An Analysis of the Framing of Supreme Court Decisions and Their Impact on the Voting Rights of Marginalized Citizens

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Abstract

The purpose of this paper was to examine how news media convey the impact and severity of decisions of the U.S. Supreme Court regarding the voting rights of marginalized citizens. Specific articles that discussed the decisions of the cases were looked at using Entman’s framing theory (1993) and considering the watchdog perspective (Donohue et al., 1995). An inductive, thematic content analysis was conducted to find common themes throughout articles in the top five newspapers in the nation. Themes that emerged were (1) threats to voting, (2) politicization of the Court, (3) polarization, (4) watchdog perspective, (5) judicial activism, (6) vote security. The prevalence of the threat to voting theme was consistent with previous research regarding the impacts of the case decisions. Findings confirm the importance of public awareness of the Supreme Court’s role in the current political climate, as well as the severity of their decisions regarding voting rights.

*Keywords: voting, minority groups, U.S. Supreme Court, case decisions, framing, watchdog perspective, media*
An Analysis of the Framing of Supreme Court Decisions and Their Impact on the Voting Rights of Marginalized Citizens

Voting is the central cornerstone of democracy and is necessary to achieve a representative government. However, recent decisions of the U.S. Supreme Court (hereafter labeled the Court) have created barriers to voting rights, specifically in terms of marginalized groups (Klarman, 2020). Regardless of the Court’s expectation to be a neutral branch, justices have found ways to implement their own perspectives, consciously or subconsciously, into decisions that shape the political climate of the U.S. Largely due to their power of judicial review, which allows them to check whether acts of the other branches are constitutional, “the Court is a political institution through and through, with the ability to strike down laws it finds unconstitutional” (Sabando, 2020, para. 8). The combination of justices being appointed and confirmed by two partisan branches to serve lifetime sentences presents the danger of implementing a political role on the Court.

A recent trend of the Court is to hide behind federalism, the principle of separate powers for state governments and the federal government, and claim certain areas as nonjusticiable, or out of their realm (Hodge et al., 2022). This is the reasoning they used for their decision to claim partisan gerrymandering as nonjusticiable. Different from racial gerrymandering, which deals with favoring one race at the expense of others, partisan gerrymandering is a practice which favors one party over another through creating distorted electoral district maps (Spann, 2020). Regardless of their claim of partisan gerrymandering being a political question in which the Court should not intervene, the Court’s unwillingness to favor marginalized citizens in these cases creates barriers to voting. Although they may not be explicitly ruling against marginalized citizens, by saying certain voting laws regard questions they should not answer, they are favoring
those in power rather than those that are marginalized. Several cases within the past two decades have shown this refusal of the Court to equalize the right to vote across all citizens and instead, turn a blind eye towards the disenfranchisement of marginalized groups. This study examined the framing of these cases by five news media sources and found several themes, with the danger of the decision being the most prevalent.

**Overview of Relevant Supreme Court Decisions**

Scholars have argued that the following cases have been detrimental to ballot access and marginalized groups’ ability to vote. Beginning with *Crawford v. Marion County* in 2008, the Court decided to uphold an Indiana voter-ID law that burdened marginalized citizens who were not able to present a copy of a valid ID (Spann, 2020). Using weak evidence to claim that the law helped to address voter fraud, the majority allowed Indiana to continue using this law, which benefits white Republicans and suppresses minority voters (Earle, 2023). Another example, *Shelby County v. Holder*, is a 2013 case that is considered a turning point in the degradation of voting rights of marginalized citizens. The Court struck down Section 4 and gutted Section 5 of the Voting Rights Act of 1965, a preclearance requirement for certain states to meet when making any changes to their voting laws. The reasoning in this case was that there have been major improvements in the progress of minority voting rights and that the provision was now a punishment for the past rather than an important and beneficial check of state power (Earle, 2023). The Court decided in 2018 in *Abbott v. Perez* that legislatures are subject to a presumption of good faith and in order for plaintiffs to prove that a law is in violation of the Constitution, plaintiffs must show that the discriminatory intent of the legislature outweighs this good faith presumption. This sets an extremely high standard for plaintiffs to have to prove, and the Court also determined that past discrimination does not count as evidence for proof. The decision also
demonstrates the difficulty of proving a violation of the Voting Rights Act using Section 2, the section that the Court left for use after gutting Section 5 in the Shelby decision (Earle, 2023).

Continuing in 2019, in Rucho v. Common Cause, the majority ruled that partisan gerrymandering is non-justiciable and they do not have the power to rule on it, as it is a right prescribed to states in the Constitution to be able to draw their own district lines. The decision dangerously provides legislatures an opportunity to engage in gerrymandering that could affect marginalized voters, but claim it as partisan rather than racial (Spann, 2020). Brnovich v. Democratic National Committee was argued in 2021 to decide whether Arizona’s laws banning out of precinct voting and third-party ballot collection violated the Constitution. They reasoned that, regardless of the discriminatory way these laws were being put into effect, the state interest in preserving the sanctity of voting outweighed the burdens placed on voters (“Brnovich v. Democratic National Committee,” 2021). When considering the cases together, the Court has created an extremely high standard to prove voting right discrimination and has favored the interest of states over the interest of voters.

Voting rights have proven challenging to bring suit in the Court without becoming a political question outside of the Court’s authority. Challengers frequently cite two pieces of legislation: the Fourteenth Amendment’s Equal Protection Clause and the Voting Rights Act of 1965 (VRA). However, even the ability to use the rights granted in these laws to protect the integrity of voting have been challenged by the Court. For example, their 2013 decision in Shelby County v. Holder struck down Section 4 and gutted Section 5 of the VRA requiring certain territories with a history of voter discrimination to pre-clear any changes to voting laws before enacted (Spann, 2020). The elimination of this requirement has had an extremely negative impact on the ability to prove laws that have a negative effect on marginalized voters.
unconstitutional.

**Supreme Court Makeup**

The Court currently has a conservative majority, which may contribute to the way their decisions lean. Supreme Court justices are nominated by the president, which allows the executive branch to leave a legacy of their own in the judicial branch, since justices serve lifetime appointments. In a partisan era, which we are currently in, the Court becomes increasingly political, since sides have a large distrust of each other (Sabando, 2020). One side may have more of an opportunity to appoint justices than another party, if there happens to be spots that open up in the Court. This was the case with President Trump who was able to appoint three justices during a single term as opposed to President Obama who appointed just two throughout two terms. With Trump’s choices, the Court gained a 6-3 conservative majority which will stay the same until another spot has to be filled.

A partisan majority in the Court may lead to unrepresentative decisions that shape the political climate of the U.S. As of 2022, the public perceived the Court to be less conservative than it actually is, which can lead to a lack of understanding of the power and extent of their decisions. The misperception is correlated to less support for institutional change, so the issue of a political Court has no incentive for change (Jessee et al., 2022). The Court may continue to make unrepresentative decisions for the public when there is lack of awareness of their political leanings.

As part of their conservative leaning, the Court is justifying many of their decisions with a colorblind Constitution rationale. The term refers to the principle that the Constitution does not allow for race-based classifications and rather, argues for race-neutral solutions (Gross, 2019). Rather than using racial evidence to determine whether laws violate a citizen’s right, they prefer
to look at the law itself and determine whether it is unconstitutional at face value. This becomes a problem and barrier to equality when considering the presence of second-generation barriers, which are not explicit barriers to voting, but underlying techniques that can be used to discourage or block the access of voting to marginalized groups (Earle, 2023). While explicit barriers are no longer used for the most part, due to previous Court decisions which banned many of these practices, second-generation barriers still run rampant in many states. The Court, however, can use the reasoning of a colorblind Constitution to justify that laws should not be made to directly address race, whether negatively or positively. In *Shelby v. Holder*, Chief Justice Roberts concluded that if the Court was to use racial evidence, it would have to show a specific instance of discrimination rather than how discrimination may result from a law, completely overlooking the severity of second-generation barriers (Earle, 2023). This type of a conservative colorblind approach displays how the Court can use the Constitution to defend decisions that limit equal voting rights of marginalized groups.

**Framing Supreme Court Decisions and Watchdog Journalism**

The media play a large role in disseminating the results of Supreme Court cases and the potential effects that the decisions may have. Depending on the type of coverage, these effects can be portrayed as very grave or not so pressing. In the case of watchdog journalism, the media are relatively independent and use this to challenge the ideas of the dominant groups in favor of the public (Donohue et al., 1995). In terms of Court cases, watchdog journalism plays the role of questioning the decisions made and warning the public of the impacts these decisions may have on their lives. Court cases regarding voting rights may be framed negatively, criticizing the Court and holding them accountable for unjust decision-making rather than complying with them. These perspectives would likely point out specific effects and barriers that decisions have on
marginalized voters and their disenfranchisement.

The role that news media play in framing the Court’s decisions largely influences the public’s perception of the severity of the decision. Framing refers to the parts of an event focused on by an outlet and their emphasis through the outlet’s dissemination of the event, in particular to convince the public to perceive it in a certain way (Entman, 1993). When the Court makes a decision, it is usually up to the media to explain the legal reasoning and outcome of the case to the public. However, without any previous legal training it can be difficult to understand the complicated reasonings and intricacies of the law that the Court is basing their decisions on. As explained by Dunaway and Graber (2023), “because of the shortage of skilled legal reporters, much reporting on the courts - even the Supreme Court - is imprecise and sometimes outright wrong” (228). Journalists may end up relying more heavily on mistaken or not fully understood logic rather than the actual legal reasoning. This may muddle the intent of the Court and lead to even more public perception of the Court as a political branch rather than neutral (Matthias, 2016). Opposing sides are likely to feel more targeted by the decisions of a politicized Court which may lead to increased animosity between sides.

The goal of this paper is to observe how the media frame certain Court decisions regarding voting rights and how that framing can impact marginalized voters. The Court’s decisions can have extremely relevant impacts on certain groups’ access to voting. Depending on what an outlet decides to include or omit through their framing, these impacts may be perceived by the public in varying ways.

**Method**

**Data Set**

The top five newspapers in the nation were used to find articles regarding five chosen
Supreme Court cases. The five cases chosen for the sample have created noteworthy precedents for the standards which voting rights are held to in the U.S. Supreme Court (ACLU, n.d.). For each newspaper, articles focusing on each case were gathered for the week prior to and the week after a Supreme Court decision was made. Articles were chosen by filtering the names of the five chosen cases as well as using the keyword, Supreme Court, between a week before and after when they were decided, as well as the names of the five newspaper sources. The goal was to have 5 articles per case per newspaper, however, in certain cases fewer than 5 articles were available. These cases include *Crawford v. Marion County*, *Shelby County v. Holder*, *Abbott v. Perez*, *Rucho v. Common Cause*, and *Brnovich v. Democratic National Committee (DNC)*.

Newspapers examined in this study were *The Wall Street Journal* (N = 17), *The New York Times* (N = 18), *USA Today* (N = 8), *The Washington Post* (N = 15), and *The Los Angeles Times* (N = 16). The first three were chosen primarily because they are the largest circulation newspapers in the United States (Pew, 2023). The *Los Angeles Times* was also included as a representative of the West Coast and the *Washington Post* was included due to its emphasis on national politics (Conway et al., 2022).

**Coding Process**

Articles from each newspaper were analyzed and coded to find common themes within them. This study used an inductive, thematic content analysis to determine how the media frame Supreme Court cases addressing race in relation to voting rights. Articles were chosen from each newspaper that discuss any of the five Supreme Court cases in the data set within the determined timeline. The inductive coding process proceeded as follows: 1) articles were read through before actual coding, 2) after the initial read through, the author then looked for themes discussed within each article and created an initial list. These themes were then re-examined to
see if they could be placed within larger categories, using recurrence, repetition, and forcefulness to determine which should be retained and placed within final categories (Keyton, 2018). The goal of the analysis was to find similarities and differences in the themes used to discuss the effect of Supreme Court case decisions on marginalized groups by newspaper sources. Themes may vary in terms of their prevalence as well as the way they are used when they do appear.

**Analysis**

The articles were coded to find similarities and differences of themes with regard to coverage of various Supreme Court cases. Findings were then interpreted to determine whether they confirmed the watchdog media position and how they framed the case decision. Themes regarding the effect of the decision on citizens were analyzed. Findings consistent with the media warning citizens of these effects may add to the discussion of the watchdog role in journalism and how the media hold those in power accountable for their decisions.

**Results**

Based on the analysis, six different themes were found. The first was threat to voting, which refers to the idea that the Supreme Court decision will have impacts that limit or create obstacles in voting, specifically targeting marginalized voters. The second, politicization, describes the justices’ ideological beliefs which influence the decisions, lessening the neutral perception of the Court. The third theme, polarization, explains the division in political sides and the effects that these divides may have on the outcome or severity of the decision in the U.S. The watchdog perspective is the fourth theme and is present in instances where the article is questioning or criticizing the Court’s or other people in power’s motives. The fifth theme, judicial activism, refers to the judicial philosophy that the Court should decide matters narrowly so that they do not interfere with policy making. When they go beyond the necessary
interpretation and interfere with the law or legislative bodies in a decision, they are said to be judicially active. The last theme, vote security, refers to the positive effects of the case decisions in preventing voter fraud and making the voting process more secure. Vote security is often used as a conservative perspective to defend laws that affect voting rights. There is little evidence, however, that these laws do result in more secure elections (Earle, 2023). In total, there were 422 instances of the themes occurring throughout 74 articles.

Of these, 36.3% of the instances were comprised of the theme threat to voting, making it the most prevalent. The theme came up most often in the New York Times, which made up 35.1% of the total instances. Following them, the Los Angeles Times made up 22.5%, then the Washington Post at 21.9%, the Wall Street Journal at 10.6%, and it occurred the least number of times in USA Today, making up 9.9% of the instances.

The second most prevalent theme was the watchdog perspective, which made up 21.6% of the themes that could be found. The New York Times once again led in the source where the theme was discussed most often, making up 25.6% of the instances. The order continued the same with the Los Angeles Times at second again with 24.4%, the Washington Post at 23.3%, then the Wall Street Journal at 14.4%, and USA Today at 12.2%.

The third theme that came up most often was polarization, making up 17.6% of the instances of themes present. Again, the New York Times was the source in which the theme could be found the most with 27.4% of the instances. After this, the Wall Street Journal contained 26% of instances, then the Washington Post with 20.5%, the Los Angeles Times with 16.4%, and USA Today with 9.6%.

Polarization of the Court was the fourth most prevalent theme and comprised 11.5% of the themes found. The Washington Post led in the sources which contained the theme most often
and contained 35.4% of the instances. Behind them, the Los Angeles Times contained 27.1%, then the New York Times with 18.8%, the Wall Street Journal with 14.6%, and USA Today with 4.2%.

Vote security was the fifth most prevalent theme, with 8.7% of the occurrences of a theme. The Wall Street Journal led the total occurrences of this theme between all the sources with 47.2% of the instances. The Washington Post followed after them with 19.4%, then the New York Times with 16.7%, USA Today with 11.1%, and the Los Angeles Times with 5.6%.

The theme that came up the least throughout all of the articles was judicial activism, which made up 5.8% of the instances of themes occurring. The Washington Post led the instances heavily with 58.3%, the New York Times, Los Angeles Times, and Wall Street Journal all contained the theme at an equal amount with each containing 12.5% of the instances, and USA Today contained the least with 4.2%.

In total, the New York Times contained 27% of all of the themes that could be found within the entire sample, the Washington Post contained 25.4%, the Los Angeles Times contained 20.4%, the Wall Street Journal contained 17.8%, and USA Today contained 9.5%. These totals, as well as the presence of each theme in individual articles can be found in Table 1 of Appendix A.

Discussion

Differences in Theme Use

The themes that occurred, as well as how they were presented, may contribute to the way the public perceives the severity of a Supreme Court case decision depending on where they are receiving their information from. All five sources included every theme, but the prevalence and ways they did vary. The themes presented most often may be considered more important due to
the increased awareness of readers. Consistent with this, a theme which is presented less may be perceived as less significant. Figure 2 of Appendix A provides a relevant quote for each theme from each newspaper that best represents their framing of the decision.

As the most prevalent theme overall, the threat to voting rights that come from these decisions may contribute to an increased perception of the severity of the Court’s decisions in the specific cases. The articles often cite from Justices’ dissents of the decisions which emphasize the damage that it will do to voting rights. The majority of the sources framed the decisions as harmful to voters and explained the potential consequences. The *New York Times*, *Los Angeles Times*, and *USA Today* took the stance consistent with the Court’s degradation of equal voting rights for marginalized voters. When the theme of vote security was present, it was to explain the perspective of those who agree with the decision, but that is not consistent with the article’s perspective (with the exception of one article in *USA Today*). Audience members who engage in the content coming from these sources may be more exposed to the idea that the Court is creating dangers for voting rights.

The *Washington Post* and the *Wall Street Journal*, however, were not as drastic in their opinion of the danger of the decisions. The *Washington Post* presented the decisions as more neutral and when using the theme of the threat to voting rights, they tended to quote the opinion of others on the decision’s impact rather than presenting it as their own. The *Wall Street Journal* was on the other side and had less to say about the threat to voting rights than they did in regard to securing voting. The prevalence of the theme of vote security was highest in the *Wall Street Journal*, and they tended to frame the decisions using this perspective. When they discussed the threats, it was mostly to bring up the opposing perspective rather than describe it as consistent with their opinion. Those who engage in these sources may be more inclined to believe the
decisions are not as damaging to voting rights.

Politicization of the court was relatively consistent with the sources’ perspective of the severity of the outcome. The sources which framed the decision as a threat to voting rights used the politicization to describe the overpowering conservative opinions of the justices which interfered with the importance of preserving the right for marginalized citizens to vote. There were two relatively common uses of the theme, one described the partisan divisions between the Court and the other described the political position of the Court due to the politicized appointment of justices by the other branches of government. When used by sources that framed the decision as a win for vote security, they primarily discussed the ideological divide of the court and the unwillingness of the liberal justices to agree on the opinion.

The watchdog perspective was most prevalent in the sources that framed the decision as a threat to voting rights, with the exception of USA Today. The inconsistent USA Today finding may be due to the fact that there were significantly less articles found for the source, decreasing the chances for themes to be found. The frequency of the watchdog perspective consistent with the threat to voting rights is likely due to the sources disagreeing with the Court’s decision. They are questioning the motives of the justices in the majority and their claims to defend whatever obstacle in voting rights they have created. There were also instances where the sources questioned other officials in high positions, such as those who appointed the justices as well as those creating legislation that hurts marginalized citizens’ rights. The Washington Post, which was the source that was the most neutral in their framing of the decisions, was lower in its presence of the watchdog theme than the articles that warned of threats to voting. This can be interpreted as the source’s complacency with the decision and their presentation of the decisions as facts rather than opinions that question those in power. The Wall Street Journal had the lowest
presence of the theme, which is likely due to their agreement with the decision and a lack of the need to question the motive of those who made it. They do not need to warn their audience of underlying intentions if they find that the decision is fair and without negative consequences.

The least prevalent theme, judicial activism, was used by all of the sources to defend the position they took in framing the decision. Those that were concerned with the effects used judicial activism to criticize the Court and say they were overstepping their power by interfering with the legislative process that is used to secure the rights of marginalized voters. The Washington Post, while relatively neutral on their other uses of the themes, took an approach that accused the Court of being judicially active and overstepping their authority in the decisions. The Wall Street Journal used judicial activism as a defense to why the Court wisely withheld from becoming too powerful and interfering with the legislature’s job of creating laws to secure voting rights, arguing that they acted in a restrained, rather than active, way. Both sides address the same issue but in ways that suit their perspective. On one side, the Court striking down legislation that was created to protect voters is seen as judicially active. On the other side, the Court ruling in favor of minority voters and creating rights for voters is a job that is reserved for the legislature, not the Court, and could also be seen as judicially active. The low frequency of this theme may be consistent with Dunaway and Graber’s findings that Court decisions are often reported on by people who do not have a full understanding of the judicial reasoning (2023). Judicial activism is a more niche judicial philosophy which may not be as widespread in the discourse of those without a legal background.

Significance of Themes

The theme which was the highest, the threat to voting rights, takes an important approach in creating awareness of the graveness of the Court’s decisions. Combined with the watchdog
perspective, it allows for readers to engage in criticism of those in power rather than blindly follow their decisions. Questioning their motives and the unnamed consequences allows for a larger understanding of the extent of the decision. This may lead to increased awareness of dangers of these decisions and the importance of taking action to prevent inequalities in voting rights. The sources which frame the decision as a threat and also criticize the Court can motivate readers to look further into decisions and what the justices may intend for the country’s political climate.

The court is not a neutral institution, as explained by Sabando, and it is necessary for information regarding its political position to be discussed (2020). Raising awareness of its politicization can help citizens to understand that the decisions made by the Court are not isolated, they have widespread and significant ramifications. With an increased awareness, there may be more motivation for institutional change and to create solutions to the issues of a politicized Court (Jessee et al., 2022). Several sources discussed the difficulty of being able to cure the effects of these decisions due to the polarized climate of the country. This helps build an understanding of the severity of the decisions, as the Court is determining cases which are related to highly partisan issues that have little success of being solved in a divided Congress.

It is also important for sources to present the other side’s opinion, which was done in the majority of the articles. Although there may be a lack of agreement between the opinions, an audience should be well informed of why there are arguments regarding the outcome of cases. It may help to build an understanding of the root of the issue and contribute to ideas for solving the issues. If sources are too concentrated on their own opinion and fail to present the other side’s, it can create an isolated perspective that may further contribute to partisan divides.

Presenting a holistic explanation of the Court’s decisions which incorporates several
themes, rather than just the facts of a case, can help to create the solutions necessary to secure the right to vote for marginalized citizens. Raising awareness of the decisions is important to create an understanding of them. When decisions are not discussed, it can create a lack of awareness that prevents progress in these rights. The case of Abbott v. Martinez was widely overlooked by all of these sources, with USA Today not having a single article regarding the case using the search criteria. This may be due to the nature of the case and the decision being more focused on the nuances of the law and the way the law should be interpreted in legal challenges. The decision is more complicated and may appear less drastic than the other cases discussed, but the omission of it shows the way that important decisions can be overlooked by the media. The case was not groundbreaking in how it directly affects the voting process of marginalized citizens, but shows the difficulty of proving that a law violates their rights. It is important for the public to understand these details if they want to try to understand why certain laws, which may seem detrimental to voting rights, are allowed to be in place.

The majority of the sources framed the themes in ways that show the threat of the decision to voting rights. However, the limited amount of articles available may contribute to less awareness of the decisions. The decisions that were looked at all work together in their ways of preventing equality in marginalized citizens’ right to vote. Decisions which seem smaller, and tend to get less attention in the media, still have large consequences that fit into the bigger picture of voting rights. It is important for the decisions to gain attention so the public can maintain an understanding of the ongoing issue that voting rights are facing. Although the decisions that have the most attention are usually the ones that are most consequential, the smaller ones should not be overlooked. For example, Shelby County v. Holder was the decision that had the most articles available in total. The case is regarded as a landmark case due to its
ramifications for striking down a section of the VRA. When comparing this case to *Abbott*, however, it is clear that a case which was smaller and not related to a well known piece of legislation was not presented with the same attention. However, the cases together are what enable the creation of certain laws that affect voting rights, as well as the requirements to challenge those laws, and should be looked at in relation to one another.

The articles that were available did frame the decisions to show that the Court’s decisions have far reaching effects on voting rights. For the most part, they showed that these effects are negative and will reduce the voting rights of marginalized citizens. Discussing the effects, including how Congress may deal with the decisions to remedy the damage, shows the power of the Court in society. It may help the public understand the way that the different branches of government work together to shape the political climate that affects us on a daily basis. Combining this with the watchdog perspective that questions decisions of the government can bring awareness of the threats to democracy that are being created by those in power.

**Limitations**

Only the top five newspapers were looked at with a timeframe of one week before and one week after the decision. It would have been beneficial to look at a larger variety of newspapers including ones from the states where the legislation had originated. Looking at a variety of media, rather than just newspapers, could have shown a more representative sample. The sample could also include more decisions beyond the five Supreme Court cases.

**Future Research**

Voting rights are an ongoing issue and should continue to be researched as more decisions continue to be made. Some other things to look at include who is being quoted and talked to in the media regarding case decisions, as well as the sources that are included in articles
that discuss cases. The decisions are also not isolated, so researchers should look at how previous Courts have decided cases regarding voting rights, as well as future ones to determine how the Court’s makeup affects voting rights. As the Court changes, the way decisions are made may also change and should be observed.

Conclusion

When a political Court is making damaging decisions and then leaving the cure to a divided legislature, the decisions become more permanent in society. Although they often claim to be making the decision to refrain from interfering with the power of the legislature, they are creating negative effects for marginalized voters. By striking down a law that safeguards the right to vote for marginalized citizens or upholding a law that creates barriers to their ability to vote, the Court directly affects marginalized citizens’ ability to participate in the democratic process. Leaving it up to a gridlocked legislature that can not agree upon a law perpetuates the effect of the decision and continues its damaging influence. The media are largely responsible for disseminating and explaining this process, as it is where the public receives most of its information regarding the state of their country.

Voting rights are the cornerstone of a functioning democracy where the people have power. Barriers to this right, especially when they target specific groups, prevents the ability to have representation in the government. Marginalized groups have long fought for their equal right to vote, largely demonstrated in movements such as the women’s suffrage movement and the civil rights movement. The ability to preserve this right, however, is a fight that continues into current society. As President Biden stated just a few days ago in his State of the Union speech, “there are forces taking us back in time: voter suppression, election subversion, unlimited dark money, extreme gerrymandering” (The White House, 2024, para. 11). Rather than
creating progress to further voting rights, the Court has made decisions that allow for legislators
to create laws that inhibit the right. It is an essential right that should not be overlooked, and the
media are the most direct way for the public to understand the ongoing threats and how to take
action to solve them.


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### Appendix A

Table 1: Coding Results Including Totals and Percentages

<table>
<thead>
<tr>
<th></th>
<th>Threat to Voting</th>
<th>Politicization of Court</th>
<th>Polarization</th>
<th>Watchdog</th>
<th>Judicial Activism</th>
<th>Vote Security</th>
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<td>18+7+2+13+15=53</td>
<td>1+3+1+2+2=9 35.1%</td>
<td>6+4+0+7+3=20</td>
<td>0+2+0+1+0=3 27.4%</td>
<td>9+1+0+8+2=23</td>
<td>0+2+0+1+0=3 10.6%</td>
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<td>WSJ</td>
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<td>8+5+0+2+4=19</td>
<td>0+2+1+4+6=13 14.6%</td>
<td>0+0+0+1+2=3 26%</td>
<td>0+0+0+1+2=3 12.5%</td>
</tr>
<tr>
<td>WP</td>
<td>4+3+2+8+16=33</td>
<td>0+6+0+5+6=17 21.9%</td>
<td>2+2+0+4+7=15</td>
<td>1+8+0+2+10=21 35.4%</td>
<td>0+6+0+1+7=14 20.5%</td>
<td>0+6+0+1+7=14 58.3%</td>
</tr>
<tr>
<td>USA</td>
<td>3+7+2+3+15=15</td>
<td>0+0+1+1+2 9.9%</td>
<td>2+4+0+1+7 35.8%</td>
<td>1+4+4+1+1=11 27.6%</td>
<td>0+0+0+1=1 9.9%</td>
<td>0+2+0+2=4 42.2%</td>
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<tr>
<td></td>
<td>151=35.8%</td>
<td>48=11.4%</td>
<td>73=17.3%</td>
<td>90=21.3%</td>
<td>24=5.7%</td>
<td>36=8.5%</td>
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## Table 2: Representative Quotes for Each Source

<table>
<thead>
<tr>
<th>Threat to Voting</th>
<th>Politicization of Court</th>
<th>Polarization</th>
<th>Watchdog</th>
<th>Judicial Activism</th>
<th>Vote Security</th>
</tr>
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<tbody>
<tr>
<td><strong>NYT</strong></td>
<td>&quot;Many civil rights advocates are fearful of a broad rollback of minority voting power&quot; (Liptak, 2013, para. 9).</td>
<td>&quot;The court divided along ideological lines, and the two sides drew sharply different lessons from the history of the civil rights movement and the nation’s progress in rooting out racial discrimination in voting&quot; (Liptak, 2013, para. 2).</td>
<td>&quot;It is too much to hope that this divided Congress would use its power to stop discriminatory voter-ID laws or to require nonpartisan redistricting, particularly when some of its members believe these laws help them get elected.‖ (Huson, 2013, para. 14).</td>
<td>&quot;Seven years after it invoked the Constitution to vindicate what it saw as Mr. Bush’s right to fair election procedures, we are still waiting for the court to extend this guarantee with equal vigilance to every American‖ (“The Court Fumbles on Voting Rights,” 2008, para. 7).</td>
<td>&quot;As it did in Citizens United, the court took the broad path when the narrow path would have limited the court’s damage‖ (Huson, 2013, para. 7).</td>
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<td><strong>LAT</strong></td>
<td>&quot;So the state risks disenfranchising tens of thousands of voters to fix a problem that does not exist‖ (Anonymous, 2008, para. 4).</td>
<td>&quot;The right’s supermajority on the bench can now simply brush aside dissenting arguments. The question is not whether the conservative justices will remake American law and society, but when and how‖ (Litman, 2021, para. 13).</td>
<td>&quot;As rulings rolled out over the last month, some Supreme Court watchers concluded that the feared hyper-conservative, Trump-aligned court was instead turning out to be a stronger and gentler center-right body. Don’t believe it‖ (Litman, 2021, para. 1).</td>
<td>&quot;The 15th Amendment, which gave black people the right to vote after the Civil War, gave the power to enforce those rights, Ginsburg wrote, and the court was wrong to substitute its judgment‖ (“The Court,” 2013, para. 11).</td>
<td>&quot;Texas Attty. Gen. Ken Paxton said the court had ‘rightly recognized that the Constitution protects the right of Texans to draw their own legislative districts. Once again, Texans have the power to govern themselves’‖ (Savage, 2018, para. 21).</td>
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<td><strong>WSJ</strong></td>
<td>&quot;The petitioners argued that even though Indiana offers free photo ID to qualified voters, the documents needed to obtain an ID — such as a birth certificate — could require payment or be an inconvenience‖ (“Photo Finish,” 2008, para. 4).</td>
<td>&quot;Whatever the rates of black political participation in a covered jurisdiction, however many blacks are elected to legislative office, the liberals on the court were not likely to be satisfied‖ (Thernstrom, 2013, para. 12).</td>
<td>&quot;Liberal justices’ methodological flexibility enables them to vote strategically with whichever conservative colleagues favor the most congenial result‖ (Rivkin &amp; Grossman, 2021, para. 14).</td>
<td>&quot;[Roberts, Kavanaugh, and Barrett] are rightly concerned about overreach and appear resolved in each case to decide no more than need be decided‖ (Rivkin &amp; Grossman, 2021, para. 14).</td>
<td>&quot;Arizona Republican Attorney General Mark Brnovich and the state Republican Party defended the rules as reasonable measures for running a fair and secure election‖ (Kendall &amp; Bravin, 2021, para. 15).</td>
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<tr>
<td><strong>WP</strong></td>
<td>&quot;Liberal election law experts said the decision is part of a pattern that has systematically weakened legal protections for minority voters‖ (Barnes, 2021, para. 13).</td>
<td>&quot;But on issues directly related to political and economic influence, the court’s conservative majority is operating as a political faction, determined to shape a future in which progressives will find themselves at a disadvantage‖ (Dionne, 2013, para. 2).</td>
<td>&quot;It is an inconsistency that tells us all we need to know. This is not an argument about what the Constitution says. It is a battle for power. And, despite scattered liberal triumphs, it is a battle that conservatives are winning‖ (Dionne, 2013, para. 15).</td>
<td>&quot;[The Court] flies textualist colors while plundering one of the key statutory achievements of American democracy‖ (Stephanopoulos, 2021, para. 9).</td>
<td>&quot;Republicans said it was a victory for states and their ability to control and protect voting practices‖ (Barnes, 2021, para. 11).</td>
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<tr>
<td><strong>USA</strong></td>
<td>&quot;Conservative states are tightening voting laws, a shift critics say is designed to suppress turnout among minorities who tend to vote for Democrats‖ (Fritze, 2021b, para. 1).</td>
<td>&quot;The court managed to rise above the partisan divide this term until the last day,” tweeted David Cole, national legal director at the American Civil Liberties Union‖ (Fritze, 2021b, para. 4).</td>
<td>&quot;The disputes have been strictly partisan: Republicans consistently push voter ID laws, and Democrats oppose them‖ (Biskupik &amp; Wolf, 2008, para. 2).</td>
<td>&quot;That slow-go approach may have been a result of Roberts’ influence, Smith speculated, and a &quot;desire not to have the court suddenly and immediately appear extreme&quot; so soon after Barrett’s rapid confirmation before last fall’s election‖ (Fritze, 2021b, para. 11).</td>
<td>&quot;What is tragic here is that the court has (yet again) rewritten — in order to weaken — a statute that stands as a monument to America’s greatness, and protects against its basest impulses.’‖ [Kagan] wrote‖ (Fritze, 2021a, para. 11).</td>
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