In 2012, in the case Shelby v. Holder, the constitutionality of the Voting Rights Act, specifically Section 5 of the law was questioned. The Voting Rights Act was enacted as a measure to enforce the 15th amendment by outlawing all discriminatory practices that were responsible for the widespread disenfranchisement of minority groups (Liptak). The Act went a step further by providing distinct measures to ensure voter participation specifically in states with the worst history of minority voting disenfranchisement. In Section 5 of the law, nine states and several other areas are singled out for more Congressional oversight over their voting legislation (Overton).

Although the Act has been renewed unanimously in the Senate and almost without question in the House of Representatives every time it has been voted upon for renewal, many are questioning the necessity of Section 5 of the Act. Now that the Act is in front of the Supreme Court it is in jeopardy of Section 5 being considered unconstitutional. Justice Scalia, one of the most conservative judges on the bench has remarked that the law has now only amounted to a "perpetuation of racial entitlement" (Overton).

Regardless of Justice Scalia's opinions, the necessity of the Act cannot be questioned because of recent efforts that persist in disenfranchising voters.  Voter ID laws in places like Texas and Pennsylvania that sprouted during the 2012 election have stood as a blockade in allowing mostly poor minority groups from voting. Although states like Massachusetts which are not covered under Section 5 have the worst voter turnout and states like Mississippi which are covered have the best, this is clearly for a reason: the legislation has worked (*Silver*).

Nevertheless, the tensions around Section 5 and the Voter ID law response are not the only matters involved with the Voting Rights Act. Voting has become increasingly difficult and in the wake of the 2012 election other solutions have been presented as a way to alleviate and simplify the problems surrounding voting difficulties.

As a way to update the antiquated voting machines, ensure equal access to the ballot box, and stop practices that aim to disenfranchise voters, the Voter Empowerment Act was introduced. The Act would allow for same day voter registration, simplify the process necessary to obtain absentee ballots, increase access for voters with disabilities, restore voting rights to people with criminal convictions, and will require better training of poll staff (“Voter Empowerment Act 2013”). These measures would all be in an attempt to improve the voting process and enfranchise as many people as possible. Other possible theories include simplifying the process for early voting and making Election Day a federal holiday in order to ensure that more people are available to vote.

At the moment it is not clear what the ruling will be on the constitutionality of Section 5 of the Voting Rights Act, nor is it certain what legislation will be passed, but it is clear that something needs to be done. It will be expensive to implement many of the ideas proposed, and a couple solutions to collecting funds is feeding more federal grants for elections and fining eligible voting citizens that do not vote. Disenfranchisement is becoming more prevalent in the United States despite what some lawmakers may say, but as American citizens it is the right of the people to vote. Voting is not a racial entitlement and it needs to be protected, because it is evident that there is an effort to keep many disenfranchised.

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