.

But, does one vote really count?

Theodore “Teddy” Roosevelt, the 26th president of the United States might say,

“To sit home, read one’s favorite paper, and scoff at the misdeeds of the men who do things is easy, but it is markedly ineffective. It is what evil men count upon the good men doing.”

The power of the ballot box — the power of public expression of approval or disapproval — is the manifestation of the power of the people over the government.

Big Question: How universal is participation in the American electoral process, and what issues limit or expand participation?

Watch: Voting - A Difficult Privilege?

Voting is at the heart of democracy. A vote sends a direct message to the government about how a citizen wants to be governed. And yet, only 48.8% of eligible voters actually cast their ballots in the 1996 presidential election. That figure represents the lowest general presidential election turnout since 1824. In off-year elections (those when the president is not running), the statistics are even worse. Why don’t people vote?

Aside from voter attitudes, there are institutional barriers that could be impacting voter turnout. Among the most commonly cited examples are the following:

1. Difficulty of Registration
Most states have a host of voting requirements, including registration at least ten to 30 days before an election, theoretically to reduce voter fraud. However, most other democracies make it much easier for a citizen to vote. Some even automatically register their citizens to vote. In the United States, the citizen is responsible for his or her own registration.
2. Difficulty of Absentee Voting
Even if you remember to register ahead of time, you can only vote in your own precinct. If you are going
to be out of town on Election Day, you have to vote by absentee ballot which also has a set of
requirements.

3. The Number of Offices to Elect
Americans elect more people to public office than do citizens of any other democracy. For example, in
Britain the only national vote cast by citizens is for their representatives to Parliament. In the United
States, we have a federal system, with a national (federal) government as well as state governments —
and each may have a myriad number of positions on the ballot.

4. Weekday Voting
In many other democracies, elections take place on weekends. By law, national general elections in the
United States are held on the Tuesday after the first Monday in November in even-numbered years. Most
state and local elections are also held during the week. Many people find it difficult to get off work in order
to go vote.

5. Weak Political Parties
In many countries, parties make great efforts to get people to the polls. American political parties today
are not as strongly organized at the "grass roots" — or local — level and do not have a huge impact on
turnout.

To really impact and change voter turnout in the United States, all of these issues will need to be
addressed in one way or another, or the U.S. will remain a democracy with historically low voter turnout.

Read: Let’s Vote!

Overview
The Constitution, as ratified in 1789, contains absolutely no words dealing with what the requirements are
to vote in an election. Not one. The country was founded on liberty and freedoms, but there is not one
word about voting requirements, voting rights, or voting.

Instead, the framers’ intent — as verified in the wording of the 10th Amendment which was added in 1791
— was to leave all these issues to the states. Who can vote, the process of registering to vote, and the
actual logistics of the voting process were to be controlled by the states. This leaves the U.S. in a unique
position of having a 50-piece hodge-podge puzzle of voter involvement, as each and every state has
different rules — in some cases radically different rules — for voting.

Registration
Regardless, before most voters are allowed to cast a ballot, they must register to vote in their state. This
process may be as simple as checking a box on a driver’s license application or as difficult as filling out a
long form with complicated questions. Registration allows governments to determine which citizens are
allowed to vote and, in some cases, from which list of candidates they may select a party nominee.
Ironically, while government wants to increase voter turnout, the registration process may prevent various
groups of citizens and non-citizens from participating in the electoral process.
General Eligibility Requirements

Some eligibility requirements are standard. In order to be eligible to vote in the United States, a person must be a citizen, a resident, and at least 18 years old. But, states often place additional requirements on the right to vote. The most common requirement is that voters must be mentally competent and not currently serving time in jail. Some states enforce more stringent or unusual requirements on citizens who have committed crimes. Florida and Kentucky permanently bar felons and ex-felons from voting unless they obtain a pardon from the governor, while Mississippi and Nevada allow former felons to apply to have their voting rights restored.

Citizens of other states have additional expectations placed on them when they register to vote. Wisconsin requires that voters “not wager on an election,” and Vermont citizens must recite the “voter’s oath” before they register, swearing to cast votes with a conscience and “without fear or favor of any person.”

Expansion of Suffrage

As difficult as the process is, the right to vote — suffrage — has expanded dramatically since 1789 when generally only white men with property were allowed to vote. The suffrage movements for women and minorities to eliminate barriers between the people and their ability to exercise the privilege of voting is, for the most part, the story of the civil rights movements in the United States.

In short, the varied registration and voting laws across the United States have long caused controversy. In the aftermath of the Civil War, Southern states enacted literacy tests, grandfather clauses, and poll taxes as well as other requirements intended to disenfranchise black voters in the South. Literacy tests were long and detailed exams on local and national politics, history, and more. They were often administered arbitrarily with more blacks required to take them than whites. Grandfather clauses allowed whites who could pass the literacy test or pay the poll taxes to vote if their grandfathers had voted. Practically no African Americans had grandfathers who had voted. Poll taxes were fees paid to vote, which most of the poor African Americans could not afford.

The Constitution has been amended regarding voting. Today, the 15th Amendment guarantees suffrage rights cannot be denied due to color, race, or previous servitude; the 19th insures that women will be allowed to vote; the 26th requires the minimum voting age in every state be lowered to 18 years of age; the ratification of the 24th Amendment in 1964 ended poll taxes. However, no amendments were passed regarding the other limitations. Those were addressed in the Voting Rights Act of 1965 (the VRA).

The VRA protected the rights of minority voters by prohibiting state laws that denied voting rights based on race. The VRA gave the attorney general of the United States authority to order federal examiners to areas with a history of discrimination. These examiners had the power to oversee and monitor voter registration and elections.

The effects of the VRA were visible almost immediately. In Mississippi, only 6.7 percent of blacks were registered to vote in 1965; however, by the fall of 1967, nearly 60 percent were registered. Alabama experienced similar effects, with African American registration increasing from 19.3 percent to 51.6 percent. Voter turnout across these two states similarly increased. Mississippi went from 33.9 percent turnout to 53.2 percent, while Alabama increased from 35.9 percent to 52.7 percent between the 1964 and 1968 presidential elections.
Innovative and Modern Ways to Expand Voter Registration

Many states have sought other methods of increasing voter registration. Several states make registering to vote relatively easy for citizens who have government documentation. Oregon has few requirements for registering and registers many of its voters automatically. North Dakota has no registration at all. In 2002, Arizona was the first state to offer online voter registration, which allowed citizens with a driver’s license to register to vote without any paper application or signature. The system matches the information on the application to information stored at the Department of Motor Vehicles to ensure each citizen is registering to vote in the right precinct. Citizens without a driver’s license still need to file a paper application. More than 18 states have moved to online registration or passed laws to begin doing so. The National Conference of State Legislatures estimates, however, that adopting an online voter registration system can initially cost a state between $250,000 and $750,000.

Other states have decided against online registration due to concerns about voter fraud and security. Legislators also argue that online registration makes it difficult to ensure that only citizens are registering and that they are registering in the correct precincts. In some states, such as Texas, both the government and citizens are concerned about identity fraud, so traditional paper registration is still preferred.

VRA Unconstitutional

Additionally, in *Shelby County v. Holder* (2013), the Supreme Court, in a 5-4 decision, threw out the standards and process of the VRA, making much of the landmark legislation non-effective. The discussion now is whether Shelby will affect conservatives, because the issues faced in 1964 are no longer concerns. Liberals, on the other hand, still see barriers to voting and are concerned about the loss of this tool.

Reflect: Should the Voting Age Be Lowered?

Poll

The ratification of the 26th Amendment in 1971 lowered the minimum voting age to 18 years of age. The issue at the time was the draft. An 18 year-old could be drafted and sent to die for his country, but he could not vote in the government making the decision to go to war.

There are those who say the level of education and electronic sophistication today necessitates another lowering of the voting age to 16. What do you think? Should 16 year-olds be allowed to vote?

- Yes
- No

Expand: Who’s Voting Depends on Who’s Counting

Counting Voters

Low voter turnout has long caused the media and others to express concern and frustration. A healthy democratic society is expected to be filled with citizens who vote regularly and participate in the electoral process. Organizations like Rock the Vote and Project Vote Smart work alongside MTV to increase voter turnout in all age groups across the United States. But, just how low is voter turnout? The answer depends on who is calculating it and how. There are several methods; each of which highlights a different problem with the electoral system in the United States.
Voting-Age Population (VAP)
Calculating voter turnout begins by counting how many ballots were cast in a particular election. These votes must be cast on time, either by mail or in person. The next step is to count how many people could have voted in the same election. This is the number that causes different people to calculate different turnout rates. The complete population of the country includes all people, regardless of age, nationality, mental capacity, or freedom. We can count subsections of this population to calculate voter turnout. For instance, the next largest population in the country is the voting-age population (VAP), which consists of persons who are 18 and older. Some of these persons may not be eligible to vote in their state, but they are included because they are of age to do so.

Voting-Eligible Population (VEP)
An even smaller group is the voting-eligible population (VEP), citizens 18 and older who, whether they have registered or not, are eligible to vote because they are citizens, mentally competent, and not imprisoned. If a state has more stringent requirements, such as not having a felony conviction, citizens counted in the VEP must meet those criteria as well. This population is much harder to measure, but statisticians who use the VEP will generally take the VAP and subtract the state’s prison population and any other known group that cannot vote. This results in a number that is somewhat theoretical; however, in a way, it is more accurate when determining voter turnout.

Registered Voters (RV)
The last and smallest population is registered voters, who, as the name implies, are citizens currently registered to vote. Now we can appreciate how reports of voter turnout can vary. As the chart shows, although 87 percent of registered voters voted in the 2012 presidential election, this represents only 42 percent of the total U.S. population. While 42 percent is indeed low and might cause alarm, some people included in it are under 18, not citizens, or unable to vote due to competency or prison status. The next number shows that just over 57 percent of the voting-age population voted, and 60 percent of the voting-eligible population. The best turnout ratio is calculated using the smallest population: 87 percent of registered voters voted. Those who argue that a healthy democracy needs high voter turnout will look at the voting-age population or voting-eligible population as proof that the United States has a problem. Those who believe only informed and active citizens should vote point to the registered voter turnout numbers instead.

There are many ways to measure voter turnout depending on whether we calculate it using the total population, the voting-age population (VAP), the voting-eligible population (VEP), or the total number of registered voters.
Lesson Toolbox

Additional Resources and Readings

Election Basics: Crash Course Government and Politics #36
- A Crash Course Government video covering the basics of elections and voting in the United States
- https://www.youtube.com/watch?v=48EZKXweGDo

How Voters Decide: Crash Course Government and Politics #38
- A Crash Course Government video covering how voters make voting decisions
- https://www.youtube.com/watch?v=eermkiaFoWc&t=121s

History of voting!
- A short infographic video showing the history of voting in the United States and explaining the importance of casting your vote
- https://www.youtube.com/watch?v=ar7r5aG_B0Y

Rock The Vote Presents: #TURNOUTFORWHAT
- A Rock the Vote ad showing an example of the attempt to attract young voters
- https://www.youtube.com/watch?v=rijpU5yD55I

Lesson Glossary

voting-age population: the number of citizens over 18 years of age
voting-eligible population: the number of citizens eligible to vote

Check Your Knowledge

1. What did the Voting Rights Act of 1965 do?
   A. guaranteed suffrage rights cannot be denied due to color, race, or previous servitude
   B. protected the rights of minority voters by prohibiting state laws that denied voting rights based on race
   C. insured women are allowed to vote
   D. required minimum voting age in every state to be lowered to 18 years of age

2. To vote in the U.S., you must be a citizen, 18 years old, and mentally competent.
   A. True
   B. False

3. ________________ is a subsection of population that are citizens 18 years and older who have either registered or not, and are eligible to vote because they are mentally competent and not imprisoned citizens.
   A. Voting-age population
   B. Voting-eligible population
   C. Registered voters
   D. American citizens
Answer Key:

Citations

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