

How voting in the U.S. is harder than just checking a box

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A voting booth sits at a polling station in Milwaukee, Wisconsin, April 7, 2020. Photographer: Thomas Werner for Bloomberg

Elections are a hallmark of democracy. Voting in the United States? That's complicated. The nation's founders restricted the vote to those who held property or paid taxes: white men, in other words. Since then, constitutional amendments have guaranteed voting rights for black people and women.

However, significant numbers of Americans do not vote, some due to circumstances that make it difficult. Most felons can't vote, and most people have to work on Election Day. People without proper identification might not have their vote counted. And letting voters send their ballots by mail is highly contested, even during a pandemic.

1. How many Americans vote?

There were 136.8 million ballots tallied in the 2016 presidential election. That figure represented 56% of the 245.5 million voting-age Americans, according to the Pew Research Center. That puts

the United States near the bottom among developed nations in regard to voter turnout. About one in three adult Americans weren't registered to vote in 2016.

2. Why don't more Americans vote?

Many reasons. For some, not voting is a statement of discontent with the system and the choices: One in four registered voters didn't vote in 2016 because they didn't like the candidates or campaign issues, Pew found. Others were too busy or didn't think their vote would make a difference. Some states make it easier to vote by allowing registration and voting on the same day. They also offer early voting and balloting-by-mail opportunities. Other states make it more difficult. It is generally believed that high turnout favors Democrats because it means more people of color and low-income voters are participating. However, that doesn't always hold true.

3. How do states limit voting?

From the 1890s to the 1960s, some states let people vote only if they first paid a poll tax or passed a literacy test. In some places, a registered voter could vouch for a person's good character. The common denominator was a desire to discourage black people from voting. The Voting Rights Act of 1965 outlawed these practices. More recently, the fight is mostly over state laws requiring voters to show proper ID. There are also efforts to remove voters from registration rolls if they haven't voted in years.

4. Why is this left to individual states to decide?

The U.S. Constitution says state legislatures decide the "times, places and manner of holding elections for Senators and Representatives." This principle also applies to voting for president. But Congress "may at any time by law make or alter such regulations." That's what it did with the Voting Rights Act. A key piece of that law required nine mostly Southern states to get court or Justice Department approval for any proposed change in voting rules. In 2013, the Supreme Court threw out that requirement. This opened the door to states passing more restrictive voting laws.

5. How many states have done that?

Since 2010, 25 states have passed stricter voting laws. They include restrictions on registration, cutbacks to early voting and strict photo ID laws.

6. How do voter ID laws work?

In the seven states with the strictest laws, a voter must present official identification with a photo on it. The most common form is a driver's license. Those lacking a photo ID may cast only a provisional ballot. For the vote to be counted, they must take additional steps after Election Day, such as bring acceptable ID to an election office. Republican groups tend to push for such laws. They say that if you need to prove who you are to board a plane, you should have to do the same to vote. Opponents of such laws say they discourage voting especially by poor people, who often don't have photo ID. They add that in-person voter impersonation on Election Day is exceedingly rare.

7. How is voter registration being targeted?

States keep their registration rolls accurate by periodically removing, or "purging," the names of people who have died, moved, or become ineligible to vote. But this practice has drawn legal challenges. Opponents claim it goes too far, and in some cases, keeps eligible people from voting.

8. How could voting be made easier?

Periodic efforts to move Election Day to the weekend, or make it a holiday, have failed. (While much of the world holds elections on weekends, the United States does it on Tuesdays.) But 40 states now allow early voting. That means they start opening polling places days or even weeks before the election. In more than half of those states, the early-voting period includes at least one Saturday or Sunday, according to the National Conference of State Legislatures. Five states accept mail-in ballots for all elections while others are loosening rules for absentee voting. And many states now allow felons to apply for restoration of their voting rights after they complete their sentence.

9. Why not allow voting online?

A dozen nations have experimented with online voting since 2000. However, only Estonia has fully adopted it. Some U.S. states let military personnel and citizens living overseas vote by web or app. Overall, though, the United States has moved in the opposite direction mainly due to fear about election security. They require paper ballots or receipts that could be checked in case of doubts over an election's outcome.