

Case #2: Churches as Polling Places

Political philosophers agree that the single most crucial requirement for a democracy to function is for those who are governed to have a say in how they are governed. This is usually accomplished by a significant portion of voters regularly participating in elections. Historically, one of the devices used to discourage segments of the population from voting has been to make polling places difficult to reach. To guard against such manipulation of the electorate, most municipalities work to distribute polling places in such a way as to make access easy for all voters.

That access includes not only proximity to voters' places of residence or employment, but also ease of entry and exit, sufficient space for voting booths and other paraphernalia, and public right of entry for the period of voting. That generally excludes places of commerce and industry because the comings and goings of voters would surely interfere with normal business. Similarly most governmental structures would find voting operations interfered with regular operations. Schools seem to work well because they have areas (like gymnasias) that can be used for an occasional day without severely disrupting education. But in some locales, schools are not distributed uniformly across populations.

The other semi-public structures whose ordinary functions are not seriously impeded by elections are places of worship. Most congregations welcome non-member visitors, have large, usable, open spaces, and do not have significant numbers of congregants using their facilities on Tuesdays – the most common election day.

But a problem occurs when individuals are uncomfortable going into houses of worship other than their own. An observant Jew, Rob Meltzer was deeply troubled by the prospect of entering a Methodist church and has since voted by absentee ballot while trying to persuade local officials to move polling stations in the church and a Catholic school to secular sites, saying the current locations infringe on voters' constitutional rights. Some are also concerned that as churches often have political agendas, making churches into polling places increases the amount of influence a church could wield, consciously or subconsciously, over those voting in the church.

Selectmen (those in charge of the logistics of polling places) in the Boston area have refused, saying the practice is widely accepted and that logistics make the church the only sensible spot. They argue that proof that the location of polling places in religious structures does not interfere with a voter's rights is proven by Meltzer's own case. According to his claim he has been free to vote by absentee ballot (and has done so) so as to avoid the "uncomfortable" location.