

SCOTUS PREPARES TO DECIDE 2016 ELECTION

One of the unsung heroes of this election is Thomas Perez, head of DOJ's Civil Rights Division. By aggressively challenging states trying to disenfranchise people of color, he prevented states from tipping the scale for Republicans.

Apparently, the Republicans on the Court read the news on Wednesday, because they've just accepted a challenge to the Voting Rights Act.

Lyle Denniston writes:

Acting three days after the nation's minority voters showed that they have increased and still growing power in U.S. elections, the Supreme Court agreed on Friday to rule on a challenge to Congress's power to protect those groups' rights at the polls. The Court said it would hear claims that Congress went beyond its authority when it extended for another 25 years the nation's most important civil rights law, the Voting Rights Act, originally passed in 1965 and renewed four times since then.

Specially at issue is the constitutionality of the law's Section 5, the most important provision, under which nine states and parts of seven others with a past history of racial bias in voting must get official clearance in Washington before they may put into effect any change in election laws or procedures, no matter how small. The Court came close to striking down that section three years ago, but instead sent Congress clear signals that it should update the law so that it reflects more recent conditions, especially in the South.

Congress did nothing in reaction.

[snip]

In agreeing to rule on the Voting Rights Act, the Court limited its review to a question which it composed itself: "Whether Congress' decision in 2006 to reauthorize Section 5 of the Voting Rights Act under the pre-existing coverage formula of Section 4(b) of the Voting Rights Act exceeded its authority under the Fourteenth and Fifteenth Amendments and thus violated the Tenth Amendment and Article IV of the United States Constitution." The Tenth Amendment protects the powers of states by limiting Congress's powers. Article IV guarantees each state a "republican form of government," meaning it is protected in its right of self-government. The question specified by the Court differed from that posed by Shelby County's lawyers only by adding a reference to the Fourteenth Amendment. The case to be decided in *Shelby County v. Holder* (12-96).

It appears the Court is going out of its way to take this case, with very obvious timing.

I guess John Roberts wants to make his decision in ObamaCare up to the GOP? I guess the Republicans on the Court didn't think their intervention with Citizens United gave the corporatists enough of a boost this year?