

Top U.S. election officials urged to bar Donald Trump from ballot



New York, August 31 (RHC)-- Two pro-democracy groups that have long argued that Section 3 of the 14th Amendment of the U.S. Constitution bars former President Donald Trump from running for election wrote to officials in five states, calling on them to keep the Republican's name off ballots in 2024 despite his decision to campaign amid his numerous legal battles.

Free Speech for People (FSFP) and Mi Familia Vota Education Fund (MFVEF) told New Hampshire Secretary of State David Scanlan, New Mexico Secretary of State Maggie Toulouse Oliver, Florida Secretary of State Cord Byrd, Ohio Secretary of State Frank LaRose, and members of the Wisconsin Elections Commission that by inciting the January 6, 2021 insurrection, Trump violated Section 3, also known as the insurrectionist disqualification clause.

The clause was enacted after the Civil War and disqualifies an individual from holding public office if they have taken an oath to uphold the U.S. Constitution and then engaged in an insurrection against the United States.

"Since 1868, the qualifications for eligibility for the presidency -- in addition to natural-born citizenship, age, and residency -- have also included not having engaged in insurrection against the United States after having taken an oath to support the Constitution," the letters read. "And Trump does not meet that qualification." The Constitution makes clear that "Trump is ineligible to appear on the presidential primary

ballot," said FSFP.

FSFP and MFVEF have led efforts in recent months to ensure that Trump is barred from appearing on election ballots in 2024. As the former president has been indicted at the federal level for trying to overturn the 2020 presidential election results and, separately, for working with at least 18 other people to try to overturn the results in Georgia, the groups have written to election officials in 10 other states with the same message they sent Wednesday.

"While the U.S. Justice Department, along with state and local authorities, must hold Donald Trump accountable for all crimes that he has committed, secretaries of state and chief election officials across the country must carry out their responsibility to follow the mandate of the Constitution and the insurrectionist disqualification clause and bar Trump from any future ballot," said John Bonifaz, president of FSFP.

"Criminal prosecutions will establish Trump's liability under the law," Bonifaz added. "But the enforcement of Section 3 of the 14th Amendment against Trump will ensure that our republic is protected and that this insurrectionist-in-chief is forever disqualified from holding any future public office."

In New Hampshire, the message reached Scanlan before the groups sent their letters to him on Wednesday. The secretary of state asked state Attorney General John Formella earlier this week to review "the legal issues involved" in potentially barring Trump from appearing on election ballots.

FSFP forwarded their letter to Formella on Wednesday. Scanlan made the request of Formella's office after two conservative legal scholars noted in a paper that "several of the people involved in [the insurrection]—most notably the defeated president, Donald Trump—had previously taken oaths to support the Constitution."

"If they engaged in or gave aid and comfort to an insurrection against the constitutional government," they argued, "Section 3 would appear to bar them from holding office again."

Irving Zavaleta, national programs manager of MFVEF, said that Scanlan and other secretaries of state and election officials across the U.S. "are well within their authority to bar former President Donald Trump from the ballot."

"Trump is disqualified," Zavaleta said, "and we strongly urge election officials to bar him from the ballot."

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