

Supplementary Material

Chapter 11: The Contemporary Era – Foundations

2012 National Party Platforms

Democrats triumphed in the 2012 national elections. President Obama won a clear, if not a landslide, victory over former Massachusetts governor Mitt Romney. His party gained two seats in the Senate. By a very slight margin, more Americans voted for the Democrat running for the House of Representatives. Nevertheless, Article I's requirement that representatives be elected within states combined with Republican-led reapportionment in crucial state legislatures left Republicans' control over the House intact. 2012 was also a good electoral year for supporters of same-sex marriage. In sharp contrast to previous elections (most notably 2004), proponents of same-sex marriage won more referendums and initiatives than they lost. Some conventional wisdom maintained that Republican positions on cultural issues were now hurting the party among crucial blocs of younger, nonwhite, female, and secular voters.

The following excerpts are from the 2012 Republican and Democratic platforms. What are the most important differences between the constitutional visions and positions of each party? Do you detect any similarities? Compare these platforms to party platforms in the nineteenth century. What issues have constitutional dimensions in the early twenty-first century that did not have constitutional dimensions in the past? What issues had constitutional dimensions in the past that do not have constitutional dimensions at present? What might explain why Americans sometimes treat issues like the tariff as raising constitutional issues, but at other times think those matters raise only policy issues? The Republican Party Platform was far more detailed and discussed more constitutional matters than that of the Democrats. What explains the difference? Did the party out of power always have more constitutional objections to present policy than the party in power? Is the Republican vision for the United States more rooted in the Constitution than the Democratic vision?

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We Believe in America: 2012 Republican Platform

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We are the party of the Constitution, the solemn compact which confirms our God-given individual rights and assures that all Americans stand equal before the law. Perhaps the greatest political document ever written, it defines the purposes and limits of government and is the blueprint for ordered liberty that makes the U.S. the world's freest, most stable, and most prosperous nation. Its Constitutional ideals have been emulated around the world, and with them has come unprecedented prosperity for billions of people.

In the spirit of the Constitution, we consider discrimination based on sex, race, age, religion, creed, disability, or national origin unacceptable and immoral. We will strongly enforce antidiscrimination statutes and ask all to join us in rejecting the forces of hatred and bigotry and in denouncing all who practice or promote racism, anti-Semitism, ethnic prejudice, or religious intolerance. We support efforts to help low-income individuals get a fair chance based on their potential and individual merit; but we reject preferences, quotas, and set-asides as the best or sole methods through which fairness can be achieved, whether in government, education, or corporate boardrooms. In a free

society, the primary role of government is to protect the God-given, inalienable, inherent rights of its citizens, including the rights to life, liberty, and the pursuit of happiness. Merit, ability, aptitude, and results should be the factors that determine advancement in our society.

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A Restoration of Constitutional Order: Congress and the Executive

We salute Republican Members of the House of Representatives for enshrining in the Rules of the House the requirement that every bill must cite the provision of the Constitution which permits its introduction. Their adherence to the Constitution stands in stark contrast to the antipathy toward the Constitution demonstrated by the current Administration and its Senate allies by appointing “czars” to evade the confirmation process, making unlawful “recess” appointments when the Senate is not in recess, using executive orders to bypass the separation of powers and its checks and balances, encouraging illegal actions by regulatory agencies from the NLRB to the EPA, openly and notoriously displaying contempt for Congress, the Judiciary, and the Constitutional prerogatives of the individual States, refusing to defend the nation’s laws in federal courts or enforce them on the streets, ignoring the legal requirement for legislative enactment of an annual budget, gutting welfare reform by unilaterally removing its statutory work requirement, buying senatorial votes with special favors, and evading the legal requirement for congressional consultation regarding troop commitments overseas. A Republican President and Republican Senate will join House Republicans in living by the rule of law, the foundation of the American Republic.

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Defending Marriage against an Activist Judiciary

A serious threat to our country’s constitutional order, perhaps even more dangerous than presidential malfeasance, is an activist judiciary, in which some judges usurp the powers reserved to other branches of government. A blatant example has been the court-ordered redefinition of marriage in several States. This is more than a matter of warring legal concepts and ideals. It is an assault on the foundations of our society, challenging the institution which, for thousands of years in virtually every civilization, has been entrusted with the rearing of children and the transmission of cultural values.

A Sacred Contract: Defense of Marriage

That is why Congressional Republicans took the lead in enacting the Defense of Marriage Act, affirming the right of States and the federal government not to recognize same-sex relationships licensed in other jurisdictions. The current Administration’s open defiance of this constitutional principle—in its handling of immigration cases, in federal personnel benefits, in allowing a same-sex marriage at a military base, and in refusing to defend DOMA in the courts—makes a mockery of the President’s inaugural oath. We commend the United States House of Representatives and State Attorneys General who have defended these laws when they have been attacked in the courts. We reaffirm our support for a Constitutional amendment defining marriage as the union of one man and one woman. We applaud the citizens of the majority of States which have enshrined in their constitutions the traditional concept of marriage, and we support the campaigns underway in several other States to do so.

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Federalism and the Tenth Amendment

We support the review and examination of all federal agencies to eliminate wasteful spending, operational inefficiencies, or abuse of power to determine whether they are performing functions that are better performed by the States. These functions, as appropriate, should be returned to the States in accordance with the Tenth Amendment of the United States Constitution. We affirm that all legislation, rules, and regulations must conform and public servants must adhere to the U.S. Constitution, as originally intended by the Framers. Whether such legislation is a State or federal matter must be determined in accordance with the Tenth Amendment, in conjunction with Article I, Section 8.

When the Constitution is evaded, transgressed, or ignored, so are the freedoms it guarantees. In that context, the elections of 2012 will be much more than a contest between parties. They are a referendum on the future of liberty in America.

The Republican Party, born in opposition to the denial of liberty, stands for the rights of individuals, families, faith communities, institutions—and of the States which are their instruments of self-government. In establishing a federal system of government, the Framers viewed the States as laboratories of democracy and centers of innovation, as do we. To maintain the integrity of their system, they bequeathed to successive generations an instrument by which we might correct any misalignment of power between our States and the federal government, the Tenth Amendment:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

In fidelity to that principle, we condemn the current Administration's continued assaults on State governments in matters ranging from voter ID laws to immigration, from healthcare programs to land use decisions. Our States are the laboratories of democracy from which the people propel our nation forward, solving local and State problems through local and State innovations. We pledge to restore the proper balance between the federal government and the governments closest to, and most reflective of, the American people. Scores of entrenched federal programs violate the constitutional mandates of federalism by taking money from the States, laundering it through various federal agencies, only to return to the States shrunken grants with mandates attached. We propose wherever feasible to leave resources where they originate: in the homes and neighborhoods of the taxpayers. We call on the federal government to do a systematic analysis of laws and regulations to eliminate costly bureaucratic mandates on the States and the people.

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The Continuing Importance of Protecting the Electoral College

We oppose the National Popular Vote Interstate Compact or any other scheme to abolish or distort the procedures of the Electoral College. We recognize that an unconstitutional effort to impose "national popular vote" would be a mortal threat to our federal system and a guarantee of corruption as every ballot box in every state would become a chance to steal the presidency.

Voter Integrity to Ensure Honest Elections

Honest elections are the foundation of representative government. We support State efforts to ensure ballot access for the elderly, the handicapped, military personnel, and all authorized voters. For the same reason, we applaud legislation to require photo identification for voting and to prevent election fraud, particularly with regard to registration and absentee ballots. We support State laws that require proof of citizenship at the time of voter registration to protect our electoral system against a significant and growing form of voter fraud. Every time that a fraudulent vote is cast, it effectively cancels out a vote of a legitimate voter.

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The First Amendment: The Foresight of Our Founders to Protect Religious Freedom

The first provision of the First Amendment concerns freedom of religion. That guarantee reflected Thomas Jefferson's Virginia Statute for Religious Freedom, which declared that no one should "suffer on account of his religious opinion or belief, but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion. . . ." That assurance has never been more needed than it is today, as liberal elites try to drive religious beliefs—and religious believers—out of the public square. The Founders of the American Republic universally agree that democracy presupposes a moral people and that, in the words of George Washington's Farewell Address, "Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports."

The most offensive instance of this war on religion has been the current Administration's attempt to compel faith-related institutions, as well as believing individuals, to contravene their deeply held religious, moral, or ethical beliefs regarding health services, traditional marriage, or abortion. This forcible secularization of religious and religiously affiliated organizations, including faith-based hospitals and colleges, has been in tandem with the current Administration's audacity in declaring which faith-related activities are, or are not, protected by the First Amendment—an unprecedented aggression repudiated by a unanimous Supreme Court in its *Hosanna Tabor v. EEOC* (2012) decision.

We pledge to respect the religious beliefs and rights of conscience of all Americans and to safeguard the independence of their institutions from government. We support the public display of the Ten Commandments as a reflection of our history and of our country's Judeo-Christian heritage, and we affirm the right of students to engage in prayer at public school events in public schools and to have equal access to public schools and other public facilities to accommodate religious freedom in the public square. We assert every citizen's right to apply religious values to public policy and the right of faith-based organizations to participate fully in public programs without renouncing their beliefs, removing religious symbols, or submitting to government-imposed hiring practices. We oppose government discrimination against businesses due to religious views. We support the First Amendment right of freedom of association of the Boy Scouts of America and other service organizations whose values are under assault and condemn the State blacklisting of religious groups which decline to arrange adoptions by same-sex couples. We condemn the hate campaigns, threats of violence, and vandalism by proponents of same-sex marriage against advocates of traditional marriage and call for a federal investigation into attempts to deny religious believers their civil rights.

The First Amendment: Speech That Is Protected

The rights of citizenship do not stop at the ballot box. They include the free speech right to devote one's resources to whatever cause or candidate one supports. We oppose any restrictions or conditions that would discourage Americans from exercising their constitutional right to enter the political fray or limit their commitment to their ideals. As a result, we support repeal of the remaining sections of McCain-Feingold, support either raising or repealing contribution limits, and oppose passage of the DISCLOSE Act or any similar legislation designed to vitiate the Supreme Court's recent decisions protecting political speech in *Wisconsin Right to Life v. Federal Election Commission* (2007) and *Citizens United v. Federal Election Commission* (2010). We insist that there should be no regulation of political speech on the Internet. By the same token, we oppose governmental censorship of speech through the so-called Fairness Doctrine or by government enforcement of speech codes, free speech zones, or other forms of "political correctness" on campus.

The Second Amendment: Our Right to Keep and Bear Arms

We uphold the right of individuals to keep and bear arms, a right which antedated the Constitution and was solemnly confirmed by the Second Amendment. We acknowledge, support, and defend the law-abiding citizen's God-given right of self-defense. We call for the protection of such fundamental individual rights recognized in the Supreme Court's decisions in *District of Columbia v. Heller* (2008) and *McDonald v. Chicago* (2010) affirming that right, and we recognize the individual responsibility to safely use and store firearms. This also includes the right to obtain and store ammunition without registration. We support the fundamental right to self-defense wherever a law-abiding citizen has a legal right to be, and we support federal legislation that would expand the exercise of that right by allowing those with state-issued carry permits to carry firearms in any state that issues such permits to its own residents. Gun ownership is responsible citizenship, enabling Americans to defend their homes and communities. We condemn frivolous lawsuits against gun manufacturers and oppose federal licensing or registration of law-abiding gun owners. We oppose legislation that is intended to restrict our Second Amendment rights by limiting the capacity of clips or magazines or otherwise restoring the ill-considered Clinton gun ban. . . .

The Fourth Amendment: Liberty and Privacy

Affirming “the right of the people to be secure in their houses, papers, and effects, against unreasonable searches and seizures,” we support pending legislation to prevent unwarranted or unreasonable governmental intrusion through the use of aerial surveillance or flyovers on U.S. soil, with the exception of patrolling our national borders. All security measures and police actions should be viewed through the lens of the Fourth Amendment; for if we trade liberty for security, we shall have neither.

The Fifth Amendment: Protecting Private Property

The Takings Clause of the Fifth Amendment—“nor shall private property be taken for public use without just compensation”—is a bulwark against tyranny; for without property rights, individual rights are diminished. That is why we deplore the Supreme Court’s *Kelo v. New London* (2005) decision, allowing local governments to seize a person’s home or land, not for vital public use, but for transfer to private developers. We call on State legislatures to moot the impact of the *Kelo* decision in their States by appropriate legislation or constitutional amendments. Equally important, we pledge to enforce the Takings Clause in the actions of federal agencies to ensure just compensation whenever private property is needed to achieve a compelling public use. This includes the taking of property in the form of water rights in the West and elsewhere and the taking of property by environmental regulations that destroy its value.

The Ninth Amendment: Affirming the People’s Rights

This speaks most eloquently for itself: “The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.” This provision codifies the concept that our government derives its power from the people and all powers not delegated to the government are retained by the people. This is an essential feature of our governmental system, and we therefore celebrate the grassroots rediscovery of this and other constitutional guarantees over the last four years and welcome to our ranks all our fellow citizens who are determined to reclaim the rights of the people that have been ignored or violated by government.

The Sanctity and Dignity of Human Life

Faithful to the “self-evident” truths enshrined in the Declaration of Independence, we assert the sanctity of human life and affirm that the unborn child has a fundamental individual right to life which cannot be infringed. We support a human life amendment to the Constitution and endorse legislation to make clear that the Fourteenth Amendment’s protections apply to unborn children. We oppose using public revenues to promote or perform abortion or fund organizations which perform or advocate it and will not fund or subsidize health care which includes abortion coverage. We support the appointment of judges who respect traditional family values and the sanctity of innocent human life. We oppose the nonconsensual withholding or withdrawal of care or treatment, including food and water, from people with disabilities, including newborns, as well as the elderly and infirm, just as we oppose active and passive euthanasia and assisted suicide.

Republican leadership has led the effort to prohibit the barbaric practice of partial-birth abortion and permitted States to extend health care coverage to children before birth. We urge Congress to strengthen the Born Alive Infant Protection Act by enacting appropriate civil and criminal penalties on healthcare providers who fail to provide treatment and care to an infant who survives an abortion, including early induction delivery where the death of the infant is intended. We call for legislation to ban sex-selective abortions—gender discrimination in its most lethal form—and to protect from abortion unborn children who are capable of feeling pain; and we applaud U.S. House Republicans for leading the effort to protect the lives of pain-capable unborn children in the District of Columbia. We call for a ban on the use of body parts from aborted fetuses for research. We support and applaud adult stem cell research to develop lifesaving therapies, and we oppose the killing of embryos for their stem cells. We oppose federal funding of embryonic stem cell research.

We also salute the many States that have passed laws for informed consent, mandatory waiting periods prior to an abortion, and health-protective clinic regulation. We seek to protect young girls from exploitation through a parental consent requirement; and we affirm our moral obligation to assist, rather than penalize, women challenged by an unplanned pregnancy. We salute those who provide them with counseling and adoption alternatives and empower them to choose life, and we take comfort in the tremendous increase in adoptions that has followed Republican legislative initiatives.

Respect for Our Flag: Symbol of the Constitution

The symbol of our constitutional unity, to which we all pledge allegiance, is the flag of the United States of America. By whatever legislative method is most feasible, Old Glory should be given legal protection against desecration. We condemn decisions by activist judges to deny children the opportunity to say the Pledge of Allegiance in its entirety, including "Under God," in public schools and encourage States to promote the pledge. We condemn the actions of those who deny our children the means by which to show respect for our great country and the constitutional principles represented by our flag.

American Sovereignty in U.S. Courts

Subjecting American citizens to foreign laws is inimical to the spirit of the Constitution. It is one reason we oppose U.S. participation in the International Criminal Court. There must be no use of foreign law by U.S. courts in interpreting our Constitution and laws. Nor should foreign sources of law be used in State courts' adjudication of criminal or civil matters.

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Judicial Activism: A Threat to the U.S. Constitution

Despite improvements as a result of Republican nominations to the judiciary, some judges in the federal courts remain far afield from their constitutional limitations. The U.S. Constitution is the law of the land. Judicial activism which includes reliance on foreign law or unratified treaties undermines American law. The sole solution, apart from impeachment, is the appointment of constitutionalist jurists, who will interpret the law as it was originally intended rather than make it. That is both a presidential responsibility, in selecting judicial candidates, and a senatorial responsibility, in confirming them. We urge Republican Senators to do all in their power to prevent the elevation of additional leftist ideologues to the courts, particularly in the waning days of the current Administration.

In addition to appointing activist judges, the current Administration has included an activist and highly partisan Department of Justice. With a Republican Administration, the Department will stop suing States for exercising those powers reserved to the States, will stop abusing its preclearance authority to block photo-ID voting laws, and will fulfill its responsibility to defend all federal laws in court, including the Defense of Marriage Act.

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The Rule of Law: Legal Immigration

.... State efforts to reduce illegal immigration must be encouraged, not attacked. The pending Department of Justice lawsuits against Arizona, Alabama, South Carolina, and Utah must be dismissed immediately. The double-layered fencing on the border that was enacted by Congress in 2006, but never completed, must finally be built. In order to restore the rule of law, federal funding should be denied to sanctuary cities that violate federal law and endanger their own citizens, and federal funding should be denied to universities that provide instate tuition rates to illegal aliens, in open defiance of federal law.

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Preserving and Protecting Traditional Marriage

The institution of marriage is the foundation of civil society. Its success as an institution will determine our success as a nation. It has been proven by both experience and endless social science studies that traditional marriage is best for children. Children raised in intact married families are more likely to attend college, are physically and emotionally healthier, are less likely to use drugs or alcohol, engage in crime, or get pregnant outside of marriage. The success of marriage directly impacts the

economic well-being of individuals. Furthermore, the future of marriage affects freedom. The lack of family formation not only leads to more government costs, but also to more government control over the lives of its citizens in all aspects. We recognize and honor the courageous efforts of those who bear the many burdens of parenting alone, even as we believe that marriage, the union of one man and one woman must be upheld as the national standard, a goal to stand for, encourage, and promote through laws governing marriage. We embrace the principle that all Americans should be treated with respect and dignity.

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Repealing Obamacare

The Patient Protection and Affordable Care Act—Obamacare—was never really about healthcare, though its impact upon the nation’s health is disastrous. From its start, it was about power, the expansion of government control over one sixth of our economy, and resulted in an attack on our Constitution, by requiring that U.S. citizens purchase health insurance. We agree with the four dissenting justices of the Supreme Court: “In our view the entire Act before us is invalid in its entirety.” It was the high-water mark of an outdated liberalism, the latest attempt to impose upon Americans a euro-style bureaucracy to manage all aspects of their lives. . . .

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Protecting Individual Conscience in Healthcare

No healthcare professional or organization should ever be required to perform, provide for, withhold, or refer for a medical service against their conscience. This is especially true of the religious organizations which deliver a major portion of America’s healthcare, a service rooted in the charity of faith communities. We do not believe, however, that healthcare providers should be allowed to withhold services because the healthcare provider believes the patient’s life is not worth living. We support the ability of all organizations to provide, purchase, or enroll in healthcare coverage consistent with their religious, moral or ethical convictions without discrimination or penalty. We likewise support the right of parents to consent to medical treatment for their children, including mental health treatment, drug treatment, and treatment involving pregnancy, contraceptives and abortion. We urge enactment of pending legislation that would require parental consent to transport girls across state lines for abortions.

Moving America Forward: 2012 Democratic National Platform

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Lobbying Reform and Campaign Finance Reform

Our political system is under assault by those who believe that special interests should be able to buy whatever they want in our society, including our government. Our opponents have applauded the Supreme Court’s decision in *Citizens United* and welcomed the new flow of special interest money with open arms. In stark contrast, we believe we must take immediate action to curb the influence of lobbyists and special interests on our political institutions.

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Immigration.

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... President Obama has made important progress in implementing immigration policies that reward hard work and demand personal responsibility. Today, the Southwest border is more secure than at any time in the past 20 years. Unlawful crossings are at a 40-year low, and the Border Patrol is better staffed than at any time in its history. We are continuing to work to hold employers accountable for whom they hire. The Department of Homeland Security is prioritizing the deportation of criminals who endanger our communities over the deportation of immigrants who do not pose a threat, such as children

who came here through no fault of their own and are pursuing an education. President Obama's administration has streamlined the process of legal immigration for immediate relatives of U.S. citizens, supporting family reunification as a priority, and has enhanced opportunities for English-language learning and immigrant integration. When states sought to interfere with federal immigration law by passing local measures targeting immigrants, this administration challenged them in court.

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Faith. Faith has always been a central part of the American story, and it has been a driving force of progress and justice throughout our history. We know that our nation, our communities, and our lives are made vastly stronger and richer by faith and the countless acts of justice and mercy it inspires. Faith-based organizations will always be critical allies in meeting the challenges that face our nation and our world—from domestic and global poverty, to climate change and human trafficking. People of faith and religious organizations do amazing work in communities across this country and the world, and we believe in lifting up and valuing that good work, and finding ways to support it where possible. We believe in constitutionally sound, evidence-based partnerships with faith-based and other non-profit organizations to serve those in need and advance our shared interests. There is no conflict between supporting faith-based institutions and respecting our Constitution, and a full commitment to both principles is essential for the continued flourishing of both faith and country.

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Civil Rights. We believe in an America where everybody gets a fair shot and everybody plays by the same set of rules. At the core of the Democratic Party is the principle that no one should face discrimination on the basis of race, ethnicity, national origin, language, religion, gender, sexual orientation, gender identity, or disability status. Democrats support our civil rights statutes and we have stepped up enforcement of laws that prohibit discrimination in the workplace and other settings. We are committed to protecting all communities from violence. We are committed to ending racial, ethnic, and religious profiling and requiring federal, state, and local enforcement agencies to take steps to eliminate the practice, and we continue to support enforcement of Title VI.

We are committed to equal opportunity for all Americans and to making sure that every American is treated equally under the law. We are committed to ensuring full equality for women: we reaffirm our support for the Equal Rights Amendment, recommit to enforcing Title IX, support the Paycheck Fairness Act, and will urge ratification of the Convention on the Elimination of All Forms of Discrimination Against Women.

We know that putting America back to work is Job One, and we are committed to ensuring that Americans do not face employment discrimination. We support the Employment Non-Discrimination Act because people should not be fired based on their sexual orientation or gender identity.

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Women. President Obama—the son of a single mother and the father of two daughters—understands that women aren't a special interest group. They are more than half of this country, and issues that affect women also affect families. That is why the first bill he signed into law was the Lilly Ledbetter Fair Pay Act, which helps women fight back when they are paid less than men, and why we continue to fight to overcome Republican opposition and pass the Paycheck Fairness Act to help stop gender discrimination in pay before it starts. And that is why the Justice Department and Equal Employment Opportunity Commission, led by President Obama's appointees, have investigated and prosecuted numerous violations of the nation's civil rights laws, and obtained more than \$140 million in relief for victims of gender discrimination. We Democrats will continue to support efforts to ensure that workers can combat gender discrimination in the workplace and to protect women against pregnancy discrimination. And that's why we support passing the Healthy Families Act, broadening the Family and Medical Leave Act, and partnering with states to move toward paid leave.

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We understand that women’s rights are civil rights. That’s why we reaffirm our support for the ERA, recommit to enforcing Title IX, and will urge ratification of the Convention on the Elimination of All Forms of Discrimination Against Women. That’s why we are committed to ending violence against women, why Vice President Joe Biden originally wrote and championed the Violence Against Women Act during his time in the Senate, and why we support reauthorizing and strengthening it now. The President and the Democratic Party believe that women have a right to control their reproductive choices. Democrats support access to affordable family planning services, and President Obama and Democrats will continue to stand up to Republican efforts to defund Planned Parenthood health centers. The Affordable Care Act ensures that women have access to contraception in their health insurance plans, and the President has respected the principle of religious liberty. Democrats support evidence-based and age-appropriate sex education.

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Protecting a Woman’s Right to Choose. The Democratic Party strongly and unequivocally supports *Roe v. Wade* and a woman’s right to make decisions regarding her pregnancy, including a safe and legal abortion, regardless of ability to pay. We oppose any and all efforts to weaken or undermine that right. Abortion is an intensely personal decision between a woman, her family, her doctor, and her clergy; there is no place for politicians or government to get in the way. We also recognize that health care and education help reduce the number of unintended pregnancies and thereby also reduce the need for abortions. We strongly and unequivocally support a woman’s decision to have a child by providing affordable health care and ensuring the availability of and access to programs that help women during pregnancy and after the birth of a child, including caring adoption programs.

Voting Rights. We believe the right to vote and to have your vote counted is an essential American freedom, and we oppose laws that place unnecessary restrictions on those seeking to exercise that freedom. Democrats have a proud history of standing up for the right to vote. During the Obama administration, the Justice Department has initiated careful, thorough, and independent reviews of proposed voting changes, and it has prevented states from implementing voter identification laws that would be harmful to minority voters. Democrats know that voter identification laws can disproportionately burden young voters, people of color, low-income families, people with disabilities, and the elderly, and we refuse to allow the use of political pretexts to disenfranchise American citizens.

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Freedom to Marry. We support the right of all families to have equal respect, responsibilities, and protections under the law. We support marriage equality and support the movement to secure equal treatment under law for same-sex couples. We also support the freedom of churches and religious entities to decide how to administer marriage as a religious sacrament without government interference. We oppose discriminatory federal and state constitutional amendments and other attempts to deny equal protection of the laws to committed same-sex couples who seek the same respect and responsibilities as other married couples. We support the full repeal of the so-called Defense of Marriage Act and the passage of the Respect for Marriage Act.

Firearms. We recognize that the individual right to bear arms is an important part of the American tradition, and we will preserve Americans’ Second Amendment right to own and use firearms. We believe that the right to own firearms is subject to reasonable regulation. We understand the terrible consequences of gun violence; it serves as a reminder that life is fragile, and our time here is limited and precious. We believe in an honest, open national conversation about firearms. We can focus on effective enforcement of existing laws, especially strengthening our background check system, and we can work together to enact commonsense improvements—like reinstating the assault weapons ban and closing the gun show loophole—so that guns do not fall into the hands of those irresponsible, law-breaking few.

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Public Safety, Justice, and Crime Prevention. . . .

We will continue to fight inequalities in our criminal justice system. We believe that the death penalty must not be arbitrary. DNA testing should be used in all appropriate circumstances, defendants should have effective assistance of counsel, and the administration of justice should be fair and impartial. That's why we enacted the Fair Sentencing Act, reducing racial disparities in sentencing for drug crimes. That's why President Obama appointed two distinguished jurists to the Supreme Court: Justices Elena Kagan and Sonia Sotomayor. Moving forward, we will continue to nominate and confirm judges who are men and women of unquestionable talent and character and will always demonstrate their faithfulness to our law and our Constitution and bring with them a sense of how American society works and how the American people live.

Advancing Universal Values

America's leadership extends beyond our economic prosperity and military might—it is also rooted in our enduring commitment to advancing a core set of universal values. These include an individual's freedom to speak their mind, assemble without fear, have access to information, worship as they please, and choose their own leaders. They also include dignity, tolerance, and equality among all people, and the fair and equitable administration of justice. The United States was founded upon a belief in these values, and people of every race, region, and religion around the globe have claimed these principles as their own. The President and the Democratic Party believe that nations that embrace these values for their citizens are ultimately more prosperous, peaceful, and friendly to the United States than those that do not.

Staying True to Our Values at Home. We must always seek to uphold these values at home, not just when it is easy, but, more importantly, when it is hard. Advancing our interests may involve new actions and policies to confront threats like terrorism, but the President and the Democratic Party believe these practices must always be in line with our Constitution, preserve our people's privacy and civil liberties, and withstand the checks and balances that have served us so well. That is why the President banned torture without exception in his first week in office. That is why we are reforming military commissions to bring them in line with the rule of law. That is why we are substantially reducing the population at Guantánamo Bay without adding to it. And we remain committed to working with all branches of government to close the prison altogether because it is inconsistent with our national security interests and our values.

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Internet Freedom. The Obama administration has led the world to recognize and defend Internet freedom—the freedom of expression, assembly, and association online for people everywhere—through coalitions of countries and by empowering individuals with innovative technologies. The administration has built partnerships to support an Internet that is secure and reliable and that is respectful of U.S. intellectual property, free flow of information, and privacy. To preserve the Internet as a platform for commerce, debate, learning, and innovation in the 21st century, we successfully negotiated international Internet policymaking principles, support the current multi-stakeholder approach to Internet governance, and oppose the extension of intergovernmental controls over the Internet.

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