

# Ethics of Disenfranchisement and Voting Rights in the U.S.: Convicted Felons, the Homeless, and Immigrants

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Received: 7 February 2016 / Accepted: 23 March 2016 /  
Published online: 13 April 2016  
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**Abstract** This paper examines the contemporary ethical issues surrounding voting rights of three disenfranchised groups in the U.S.: convicted felons, the homeless, and immigrants. Even in modern countries like the U.S., voting and other forms of political participation are skewed toward the elite, those with higher incomes, those who are employed, and those with more education. Low voter turnout presents serious challenges to democratic responsiveness, or the ability of leaders to respond to the needs and demands of citizens. Hence, voting should be encouraged in accord with the common interest. An important conclusion is that allowing all citizens – irrespective of their status – to vote would give them a voice in the context of governance. This notion is also associated with distributive justice, a philosophical concept that concentrates on just outcomes and consequences.

**Keywords** Disenfranchisement · Distributive justice · Felons · General will · Homeless · Immigrants · Jean-Jacques Rousseau · United States · Voting rights

## Introduction

This paper examines the contemporary ethical issues surrounding voting rights in the U.S. Among the most important elements of democratic citizenship is suffrage (i.e., the right to vote). Suffrage is the embodiment of individual sovereignty. According to Enlightenment philosopher Jean-Jacques Rousseau, if law is not a genuine expression of the general will, it is illegitimate. Even in modern countries like the U.S., voting and other forms of political participation are skewed toward the elite, those with higher

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incomes, those who are employed, and those with more education. Low voter turnout presents serious challenges to democratic responsiveness, or the ability of leaders to respond to the needs and demands of citizens. Hence, voting should be encouraged in accord with the common interest. In this paper, three disenfranchised groups in the U.S. are analyzed: convicted felons, the homeless, and immigrants.

An important conclusion is that, in a true democracy, citizen voting directly controls policy. Therefore, limited access to political participation for certain classes of citizens is equivalent to social injustice and results in an illegitimate democracy. For this reason, allowing all citizens – irrespective of their status – to vote would give them a voice in the context of governance. This notion is also associated with distributive justice, a philosophical concept that concentrates mostly on outcomes and consequences. For example, in regards to convicted felons in the U.S., fair and consistent felony re-enfranchisement laws should be passed so as to reinstate voting rights for everyone.

This paper begins with a description of Democratic Theory, with its emphasis on political participation as the essence of democracy. Then, the authors proceed to address ethical considerations of voting, mostly based on Rousseau's thinking and on the concept of distributive justice. What comes subsequently is the heart of this analysis: examining possible voting rights for the three aforementioned disenfranchised groups in the U.S. This paper ends with a discussion that also offers suggestions for future research.

## Democratic Theory

Democratic Theory is the foundation of both direct and representative democracy. At its core is the importance of political participation. Voting is often seen as the essence of political participation in a democracy. Healthy representative democratic governments are based upon the idea that citizens engage in electing their leaders based upon their belief systems, ideologies, and policy preferences (Dahl, 1956). For centuries, political scientists have discussed voting behavior and ethics, asking a variety of questions about citizens and the votes they cast (Barnes & Kaase, 1979; Jennings et al., 1990). What causes an individual to choose a political party or candidate? Who votes, and for whom? How do differences in voting reflect who we are as individuals? Is there a gender gap or racial divide? What are citizens concerned about when they cast their ballot? These questions are central to gaining an understanding of who we are as political actors, but they also raise ethical questions about which voices are being heard, who is able to vote freely (and who is not), who is deciding the outcome of American elections, and why (Verba, Scholzman, Brady, & Nie, 1993)?

Liberal democratic theorists posit that a democratic government is essential to prevent oppressive rule. Therefore, a vital aspect of modern democratic decision-making is the existence of free and fair elections. Indeed, Democratic Theory rests on the principle of political equality (Dahl, 1956). Yet, many political scientists have pointed out that, despite free and fair elections, political participation and influence remain unequal and systematically biased in favor of the privileged. Specifically, voting and other forms of political participation are skewed toward the elite, those with higher incomes, those who are employed, and those with more education (Barnes & Kaase,

1979; Jennings et al., 1990; Verba & Nie, 1972; Verba et al., 1993; Verba, Schlozman, & Brady, 1995).

Some groups are shut from the political process completely – including convicted felons, the homeless, and immigrants. Many others experience systematic barriers like shift labor or childcare responsibilities that prevent them from getting to their polling place. In a Presidential Address to the American Political Science Association in 1996, Arend Lijphart (1997) began by saying that “political equality and political participation are both basic democratic ideals. In principle, they are perfectly compatible. In practice, however, as political scientists have known for a long time, participation is highly unequal” (p.1).

Lijphart (1997) maintains that low voter turnout in the U.S. presents serious challenges to democratic responsiveness, or the ability of leaders to respond to the needs and demands of citizens. Converse (1964) argues that elites have belief systems where different points of views clash with those of the masses, and that these belief systems differ in “important and predictable” ways (p. 206). Comparing the ordering of political actors to a pyramid shape, with a small number of powerful elites at the top and a large base of the mass public at the bottom, Converse (1964) asserts that these important and predictable belief systems between elites and the mass public present problems of measurement and representation. He calls this concern “democratic bias.” The U.S. struggled with a long and difficult history of denying suffrage rights to some of its citizens (Verba & Nie, 1972). Since voting rights in the U.S. made significant progress at the beginning of the twentieth century, it is now time to remove the existing barriers to political equality.

## Ethical Considerations

Among the most important elements of democratic citizenship is the right to vote. Suffrage is the embodiment of individual sovereignty (Montesquieu, 1899). It is the means by which rulers and ruling classes are forced to consider the interests of their constituents (Mill, 1873). The development of Western democracy is mostly expressed in terms of extensions of this right. Extension of the right to vote is “a dialectical solution to the actual and potential conflict between equality and freedom... [a means of] creating rather than merely acknowledging the contrast between political equality and social inequality” (Casper, 1976, p. 104). For Enlightenment philosopher Jean-Jacques Rousseau, the proper choice of voting rule can elicit the appropriate attitude of an individual with respect to the decision of the whole; it can support the morally significant activity of acknowledging error upon discovering that one has voted against the general will. Although Rousseau held that the general will should be evident in a well-ordered society, a vote is nonetheless required to identify it (Schwartzberg, 2008).

Voting as a practice is not an indication of equality. Rather, Rousseau proposed that the suitable proportion of the vote was necessary to ensure that the general will had been correctly determined. This important key is often overlooked when analyzing the ethical processes of voting results. Large segments of the general population are neglected when the voting process is constructed and implemented. This unethical mishap is sometimes produced through design where segments of the population are not educated in the importance of their social contract to vote (Grofman & Feld, 1988).

There are also times when this unethical mishap is unconsciously produced. For example, many elites think particular segments of the general population are irrelevant.

In Western culture, civilized society should seek the general will both by design and by staying sensitive to the segments of society that have the highest probability of not voting. Although, a large probability of any sub-groups' constituents will not vote, there should exist an appropriate respect for the interest of each sub-group due to even the potential number of voters. To remove the right to vote for a sub-group can silence voices desiring accountability for certain audiences. Rousseau stresses the need that voting rules should capture the voice of the general will. Only then can voting rules ensure that an assembly has indeed identified the general will, as opposed to the private will of some of its members (Schwartzberg, 2008).

To assure that the majority vote of the population is circulated towards an accepted solution can be a distributive justice problem. Distributive justice concerns what some consider to be socially just with respect to the allocation of goods in a society. The goods, in this context, are the voice – i.e., the vote of the individual in the general will. Hence, a community where incidental inequalities do not arise would be considered a society guided by the principles of distributive justice (Roemer, 1998). Voting should produce an outcome that captures the general will as evidence that the voting process has maintained its moral components of eliminating inequality. Allocation of goods accounts for the total amount of goods handed out, as well as how they will be dispersed and divided.

Civilizations have a narrow amount of resources and capital; the problem arises on how the goods should be divided. The problem under consideration is whether every voice within the general will is being heard across issues addressing the entire population. The ethical implications are primarily focused on how votes are divided throughout populations and whether the distributions are fair enough to capture the general will. The moral solution should enable every individual to receive a fair share or fair vote. Often contrasted with “just process,” which is concerned with just processes like the administration of law, distributive justice concentrates on just outcomes and consequences (Roemer, 1998).

### **Three Disenfranchised Groups in the US**

Voting is a vital aspect of a healthy democracy. It allows the people's voices to be heard and have an impact on the direction and administration of the country. In fact, in a true democracy, citizen voting directly controls policy. In a representative democracy, such as the U.S. and other free nations, voting allows many people – but not all people – to choose representatives which most closely resemble the values and ideals of the voter. A true democracy would allow people who vote to have a profound impact on the way a country is governed. In the past, the U.S. actively denied suffrage rights to women and minorities. Although universal suffrage is said to have been accomplished in the U.S., it is important to recognize that certain vulnerable populations continue to be disenfranchised by voting regulations and restrictions.

On the contrary, researchers find that—according to every measure they examined—wealthy Americans are far more active in politics than average citizens. By nearly every measure they are also substantially more active than the merely affluent found at the

upper end of general population surveys. According to the authors' evidence, the frequency with which wealthy Americans attend meetings, pay attention to politics, and volunteer for political organizations is about twice as high as the frequency among the merely affluent. Many wealthy people contribute large amounts of money to politics. One-fifth of them reported "bundling" contributions. Many initiate contacts with public officials, especially their own and others' senators and representatives. As is well known, Americans with higher incomes tend to participate more actively in politics than lower-income citizens do. They more frequently turn out to vote, engage in political discussions, attend campaign events, contribute money, contact public officials, and the like (Verba, Scholzman, & Brady 1995; Scholzman, Verba, & Brady, 2012). Three groups that continue to be either actively or passively denied suffrage in the U.S. are convicted felons, the homeless, and immigrants.

### **Disenfranchised Felons**

The successful agenda of conservative crime policies in the U.S. since the 1970s has had a tremendous impact. It has produced an enormous increase in felony convictions and incarceration, as well as a corresponding increase in rates of felon disenfranchisement. Prison populations have grown tremendously, rising from approximately 200,000 in the 1970s to 2.3 million in 2009. During that year alone, more than seven million people were under some form of correctional supervision (including probation, prison, jail, and parole) (Bureau of Justice Statistics, 2009). In 2013, the number of persons admitted to state or federal prisons alone was 631,200 (Bureau of Justice Statistics, 2013).

The Sentencing Project (2010) estimates that 5.3 million Americans have temporarily or permanently lost their voting rights as a result of a felony conviction; 1.4 million of these individuals are African American men (approximately 13 % of the black male population). The U.S. is unique in restricting the rights of non-incarcerated felons, who make up approximately three-quarters of the disenfranchised population. Many inmates in European countries retain the right to vote even while incarcerated; other countries have voting restrictions based on the length or type of sentence imposed (Ewald, 2002; Fellner & Mauer, 1998).

Although the U.S. is virtually the only nation to permanently disenfranchise ex-felons, the extent to which convicted felons are disenfranchised varies significantly across states. As of 2014, Maine and Vermont are the only two states that permit individuals currently incarcerated for a felony to vote (Spates & Mathis, 2014). Four states (Florida, Iowa, Kentucky, and Virginia) are at the other extreme; as of 2014, all individuals convicted of a felony in these states are disenfranchised for life, though they can apply to the governor to have their voting rights restored (Gray, 2014). Felon disenfranchisement policies in most states lie somewhere in between these two extremes; individuals on probation are ineligible to vote in 30 states while those on parole are ineligible in 35 states (King, 2008).

In states with the most restrictive laws, it is estimated that 30–40 % of the next generation of African American males will lose their right to vote if current trends continue (The Sentencing Project, 2010). Women and veterans are also special populations that have been particularly over-representative in disenfranchised voters; an estimated 676,730 women and an estimated 585,355 veterans are unable to vote as a

result of a felony conviction (The Sentencing Project, 2010). There have been changes to disenfranchisement policies in the past decade, the majority of these changes have resulted in returning the right to vote to at least a subset of the disenfranchised population.

Due to the fact that racial minorities and the poor are significantly overrepresented in the U.S. criminal justice system, and those groups also traditionally vote for the Democratic Party, there has been substantial speculation about the potential impact of these policy changes on election outcomes. This is particularly true in Florida, the nation's most populous swing state. In fact, many people, including academics, believe that President Bush would not have won the 2000 election if the almost one million ex-felons in Florida could have voted at that time (Uggen & Manza, 2002). Supposing that prohibiting this population from voting has had an impact on election outcomes is based on the assumption that disenfranchised felons would participate in the electoral process if given the opportunity to do so. Namely, it is assumed that disenfranchisement policies are the actual reason why individuals are not voting. Previous research has attempted to assess the validity of this assumption by comparing voter turnout across states with different felon disenfranchisement laws. In 2014, total voter turnout was lower in southern states that permanently disenfranchised felons (Walker, 2014). Likewise, Hirschfield (1999) found that black males are relatively less likely to vote in states with relatively high rates of voter disenfranchisement.

The philosophy behind felony disenfranchisement is that persons who commit felonies have broken the social contract, and have thereby given up their right to participate in a civil society. However, opponents argue that so many felony charges, like drug possession, are victimless moral crimes that do not break the social contract. Besides, if these felons honor their terms of punishment, serve their sentences, or rehabilitate themselves, they should be permitted the opportunity to be re-enfranchised (Pettus, 2013). Policies on felony re-enfranchisement among the fifty states are so inconsistent that they create confusion among, not only those former offenders who wish to regain the right to vote, but also the very officials charged with implementing the laws. As a result, a network of misinformation discourages some legally eligible voters from registering to vote while placing undue restrictions on others during the registration process. Former offenders who are unaware of their state's restrictions may slip through, register, vote, and in doing so, unwittingly commit a new crime.

Fair and consistent felony re-enfranchisement laws can contribute to the rehabilitation process. They can reduce the harmful impact on low-income and minority communities where a disproportionately high number of individuals are disenfranchised due to felony convictions. The right to vote helps foster a sense of community for those who feel disconnected and unfairly excluded from civic participation. Priority must be given to developing a nationwide policy that allows for reinstatement of voting rights, as well as education of former offenders regarding restoration procedures.

### **Disenfranchised Homeless**

Citrin, Schickler, and Sides's (2003) work simulating 100 % voter turnout demonstrates that high turnout marginally benefits Democrats. DeNardo (1980) shows that high turnout has two effects: one that helps the Democrats and one that helps the minority

party, whichever it is. Differences in voter turnout matter from a policy perspective as Avery and Peffley (2005) find that states with restrictive voter registration laws are likely to have higher upper-class turnout, resulting in less favorable welfare eligibility requirements for the poor.

As a particularly vulnerable and disadvantaged segment of the population, the homeless have virtually no political power. Their civil liberties are severely limited, giving them hardly any opportunity for resistance. Some argue that, by developing public policies aimed at suppressing the rights of the homeless, the upper ruling class maintains their authority and lawmaking power (Amster, 2004; Barak, 1991). One aspect of political participation that is obstructed for the homeless is voting. While every state today has a policy allowing the homeless to vote, the latter still face many obstacles when attempting to exercise this right, such as residency or ID requirements for registration (National Coalition for the Homeless, 2010). The inability to contribute to public policies directly affecting their welfare only serves to perpetuate their status as inferior citizens. Limited access to political participation for certain classes of citizens is equivalent to social injustice and results in an illegitimate democracy (Miller, 1999).

Although the national rate of homelessness in America has fallen since 2013 (National Alliance to End Homelessness, 2014), disenfranchisement for the homeless remains a problem. With roughly 60 % – or 2.1 million homeless individuals – being of age to vote and only one in every three homeless people registered to vote, it is clear that access to voting for the homeless is a significant social problem (National Coalition for the Homeless, 2009; National Law Center on Homelessness and Poverty, 2008). Prior to the 1990s, many lawmakers failed to take notice of this issue and were reluctant to initiate policies that could alleviate this injustice. For instance, in 1994, there were only 13 states that had policies protecting the voting rights of the homeless, and 31 states required a permanent residence for voter registration (Hanrahan, 1994). In 1995, the Voting Rights of Homeless Citizens Act was introduced to Congress. It required states to abide by specific guidelines to protect the voting rights of the homeless. However, this bill was never passed (National Coalition for the Homeless, 2009). Instead, each state has been forced to address this issue individually as cases challenging the constitutionality of their current policies regarding homeless voting rights have been brought before the courts.

Several landmark cases have provided guidance for states when revising their policies for homeless voting rights. For example, in *Pitts v. Black* (1984) the court ruled that states should expand their definition of “residence” to include any dwelling in which a person plans to reside for an indefinite period of time. Another case, *Fischer v. Stout* (1987), further addressed this issue of residency by ruling that homeless people can use a shelter, park, or street corner as their address when registering to vote. In the following case, *National Coalition for the Homeless v. Jenson* (1992), the court ruled that constraining the voting rights of the homeless by requiring them to live in a traditional residence in order to vote was unconstitutional. While these cases expanded the voting rights of the homeless, due to the transient nature of the homeless population, identifying a temporary residence can be challenging.

Another issue complicating homeless voting rights is the ID requirement. Federal law requires first-time voters to submit a valid driver’s license number or social security number when registering to vote. If an individual does not possess either of these ID forms, he or she can be issued a voter ID card that can permit him or her to vote.



However, such individuals must present a valid form of identification when they arrive at the polls. If they fail to present valid identification at that time, they can cast a provisional ballot, which will be counted when the voter's eligibility requirements can be verified. While ID requirements vary from state to state, this complex process can greatly deter the homeless from voting, since many of them lack valid forms of identification (National Coalition for the Homeless, 2010).

Several initiatives have been launched to educate the homeless about their voting rights and to encourage their political participation (Murray, 2006; National Coalition for the Homeless, 2009). Many of these campaigns include a voter registration component where they assist the homeless with registering to vote. For example, in New York, the Partnership for the Homeless conducted educational workshops in homeless shelters around the city to register homeless voters and inform them of the importance of their political involvement (Murray, 2006). Many homeless individuals may feel severely disenfranchised and disconnected from the political arena. By encouraging them to vote, these organizations are empowering the homeless to make a difference and take a stand on issues that are relevant to their welfare.

Overcoming the obstacles associated with exercising their right to vote has hampered political involvement for the homeless (Amster, 2004; Barak, 1991). While they are in dire need of assistance in terms of public policies that can improve their lives, attempting to assert their basic right as a citizen of a democracy can seem overwhelming to this vulnerable population. By restricting the voting rights of the homeless, states are keeping these individuals in their disadvantaged condition and preventing them from reaching their full potential as political participants.

### **Disenfranchised Immigrants**

Today, many people in the U.S. would consider voting rights for non-citizens an unusual idea. Many people in a free country consider voting the essence of citizenship. However, voting rights as a privilege of only those who are U.S. citizens has been a fairly recent occurrence. In the time period between 1776 and 1926, forty states and federal territories allowed non-citizens to vote in local, state, and even federal elections. Some non-citizens were even allowed to hold public office. Early Americans viewed voting rights for immigrants as a way to entice newcomers to come to the U.S. In this way, voting rights were determined not by citizenship, but by whether one was white, male, and a landowner. Putting these other issues aside for the moment, it is clear that, for much of U.S. history, voting rights for immigrants was not only allowed, but it was also encouraged (Hayduk, 2015).

All of this began to change as the twentieth century approached. Beginning around that time period, predominantly different types of European immigrants began making the U.S. their home. These new European immigrants were mostly from Eastern and Southern Europe rather than Western Europe. These immigrants were not seen as "white" and had different views and cultures than the Western European immigrants which made up most of America since the colonial period. This fact, coupled with mass social movements, the development of third political parties, and wartime hysteria surrounding World War I, caused a domino effect where each state systematically eliminated voting rights for immigrants. At the same time, federal legislation began to drastically reduce the number of immigrants allowed into the U.S. Today, this rich 150-



year history of voting rights for immigrants in the U.S. has been buried and stricken from our national memory (Amin & Sherkat, 2014).

However, since the 1970s, voting rights for immigrants have been slowly making a comeback in several U.S. jurisdictions. In 2006, Chicago permitted immigrants to vote in school board elections, six municipalities in Maryland allowed non-citizens to vote, and two municipalities in Massachusetts also allowed immigrants to vote. Additionally, over a dozen jurisdictions across the U.S. are currently considering allowing non-citizens to vote in local elections. This movement matches a global initiative where over forty countries currently permit voting by resident non-citizens. Clearly, many nations around the world view immigrant voting rights as an important part of their governance (Hayduk, 2006).

There is huge potential for immigrant voting in the U.S. today. Since the 1970s, the number of first generation immigrants has tripled from about 9.6 to 31.2 million. This growth has been faster than the national growth overall and has resulted in immigrants accounting for a higher percentage of the population than they did 30 years ago (Ramakrishnan, 2005). First generation immigrants made up 4.7 % of the U.S. population in 1970 and over 12 % of the population in 2005. Several states have large immigrant populations also. California, New York, and Florida all have first generation immigrant populations of over 20 %. In these states, one out of every five residents is a first generation immigrant. In effect, this data shows that the immigrant population of the U.S. accounts for a sizable proportion of the national population as well as the state population in a few states (Ramakrishnan, 2005).

An increasing number of these immigrants remain non-citizens. In 2014, the U.S. rolled back to its melting-pot origins; the country was now home to 41.3 million legal and illegal immigrants - the highest percentage in over 90 years (Perez 2014). This situation will continue to expand the number of non-citizen immigrants in the foreseeable future. Another cause is the relatively long time it takes for an average immigrant to become a naturalized citizen. At the present time, it takes an average of 8–10 years to become naturalized. The number of non-citizen immigrants along with their representative percentages of the national and state populations results in a lot of potential political power if these groups were given voting rights (Aptekar, 2014). The high percentage of non-citizen immigrants results in a strikingly lower percentage of Latinos and Asians in the U.S. who actually vote (Parkin & Zlotnick, 2014).

Already in 2000, Whites comprised 70 % of the population and cast over 81 % of the vote; Latinos comprised 12.6 % of the population but only cast 5.3 % of the vote; Asians comprised 4.2 % of the population but only 1.9 % of the vote (Hayduk, 2006). To put this in perspective, 62 % of Latinos and 59 % of Asians did not vote, whereas only 25 % of Whites and 35 % of Blacks did not vote. The differences between these voting turnouts can be attributed partly by the number of non-citizen immigrants representing these two classes. These numbers show the potential power behind allowing immigrants the right to vote (Hayduk, 2006).

There are many reasons behind the restoration of voting rights to immigrants in the U.S. Some of these are moral reasons while others are practical reasons. Like previous disenfranchised groups (e.g., African Americans and women), the main weapon needed to succeed in winning voting rights for immigrants will be political action and struggle. Without the right to vote, immigrants are at a higher risk of experiencing discrimination and bias. Extending the right to vote for immigrants would bring a voice and visibility

to millions of them, which would in turn make the government more representative, responsive, and accountable.

Many overall arguments can be made for immigrant voting. To this effect, Hayduk (2006) breaks it down into three categories: (1) social contract, (2) bias, and (3) mutual benefits. Social contract in a democratic state means that members of that society are obliged to obey the laws if they also possess the means to participate in that nation's governance. A situation in which immigrants are expected to obey the law without government participation is equivalent to the treatment colonial Americans had *vis-à-vis* the English legal system and governance during that time. The risk of bias or discrimination is also greater for a group if that group is not represented in the government. Refusing non-citizen immigrants the right to vote removes their voices from the government. Without their vote, elected officials are less likely to entertain their views when voting for legislation. Finally, there are mutual benefits for allowing immigrants the right to vote. Other groups who have common interests with the immigrants would benefit from the additional leverage that these immigrants may provide. An alliance between several minority groups, which could include immigrants, would allow these issues to gain momentum.

Although, a large probability of any sub-groups' constituents will not vote, there should exist an appropriate respect for the interest of each sub-group due to even the potential number of voters. To remove the right to vote for a sub-group can silence voices desiring accountability for certain audiences. Rousseau stresses the need that voting rules should capture the voice of the general will. Only then can voting rules ensure that an assembly has indeed identified the general will, as opposed to the private will of some of its members (Schwartzberg, 2008).

## Discussion and Future Research

What this paper has demonstrated is that, although universal suffrage is said to have been accomplished in the U.S., it is important to recognize that certain vulnerable populations continue to be disenfranchised by voting regulations and restrictions. As we have seen, three groups that continue to be either actively or passively denied suffrage in the U.S. are convicted felons, the homeless, and immigrants. The U.S. is still facing a long and difficult situation of denying suffrage rights to some of its citizens. In a true democracy, citizen voting directly controls policy. On the other hand, in a representative democracy, such as the U.S. and most other free nations, voting allows a certain number of people – but not all people – to choose representatives which most closely resemble the values and ideals of the voter. Hence, since voting rights in the U.S. made significant progress at the beginning of the twentieth century, it is now time to remove the current barriers to political equality so as to reach distributive justice, a philosophical concept that concentrates on just outcomes and consequences. A true democracy would allow people who vote to have a profound impact on the way a country is governed.

As Jean-Jacques Rousseau framed it, if law is not a genuine expression of the general will, it is illegitimate. Yet, both political equality and participation remain significant challenges for representation in the U.S. Convicted felons, the homeless, and immigrants represent three specific groups which are currently either actively or

passively shut out of the political process by voting rules and regulations. While issues affecting these groups are important in their own right, the disenfranchisement experienced by these groups are individual examples of what seems to be a political tradition in the U.S. This tradition involves the elite empowerment to disproportionately affect representation and policy outcomes. So, by improving voter turnout as a policy goal among vulnerable populations in the U.S., it would go a long way toward accomplishing political equality for all. Nonetheless, to accomplish this is not an easy task.

For future research, it might prove interesting to look at new ways of universalizing voting rights for the three aforementioned disenfranchised groups in this paper. For example, Clinard, Quinney, and Wildeman (1994) categorized felons in a “typology” of felons, implying that second-degree felons should have more citizenship rights than first-degree ones. How to improve political equality and accomplish a true representative democracy was not the subject of this paper, but it is an area demanding the attention of both scholars and practitioners. Some have suggested experimenting with compulsory voting, a system in which all citizens are required to vote or be reprimanded with a fine (Galston 2010). Others have suggested that forms of community governance will pave the way toward improving political participation and representation (John, 2009). In addition, employing educational workshops as a means to empower these disenfranchised segments of the population to participate in the voting process can also be a method of equalizing voter participation.

Lastly, it is important for both scholars and practitioners alike to not mistake barriers to voting with the desire to vote. Put another way, we should not assume that felons, the homeless, and immigrants all have a fierce aspiration to vote, if only they could. For example, according to the Center for Public Integrity, many ex-felons are not even aware they can get their right to vote restored (Barr, 2016). On the other hand, Rinaldi (2008) found that, during the 2008 U.S. presidential elections, many homeless people had the intention to vote. No matter what, confounding the ability and desire to vote may lead readers to overstate the authors’ case in certain sections of the paper.

Truly, scholars and practitioners should consider the importance of political equality and evaluate viable policy options for improving turnout and empowering vulnerable populations to become politically active. Such policy options need to consider the ethical importance of political equality, and the goals of our democratic government to be inclusive and representative. It is the authors’ hope that this paper has enlightened readers on a phenomenon that seems to remain underrepresented in both our media and educational systems.

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