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PERSPECTIVE

Politicizing America's pastime

By Mitchell Keiter

Earl Warren once explained the first read the sports page, as it recorded accomplishments, and only later read the front page, which recorded humanity's failures. No one today can follow Warren's precedent, because they are no longer separate spheres. Hours after President Joe Biden "strongly supported" moving Major League Baseball's All-Star Game from Georgia, the league complied.

Biden characterized Georgia's Senate Bill 202 as "Jim Crow on steroids," as Democrats promote their own election measure, S.1. How do the two compare? And do the differences justify baseball's involvement in a partisan competition over election procedures?

A less-polarized world would produce a consensus that everyone eligible should be able to vote, but no one should vote more than once; if ineligible voters vote, or eligible voters vote multiple times, it more than erases legitimate votes. Nothing better demonstrates the defects of an underegulated system than All-Star balloting itself. Not only may voters vote up to 35 times, but they can start all over by using a different email address.

Both parties have disputed elections' reliability. Whereas President Donald Trump alleged a "stolen" election, House Democrats were considering overturning the results of an Iowa House race until Democrat Rita Hart abandoned her challenge to alleged counting errors.

The irony of the parties' hyperbolic claims of "Jim Crow on steroids" or "Stop the Steal" is that both parties want to shape election procedures for their ben-

efit — yet might be wrong as to which rules help them. In 2000, Democrats insisted every vote, including "hanging chads," be counted, whereas Republicans favored counting only properly completed ballots. Yet a Miami Herald study later showed the Democratic standard would have produced a larger Republican margin than the Republicans' preferred counting method.

Absentee ballots

Absentee voting presents a prime example of switched partisan preferences. Many Democrats now insist absentee voting is the touchstone of "voting rights," and accuse Republicans of impeding the practice. Disparate reactions to coronavirus, with urban Democrats understandably taking more precautions that rural Republicans, account for much of this disparity, which may well disappear before the next election.

In fact, partisan arguments used to run the other way. Former Atlanta mayor Kasim Reed opposed a 2005 law facilitating absentee voting, observing it "opens a greater opportunity for fraud." Partisanship underlay this concern, as he noted "absentee voters have historically voted for Republicans."

A 2012 New York Times article likewise lamented "fraud in voting by mail ... is vastly more prevalent" than in-person fraud, as mailed votes are "less likely to be counted, more likely to be compromised, and more likely to be contested." For those reasons, citing a bipartisan study led by Jimmy Carter and James Baker that concluded "Absentee ballots remain the largest source of potential voter fraud," the Times discerned a "bipartisan con-

sensus that ... voting by mail is more easily abused." The article ended with a quote from Heather Gerken, now Yale Law School dean, that "all the evidence of stolen elections involves absentee ballots and the like."

The article also addressed the controversial practice of ballot harvesting, referred to as "granny farming," because older voters are more vulnerable to "subtle pressure, outright intimidation or fraud." But the problem went beyond seniors, as "Absentee ballots make it much easier to buy and sell votes." Despite these past concerns, S.1 mandates states let political operatives collect and return ballots.

Identification

The most controversial Georgia provision requires voters to include an identification number on their ballot, whether a driver's license, ID card, or Social Security number. As African-Americans disproportionately live in Atlanta, and rely on public transportation, a demand for driver's licenses could disproportionately exclude them from voting. But (free) ID cards are equally accessible to all.

Objective numbers enable officials to confirm who has voted, and it is her only vote. By contrast, S.1 relies on signatures, and the subjective assessments that generate delays, disputes, and denied ballots.

Reliance on identification is standard in contemporary life. Not only do ballparks demand fans show ID and credit cards to pick up tickets, states also require ID for vaccines, to prove age and thus eligibility. No one characterizes such proof as a racist barrier to healthcare.

Indeed, the belief that African-Americans are incapable of obtaining and providing identification may reflect the greatest bias. Marc Elias, the Democratic Party's leading election attorney, actually posted a tweet (showing an African-American woman's driver's license) that lamented how such a person might be unable to discern her own DL number.

It's worth noting that all European Union members require photo identification, and most limit absentee voting to citizens living abroad.

Timing

Another dispute concerns registration timing. Though Democrats tend to favor early voting, they oppose early registration;

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S.1 mandates states allow voters to register on *Election Day*. The advantages of closing registration before the election are obvious; officials can determine the individual's eligibility (and non-registration elsewhere), and ensure timely counting. And it hardly hinders voting; one can register just as easily on October 20 as November 3.

S.1, however, *forbids* interstate checks on registration in the *six*

months before the election. Not everyone will register in multiple states, but there will be no way of knowing who did. Some states (like California) will send a ballot to every past voter, though not all are still eligible to vote here; a recent IRS audit concluded the government sent more than 2 million stimulus checks to people who were already dead. Even a much smaller number of misdirected ballots could tip an election.

The Politicized American Pastime

However one considers the respective measures, MLB's decision is unfortunate. The book "City of Dreams" observed how Dodger Stadium became the "unique civic unifier" that "crossed lines of class, gender, and race." Baseball has enabled fans of all ethnicities, Republicans and Democrats, young and old, rich and poor, to stand together

(literally), united in our love of the game (and contempt for the Yankees).

But the commissioner involuntarily conscripted millions of fans into a political bludgeon to advance specific legislation favoring a political party. That might be good for the Democratic Party. But as it relentlessly pushes partisanship into one of our last refuges of shared space, it is not good for baseball. Or America. ■