

Inter Press Service

Wednesday, August 10, 2005

Two Key Rights Acts Set to Expire

By William Fisher

NEW YORK – Powerful advocacy groups are mobilizing their resources to ensure that key provisions of two of the United States’ landmark civil liberties laws are not allowed to expire because of congressional failure to renew them.

The laws are the Violence Against Women Act (VAWA), originally passed in 1994, and the Voting Rights Act of 1964.

“For 10 years, VAWA has provided needed support to women, children and men facing violence,” says the National Task Force to End Sexual and Domestic Violence Against Women, a coalition of more than 2,000 organizations dedicated to ending violence against women.

Reauthorization legislation, already introduced by a bipartisan group of sponsors in both houses of Congress, would enhance the civil and criminal justice response, improve services and outreach to victims, and provide resources for sexual assault victims through rape crisis centers and state coalitions.

It would also help children and youth who experience or witness violence, address the needs of victims from communities of color, aid immigrant and tribal victims, and support prevention, health, housing and economic security programs designed to stop violence and help victims.

Congress reauthorized the VAWA in 2000, adding services for rural, older and immigrant women, as well as those with disabilities.

According to the American Civil Liberties Union (ACLU), the key immigration provisions in the reauthorization bill would stop the deportation of immigrant victims of domestic violence, sexual assault, and human trafficking; extend immigration relief to victims of family violence; guarantee economic security for immigrant victims and their children; and provide an economic safety net for trafficking victims.

In a letter to the Senate Judiciary Committee, the ACLU said that VAWA “has dramatically improved the law enforcement response to violence against women and has provided critical services necessary to support women and children in their struggle to overcome abusive situations.”

Ruth Anne Robbins, an associate law professor at the Rutgers University Domestic Violence Clinic, told IPS that domestic violence is the most prevalent crime in the United States – by a large margin.

“Without VAWA literally tens or hundreds of thousands of domestic violence victims would go without critical and life-saving services,” she said.

The clinic began in 1995 and is sustained primarily through VAWA grants. Volunteer law students provide legal information to 700-1,000 domestic violence victims each year. Its home county – which includes Camden, one of the most poverty-stricken cities in the U.S. – has the highest rate of domestic violence in all of New Jersey.

“The stereotypical image of the ‘damsel in distress’ domestic violence victim, false though it is, tends to make some politicians think that domestic violence advocates or victims are people who are too weak to go and vote,” Robbins said.

“But that just isn’t the reality. I have known domestic violence victims who are doctors, nurses, lawyers, law professors, you name it. And between 15-20 percent of victims are men. Their batterers may also be men – the statistics don’t tell us that,” she added.

Amnesty International points out that violence against women is “rooted in a global culture of discrimination which denies women equal rights with men and which legitimizes the appropriation of women’s bodies for individual gratification or political ends. Every year, violence in the home and the community devastates the lives of millions of women.”

Meanwhile, the storied Voting Rights Act (VRA), signed by Pres. Lyndon B. Johnson in the aftermath of the “Bloody Sunday” beatings of civil rights activists in Selma, Alabama – and the murder of two participants – also contains major provisions that are due to expire in 2007.

The 1965 law recognized that many states, counties and cities would continue to erect barriers to minority political participation. Four presidents – Richard Nixon, Gerald Ford, Ronald Reagan and George H.W. Bush (the current president’s father) – supported expansion of key parts of the law.

The act also opened the political process for many of the nearly 5,000 Latinos who now hold public office, including more than 250 who serve at the state or federal level.

Each time the law has been renewed by Congress, a Republican president has ratified the bill. On signing the 1982 extension, Pres. Reagan called the right to vote the “crown-jewel” of U.S. liberties.

Last weekend, an estimated 10,000 civil rights activists marched through Atlanta, Georgia, to celebrate the 40-year-old victory and urge reauthorization of the expiring provisions of the law. Reauthorization has been endorsed by Attorney-General Alberto Gonzales, speaking for the George W. Bush administration.

The sections of the VRA Act set to expire include:

A requirement that states with a documented history of discriminatory voting practices submit planned changes in their election laws or procedures to federal officials or judges for preclearance. A bipartisan Congressional report in 1982 warned that without this section, discrimination would reappear “overnight.”

Provisions that guarantee access to bilingual election materials for some Native Americans who have limited English proficiency and new citizens trying to learn the language.

And the authority to send federal examiners and observers to monitor elections.

Supporters such as the ACLU say the need for reauthorization is underscored by numerous recent violations.

In 2001, in Kilmichael, Mississippi, an all-white town council voted to cancel a council election just three weeks before it was to take place because African American candidates could actually be voted on to the council.

Under the VRA, Kilmichael was required to submit a new plan to the federal Justice Department – which denied its request and ordered that the election go forward. Section 5 is one of several provisions up for renewal in 2007.

In South Dakota, a recent court decision detailed two decades of systematic voting rights abuses against Native Americans.

In the southern United States, every redistricting plan submitted by Louisiana legislators for federal pre-clearance has been rejected by both Democratic and Republican attorneys-general.

In cities such as Los Angeles, Chicago and New York City, voters with limited English proficiency continue to face resistance, unfair practices and poll workers who don't follow the law.

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