



CONGRESSMAN'S REPORT

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47 Million Americans Are Missing

Our Really Silent Majority

The sad truth is that the national election system is not geared to insuring that the maximum number of citizens will be eligible to vote. To the contrary, a barrier of outmoded legal technicalities has been erected across the land which disfranchises many millions of citizens who are otherwise fully qualified to vote.

--Senator Barry Goldwater

February 19, 1970

Almost 200 years ago we began a noble experiment with a radical notion called "democracy." The basic idea was that kings weren't sovereign; *people* were. In this new nation, the founding fathers said, the ultimate power and authority will reside in the *people*. They will make the decisions which affect their lives. While they may elect Presidents and Governors and Congressmen to exercise portions of *their* power and to make some of *their* decisions for them, *they* will remain the final source of that power. This idea has worked, but there are trends in our political life which threaten its vitals. The unhappy fact here and now is that the people of this country -- taken as a whole -- aren't making our biggest decisions anymore; it's just *some* of the people who decide. And the segment which participates threatens to get smaller every year.

For those readers who believe that the great majority of Americans still pick our Presidents, Senators and Governors let's look at what happened on November 5, 1968. On that day we undertook the vital choice of a President to lead our country through what clearly was going to be four crucial years of our history. Next morning we saw how that choice came out:

- * 31.8 million had voted for Richard Nixon.
- * 31.3 million had voted for Hubert Humphrey.
- * 9.9 million had voted for George Wallace.

These figures might suggest that the people of this country were about evenly divided in their support of the two major party candidates. But here is my point: another 47 million Americans voted for *nobody*. As a result, we'll never know which candidate was truly favored by a plurality of the American people.

Ponder this a moment: the 1968 *non-voters* outnumbered those voting for President Nixon by 17 million. Put another way, for every vote separating Nixon and Humphrey there were 150 people who didn't vote at all. And these aren't numbers; they are *people* who live and work and pay taxes and have a stake in what happens to this country.

Let's look at some more statistics:

- * The 47 million persons who failed to vote in 1968 represent an astonishing 39% of our adult population. And this wasn't our worst showing; back in 1948, 47% of our people didn't vote! Only 53% made *that* important presidential choice.
- * We pride ourselves on having created the modern idea of democracy. Yet every year we are put to shame by other free countries. In their last elections Great Britain and Canada had turnouts of 76%, France 80%, West Germany 87%, Sweden and Denmark 89%.
- * As bad as our turnouts are in national elections, the situation is even worse in state and local elections in this country. In Tucson last year 22% of our people decided who our new city councilmen would be while 78% voted for Mr. *Nobody*. Some other recent examples:

| City | Turnout |
|----------------------|---------|
| Birmingham, Ala. | 6.8% |
| Dallas, Texas | 9.1% |
| El Paso, Texas | 17.7% |
| Miami, Fla. | 11.1% |
| Oklahoma City, Okla. | 4.4% |

WHY PEOPLE DON'T VOTE

Why is it that so many people fail to vote in our national and state elections? Some think it is mostly just laziness, a "don't give a damn" attitude about citizenship. I suppose these factors do account for part of the fallout. But the truth is that most of the non-voters of this country feel shut out of the political process. A great many of them *want* to vote, would vote if given a chance, and are willing to go to a reasonable amount of inconvenience to do so.

The trouble is that our election system shuts the doors on millions of potential voters. We do it through a weird, archaic obstacle course of legal barriers, high hurdles, boobytraps and barbed wire emplacements that defy anyone's notion of common sense or fair play. These obstacles fall into four main categories: 1) residence requirements, 2) burdensome registration procedures, 3) literacy tests and 4) inconvenience in voting.

1 - - Residence Requirements

Our 50 states constitute but one nation, and one family in every five proves it by moving its residence every year. In our technological society mobility is vital to success; we move where the opportunities are. Yet our voting laws are still based on 19th Century patterns of small, stable populations. When you move your family, you usually do it to benefit yourself, but you also benefit society by giving of your skills where they are needed. Society usually rewards you by making you an electoral outcast -- a non-person for a year or maybe three or four. An example will indicate the way it works.

Living in Ohio and registered to vote there, you respond in July, 1970, to a job opportunity in Yuma. The minute the moving van pulls away with your household belongings you lose Ohio voting status. Arriving in Arizona, you find that our state, like 31 others, won't allow you to register for a full year. This means that until July, 1971, neither Arizona nor Ohio recognizes your existence. But there being no elections in 1971, your views don't really count until 1972. Thus your penalty for moving is banishment from the political process for more than two years. To make it worse, Arizona and 35 other states have county or precinct residence requirements which can count you out if you happen to move within the state or even within a county shortly before an election.

Earlier this year Senator Barry Goldwater introduced an amendment to the Voting Rights Act that would totally abolish all residence requirements as a qualification for voting for President and Vice President. I heartily concur in this approach. In the course of arguing for consideration of his amendment Senator Goldwater estimated that some 2 million Americans are deprived of the right to vote because of various state residence requirements. The Gallup Poll did an analysis after the 1968 election indicating the number might have been as high as 5 million that year, and it has been estimated that another 3 million voters may have lost out because they were away from home on election day and not allowed to obtain absentee ballots. These are not insignificant numbers; they obviously hold the potential for frustrating the will of the majority of the people, for producing quite different results in our national, state and local elections.

2 -- Burdensome Registration Requirements

Suppose you're a widow with small children and a job, or a mailman with two jobs and eight children. You are concerned about your state and country and try to keep up on the news. You have opinions about the candidates in this year's elections, and you would like to get registered. You're willing to lose an hour or two from the job in

order to do this. You make inquiries and, depending on where you live, here are some of the discouragements you may find:

- * You may be required to register at the courthouse or some other central office downtown, miles away from home. The hours may be inconvenient. Even if you take time off from work to make the trip into town, you may be confronted with long waiting lines.
- * If you live in a state like Connecticut, you will have just one day each month plus a two-week period in the fall to get on the election rolls.
- * If you live in Texas, your registration expires *every year*, and the deadline for re-registration is January 31. Miss that deadline and you don't vote.
- * In Arizona you used to have until about September 21 to register for the general election. This year, thanks to the Legislature, registration will be cut off on August 11, except for a six-day period beginning September 9. That same act of the Legislature provides that in future years all registration for primary and general elections will be cut off about July 8 -- a net loss of about 68 days in which to register voters.

3 -- Literacy Tests

While it was at it, the 1970 Arizona Legislature also decided to retain as a prerequisite for voting the requirement that voters be able to read the Constitution *in English*. While one can make a theoretical case for excluding from politics those who can't read the official language, the practical effect of this is to embarrass and frighten away from registering and voting many people who pay taxes, contribute sons to the draft and are vitally affected by decisions of government. Most of the nation is moving away from literacy tests; even South Carolina makes an exception if you pay taxes on \$300 of assessed property. In a day when so much information is acquired by radio and television, it hardly seems necessary to reject from our political system those persons whose command of the written word in English is less than total.

(Note: Thanks to a recently-voted extension of the Voting Rights Act of 1965, all state literacy tests -- including Arizona's -- will be suspended until August 6, 1975).

4 - Inconvenience in Voting

Even if you somehow surmount all these barriers, you may never get to vote when election day dawns. For sometimes we make it so difficult that people become discouraged. In 1968 I stood in a long line in Tucson for about an hour waiting to cast my vote. In the same line was a mother with a young child. I was a major candidate with much at stake, but I wonder whether, had I been in her situation, I would have

stayed around. Pima County in that year had shifted to new, inexpensive Votomatic machines; instead of six or eight machines my precinct should have had 20. With proper planning there is no excuse for a citizen having to wait more than 10 or 15 minutes to cast his vote.

Beyond this, we restrict the voting hours. In Arizona it's 6 a.m. to 7 p.m. Other states give less time, some give more. I've never understood why we can't have a 24-hour period to give even the busiest person a fair shot. In many other countries they vote on Sunday or declare a national election holiday.

A LOOK AT ARIZONA'S RECORD

I've always taken pride in my state and the way we do things. We place great value on qualities of personal integrity and honor; we claim to vote for the man and not the party. Actual fraud or ballot-box stuffing is almost unknown. We have had no discriminatory practices in our election system -- except for the unfortunate emphasis on "reading the constitution in English," which has often been used to intimidate our Spanish-speaking and Indian minorities. We have the initiative and referendum, the long ballot and all the rest. In Arizona the kinds of barriers I've discussed above are neither the highest nor the lowest in the nation.

Yet judged *on performance* -- the percentage of our adult population which gets to the polls -- we have little to be proud of. For in the 50 states we rank 49th -- *behind every other state but Georgia*. And we're not just behind -- we're *far* behind:

- * The national average for 1968 was 61%. Arizona's score: 44%.
- * Utah, just north of us, had 77%, Idaho 75%, and Illinois 72%. We're sometimes smug about the South, but even Mississippi checked in at 52%, while Alabama had 56%.
- * Put another way, there were 500,000 adult American citizens living in Arizona who didn't vote in the crucial 1968 election.

As if this record weren't bad enough, the 29th Legislature, just adjourned, has taken some actions which make sure that we will continue this miserable kind of performance. In addition to cutting down the time for registration and continuing the literacy test, your legislators in Phoenix have decided to wipe out your registration and mine -- all registrations -- as of the day following the 1970 general election. This means that all of us -- the voter and non-voter, the poor, the rich, the invalids and the healthy -- will have to start from scratch, find out where registering is being done, and get ourselves registered by the next deadline.

A lot of people are going to get tripped up in the process. And, for the most part, they will be the least sophisticated, the least articulate, the least affluent -- in short, the kind of people who carry the least weight in influencing the policies of their government and therefore have the most to lose.

TWO PHILOSOPHIES

Of course, you can make a philosophical case for this kind of legislation. I strongly believe this philosophy is bad news for a state or a nation, for conservatives, liberals and all who believe our democracy can be kept intact. But let's take a look at its logic, and then at the opposite philosophy.

When I express dismay that 500,000 Arizonans or 47 million Americans didn't vote in 1968, some politicians will tell me privately and candidly that this is good. They first make the largely false assumption that these non-voters are mostly just lazy and disinterested. Then they ask: aren't we better off to make it tough and inconvenient to register and vote? The result, they say, is that the big decisions are made by that segment of the adult population which is better educated, more informed, more stable, more affluent, and which cares enough to protect its right to vote.

Implied in all of this (and frankly stated by some Arizona Republicans with whom I talk) is the belief that low participation is good for Republicans and conservatives, and bad for Democrats and liberals. I'm not sure that notion is well founded -- at least it's badly shaken by the near-record *low* turnout (53%) of 1948 which elected Truman instead of Dewey, as contrasted with the near-record *high* turnout (63%) which elected Eisenhower over Stevenson four years later.

But for argument let's assume its truth: i.e., if Republicans control the legislature and if they can restrict voting participation enough, they'll give their party a built-in advantage for the future. While this may be good short-run politics, I respectfully suggest that, in the long run, it could be disastrous for all political parties and for the country.

We can follow the first philosophy and fight these old battles with maybe some temporary advantage for one political party or the other, but eventually this kind of approach may destroy the system which has worked better than any other. Think about this: how long can a political system remain workable when half or nearly half its people are being shut out of major elections? How long can a system which remains complacent about such numbers of non-voters retain the trust and confidence of those millions of its citizens?

As for me, I subscribe to a second -- and vastly different -- philosophy. It's one which goes back to Jefferson, Madison, Franklin and Washington. It deals with "democracy" and the idea that ultimate power resides in the *people* -- not just an elite segment thereof -- and that the major choices concerning who is to govern us must be made by nearly all of us. When we see our country threatening to come "unglued," its people confused with divisions, hatreds and uncertainties such as we see today, we ought to be concerned with more than temporary partisan electoral advantage.

'STAY IN THE SYSTEM'

As we start this new decade which will mark the bi-centennial of the Declaration of Independence, our nation is in a time of troubles. At times it seems that the very fabric of our society is going to pull apart. Many of our sons and daughters, whom we taught to have ideals and to strive for the best, see all too clearly many of our imperfections and want to change things *now*. In response they are being told: "*Stay in the system. Work through the political process.*" I agree with that advice, but I think we had better take a look at that system and that process if we expect our advice to be heeded.

Our system rests on a basic faith that all of our people will make the right decisions. On occasion, they may be confused by a demagogue or led astray by passion and prejudice, but our system stands or falls on the proposition that in the long run our people will pick the right course. In this philosophy we deliberately grant the maid or waitress, laborer or truck driver, or the newly naturalized citizen the same vote as the stock broker or college professor. We give each one a vote whether he speaks Harvard English or the broken accents of Mexico, whether he watches Huntley-Brinkley or "Petticoat Junction," whether he reads the editorial pages of the *New York Times* or just the comic pages of the *Daily News*.

And somehow, it's worked so far. It was the ordinary voter who somehow sensed in 1932 that the country needed Roosevelt and some kind of basic change; he didn't fully understand all the intellectual arguments in 1952, but he somehow felt Eisenhower should be picked to end Asian war and give us a time of retrenchment after 20 years of Democratic rule. And so it went in 1960 when a small majority rejected Richard Nixon, and in 1968 when another small majority, in a different mood, elected him.

America followed this participatory philosophy without reservation until nearly 1900; prior to that time few states even had registration laws. Populations were small and stationary, and people who showed up to vote could be quickly identified. In the 1876 election this approach produced an 82% turnout -- the kind of performance the British still get in the 1970's. But two developments began a sharp and opposite trend. As our cities grew, machine politics brought "cemetery voting" and other frauds: registration

was seen as a necessary protection. And in the South the move to disfranchise the black man found complicated and restrictive registration a valuable tool.

By 1904 voting participation nationally had dropped to 65%, and by 1920 a minority of adults (49%) made the presidential choice. In the state of Texas the drop was even more dramatic -- from 88% in 1896 to 30% in 1904, where it remained for half a century.

WHAT CAN BE DONE

This is a bleak and discouraging picture I've painted. But we need not accept it for the future. We can get back to a system in which most of the people participate in the big choices that affect their lives. But first we must change our whole basic attitude about voting.

Our present system says to the voter: as a society, as a nation we really don't care and have no stake in whether you vote or not. If your political party wants to get you registered, OK. Basically, it's not society's job to get you registered or to vote. It's *your* job and that of your political party to find out where and when to get registered and to keep up with whatever changes your legislature cares to make.

But I strongly believe that the government (that is, all of us collectively) has a real stake in bringing all of our citizens into the political process and keeping them there. I believe the government ought to spend some money and set up some machinery to make this possible. And I have a plan which will, at moderate cost, guarantee that Presidents and Vice Presidents, at least, are picked by a majority of the people they serve. Ultimately my plan can be extended to all levels of government. It's called Universal Voter Enrollment, and I am introducing a bill to make it possible.

My thinking is based in part on a Freedom to Vote Task Force which former Attorney General Ramsey Clark headed up for the Democratic National Committee. But it's not just a Democratic scheme. This kind of plan has deep roots in the thinking of practical politicians and political scientists. It amounts to a sweeping change in our concept of voter registration, but I believe it is practical and necessary. Here are its main features:

- * It would abolish all residency requirements for voting for President or Vice President.
- * It would set up a Federal system of enrollment for all persons unenrolled in any state who, except for residency, meet the qualifications in that state.

- * During a three-week period immediately preceding a Presidential election the Bureau of the Census, at Federal expense, would conduct an intensive, door-to-door drive to enroll all eligible persons who have failed to enroll under state law.
- * On election day all persons so enrolled would be permitted to vote for the offices of President and Vice President even though they might not be eligible to vote in the state elections. If for any reason any would-be voter was missed, he could still vote on election day by signing an appropriate affidavit to preclude any kind of fraud.
- * Persons absent from their election districts would be able to cast special absentee ballots in the nearest polling place -- even in another state -- upon showing proper identification. These special ballots would be mailed back to their own election districts and counted once their eligibility was established.

What's more, this plan offers the prospect of reform beyond the presidential level. Once this system is established and functioning, I think its advantages will become apparent to the states. Logical next steps might be (1) to lower residency requirements in state elections, (2) to extend the system to cover the election of U.S. Senators and Representatives, and (3) to allow the states to use the Census Bureau to register voters for state elections as well. In any case, this important change in the conduct of national elections is bound to stimulate changes for the better on state and local levels.

SOUNDER SUFFRAGE IN THE MAKING

The sign of a healthy political system is its capacity to make necessary changes like this. By such a measure, our system is already showing evidence of vitality. Consider the following:

** The Electoral College, long a threat to the popular will, may be on the way out. Already the House of Representatives has passed a Constitutional Amendment providing for *direct election* of the President and Vice President; voting for it were majorities from both political parties (including all three Arizona congressmen). Action is now approaching in the Senate.

Obviously, the renewed threat of a backroom "deal" involving George Wallace and either the Republican or Democratic nominee is spurring interest in this kind of reform. Many still argue that small states will be hurt, or big cities will be hurt, but I think the amendment will be passed and sent to the states for ratification.

** The President has just signed an extension of the Voting Rights Act of 1965, continuing the program of Federal enforcement of voting rights where this is needed, and *lowering the voting age to 18*. This one act will bring in 12 million new voters.

I know there are many who view with some dismay granting of the vote to 18-year-olds, but I think they will find fewer young people fighting "the system" when they have a chance to work *through* it. If we consider the voting age population to be all persons over the age of 18, the number of non-voters in 1968 wasn't 47 million but 59 million, and the percentage of non-voters in the population was 44%. I suppose it all depends on whether you consider 18-year-olds as part of our system and entitled to participate in it; I do.

If we can amend the Constitution to abolish the Electoral College -- and I think we will -- and if we can lower the voting age to 18 -- which we have -- then I think it's time we did something about our archaic registration and voting procedures as well. If we do, we can breathe new life into our system of suffrage and reassert our faith in America's great experiment in government, as Lincoln said:

Of the people, by the people and for the people.

A handwritten signature in cursive script, reading "Meredith Lidaee". The signature is written in black ink and is positioned to the right of the Lincoln quote.