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Minority political power is a fact of life

"VOTING RIGHTS" no longer mean voting rights, as ordinary Americans understand the term. An alleged voting rights violation today is a districting plan that contains, say, three majority-black legislative districts when a fourth could be drawn. And yet the issue retains the morally simple aura that it once legitimately had. And that makes the current debate over renewing, and perhaps amending, some key provisions of the 1965 Voting Rights Act both tough and confusing.

In 1965, black enfranchisement in the Deep South was the sole aim of the landmark civil rights legislation. But resistance to basic Fifteenth Amendment rights quickly collapsed, and the tools of the statute began to be used for the radically different purpose of ensuring safe seats for minority legislators.

The core of the Voting Rights Act was always permanent, but certain provisions applied only to the South and had been passed on a temporary, emergency basis for a mere five years. The most important of these was the pre-clearance provision, which required federal approval of new districting plans and all other changes affecting electoral power. That pre-clearance provision was repeatedly extended, and it is now up for renewal again.

What's the harm in continuing federal oversight, some people ask? The issue has become, in part, one of fairness. The South has radically changed by now. Moreover, post 1965-amendments to the act mean that scattered places like three New York City boroughs and whole states like Texas that never disfranchised blacks are now under the thumb of the Justice Department. And yet the Florida counties that were the center of controversy in 2000 have retained their local autonomy.

Who should be deciding how to run elections in a small county in Virginia, the residents themselves or a federal bureaucrat in Washington? And if such federal power is a good idea in Virginia, why should Ohio be treated differently?

Some of the temporary provisions should be renewed without question, such as the mandatory assistance to voters with limited English that Boston allegedly failed to provide. But the pre-clearance provision no longer makes sense. Minority political power is now a permanent fact of American life. Let's celebrate the amazing change and move on.

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US Supreme Court should uphold our voting rights

FORTY YEARS ago, after the Selma-Montgomery march, many of us in the Senate and House worked together to pass the landmark Voting Rights Act of 1965 to guarantee that racism and its bitter legacy would never again bar polling places to any citizen.

The failure to guarantee voting rights for all Americans had long been a national scandal, and it was finally cured in this long overdue act.

On Aug. 6 we celebrated the 40th anniversary of the Voting Rights Act. The nation recalled the sacrifices of those who worked brilliantly and tirelessly to see that all Americans have the right to vote, regardless of their race.

This celebration was a wake-up call to remind Congress of the need to strengthen and reauthorize the provisions of the Voting Rights Act that are scheduled to expire in 2007. In particular, we need to extend Section 5, which requires federal review of voting changes in areas of our nation where past discrimination has denied some the right to vote. We need to reauthorize Section 203, which requires bilingual elections where necessary to ensure that citizens with limited English proficiency can vote.
As the Senate prepares to consider the nomination of John Roberts to the Supreme Court, we are also reminded of the court's essential role in upholding the act.

It is vital for the Senate to be sure that any justice confirmed to the high court understands the act's importance and respects the power of Congress to protect the right to vote. We've recently received documents that show Judge Roberts had a role in opposing efforts to strengthen the act in 1982, and I intend to question him about that during the hearings to learn more about his views.

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