



Written by [Kurt Hyde](#) on November 29, 2004

End UN Interference in Our Elections

When the Organization for Security and Cooperation in Europe (OSCE), a United Nations-affiliated organization, sent observers to monitor our elections on November 2, it sparked widespread criticism from conservatives.

Principled conservatives who raised concerns about the observers learned quickly that their fears were well-founded. The “observers” did not simply observe; they passed judgment on our elections using their standards for elections instead of ours.



Rita Suessmuth, head of the OSCE delegation, expressed concern regarding how much our voting laws varied throughout our country. Suessmuth was obviously unfamiliar with the separation of powers and the role it plays in protecting our freedoms. The power of conducting elections was clearly intended by the Founding Fathers of our republic to be in the hands of the states. While some of that separation of power has been eroded by subsequent amendments and through election lawsuits in federal courts, the specific separation of power as explained in *The Federalist*, No. 59, still stands. Clearly, only the states have the constitutional authority to conduct elections.

The foreign observers also criticized the disenfranchisement of ex-felons who have been barred from voting despite having paid their debt to society, saying, “it fell short of international standards.” But once again, each state has the right to establish voter qualifications, and we should not advocate taking that right away from the states.

On the other hand, the OSCE was on solid ground advocating the use of voter-verified paper ballots with electronic voting equipment. Of course, readers of *The New American* have been well-informed on this issue since October 13, 1986, when *The New American* was possibly the first national magazine to cover that topic.

A number of the OSCE observers expressed dismay that they were not allowed to witness the electoral process in places off limits to non-voters. Barring the public from observing the electoral process is a recent development. Traditionally in America, every aspect of the electoral process, save for the marking of secret ballots, has been totally open to public scrutiny. Openness of our electoral process is one of the great reasons why American elections have traditionally led the world in accuracy, honesty, and public confidence. The OSCE observers, however, did not advocate restoring the American public’s right to scrutinize their own elections.

American elections do have problems, but intervention by the federal government, far from being a solution to our problems, has actually been the cause in many cases. In 2002, the U.S. Congress passed the so-called Help America Vote Act (HAVA). This unconstitutional law dictates that the states must deploy at least one Americans with Disabilities Act compliant voting booth in every precinct in America by November of 2006. The standard established under that provision would require that a blind, quadriplegic voter be able to vote without assistance. The HAVA law has prompted the panic-driven buying of expensive, totally electronic voting equipment — machinery which does not provide a paper



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audit trail. The obvious solution is for Congress to repeal HAVA on the grounds that it is both unconstitutional and unwise and let the states return to their traditional laws governing assistance to voters with disabilities.

Most of the states that have problems in voting share some of the blame, too. But there is one state, New Hampshire that can serve as a model to all the others. New Hampshire has meticulously remembered the lessons of the 1800s when the world watched in awe as the art of voting with paper ballots was advanced in America. With each state free to choose its own methods for voting, numerous methods of ensuring secret ballots, while at the same time precluding stuffing the ballot box, were perfected.

In New Hampshire, today, any member of the public has the opportunity to inspect the ballot box before the polls open. The ballot box is locked as the polls are opened. There is no need to request permission to witness this as the polling places are public. When a voter casts his ballot, he hands it to the moderator who ensures there is only one ballot as he drops it into the ballot box. This is done in front of the voter and can be witnessed by any person watching.

After the polls close, the ballots are counted in public. I, myself, can attest to the openness of this process, having worked as a paid ballot counter in Weare, New Hampshire. The ballots were counted on long tables. The vote counters were on one side of the table and interested members of the public watched from behind a roped-off area about six to ten feet away. In 1994, New Hampshire led the way by passing the nation's first law requiring electronic voting equipment that provides a paper audit trail.

America does have some electoral problems. But our problems have been caused by straying from the lessons we learned in the 1800s. What we need to do is learn from our own American history of elections in which state and local autonomy, along with openness of the process, made our electoral process the model for the free world.

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Photo: [Hand with ballot and wooden box on Flag of USA](#) via Shutterstock



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