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Vote Suppression is an Old Game Solidarity America By John Funicello BC Columnist

With voter suppression sweeping the nation, anyone who is in favor of a political system that is free and democratic should be wary of new laws that restrict voting or make voting dependent on an official identification document.

Right now, the estimate is that about 5 million Americans are being, or will be, scrubbed from the voter rolls in various states across the country. According to *Bloomberg News*, 18 states have passed voter suppression laws and another 12 have such laws in the works.

Right-wingers have created this “problem” of voter fraud out of whole cloth and the Republican Party has fallen into lockstep. They can’t seem to dream up voter suppression laws fast enough. But, how much of a problem is voter fraud that it would take up so much time and energy of legislatures?

It’s this much of a problem: in the scheme of American life, shark attacks are extremely rare (like being struck by lightning twice). Voter fraud is so rare in the U.S. that a shark attack is 30 times more likely to occur than voter fraud. So, why are Republicans so frothingly pursuing voter ID laws? Simply, to suppress the vote among people who might vote for Democrats.

Under these laws, all people who might not have a driver’s license as part of their daily life would have to make an effort to get an official ID. Many people of color, the elderly, students, the disabled, the poor,

and others would likely not be able to easily get one and, for many of those, the cost is prohibitive (it can be upwards of \$100 or more).

Just think about it. As many as five million voters are likely to be denied their voting rights, and this is nearly a half-century after the landmark Voting Rights Act. This unthinkable circumstance is happening across the country, just as it happened in backwater counties in the South after the Civil War.

The Black Codes that were in effect in the South denied former slaves and their subsequent generations not only their voting rights, but their human rights. Their very humanity was being denied, even though the bloody war had been fought and slavery had been abolished. The power structure had its ways to maintain control and to maintain white supremacy, even though the law of the land (the constitutional language notwithstanding) said that everyone was free, human beings could not be owned, and everyone could participate in the political process.

Every effort was made to control freed slaves and, more importantly, to control their labor, their movement about the country, and to maintain the illusion of inherent inferiority of the freed slaves and anyone who resembled them (including African Americans who had been free for many years).

Voter suppression took on many guises at that time: the instilling of fear in the new potential voters, through terrorism of groups like the Klan, and a more subtle form (if you can call it that), the institution of poll taxes. The Voting Rights Act was intended to remove obstacles to the exercise of the voting franchise of all Americans and that seemed to be the way it was headed, until now.

Nearly 20 years ago, the so-called motor-voter laws allowed people to register to vote at their local motor vehicle office, as well as through the usual voter registration processes. But that was seen widely by some as a benefit to Democrats, rather as a means to bring more citizens into the process.

Jonathan Alter, writing for *Bloomberg News* earlier this summer, and noting the numerous states that have passed voter suppression laws, said, "Michigan's bills attack the League of Women Voters by requiring some volunteers to attend state-approved training sessions before they can register voters. The catch is that the bill makes no provisions for such sessions. Ha! It does threaten them with penalties for

registration offenses that aren't specified. The bill is modeled on Florida's, parts of which a federal judge invalidated May 31 because he said they had 'no purpose other than to discourage' constitutionally protected activity."

If people of color, the poor, students, and others are seen to lean toward voting Democratic, especially in presidential elections, it stands to reason that the Republicans will make every effort to keep them from voting. The American Civil Liberties Union (ACLU) reported this summer that it had "already won critical legal battles in Virginia and Missouri."

In early June, the ACLU won a federal court ruling that blocked key provisions in Florida's new voter suppression laws, which "discourages voter registration drives..."

"The new law was so punitive and technical that groups such as the League of Women Voters stopped registering voters altogether, rather than risk fines and prosecution," said the ACLU. As result, the rights organization noted, "100,000 fewer Floridians registered to vote in the months since Florida's new law took effect than during the same period in 2008 - this in a state that famously decided the 2000 Bush-Gore presidential election by 537 votes."

Nationwide, the League of Women Voters has been registering voters and teaching them how to exercise their fundamental rights for nearly 100 years and, thanks to the efforts of the ACLU, the LWV once again can begin registering voters in Florida. The litigation works, although it may take time to defend the rights of citizens, but the ACLU also is launching a "Let me Vote" campaign, a national effort to educate the electorate about their rights, through the media and directly to the general public (www.aclu.org/letmevote). The group will use op-ed pieces, public service announcement, advertising, and social media, along with other methods.

The history of voter suppression in the U.S. is long, starting with the drafting of the U.S. Constitution, which counted some inhabitants as three-fifths of a human, while others counted as whole human beings. The latter were the ones who had a vote (but there were even restrictions put on those who counted as a whole human), while all the rest, including women (no matter who they belonged to, and that term is purposefully used), could not vote.

It was after the Civil War and the official abolition of slavery that those who controlled elections became very creative in finding ways to continue that control. There were laws passed prohibiting anyone who was convicted of a felony from ever voting. Those were days when freed slaves and their families were very hungry, literally. There was little experience on the part of the newly freed of working for wages and there were few jobs they could get. Those in power wanted to keep it that way. How could they do that? For one thing, they could make it a felony for anyone to steal a chicken, and they did. Steal a chicken to feed your family and you would not be allowed to vote... ever.

Voter suppression has been brought up to date and sometimes it is subtle, maybe even inadvertent. For example, *Sojourners* magazine recently pointed out, "According to a recent story in *The New York Times*, rural Alabama resident Gina Ray was locked up for over a month because she couldn't pay fees and fines related to minor traffic offenses. Speeding while being poor shouldn't land someone in jail. These punishments don't fit the crime; they only help the companies that profit from people's misery.

Usually, prison time means a felony. Does this mean that Ms. Ray will be prohibited from voting because of her go-around with the Department of Motor Vehicles? Or, with some local jurisdiction? Sounds like old times.

The right to vote for hundreds of thousands of Pennsylvania voters could be affected by the recently upheld voter ID law. Even though the state's Department of Transportation is making every effort to provide picture IDs, including for those who do not drive, there is bound to be a deterrent effect on the numbers of Pennsylvanians voting in November. There are just too many who are too old, infirm, or disabled who might be able to make it to their voting locations, but it would be just too much to get an ID (even at minimal cost) and then vote. There is no estimate of how many thousands would be so affected.

Viewed as a national phenomenon, voter suppression today is as pervasive and creative as it was in the post-Civil War South. But then, many of the Republicans who are today involved in the voter suppression efforts in so many states are heirs of the Dixiecrats who fled to the GOP after Lyndon Johnson signed the Voting Rights Act all those decades ago. Their Reconstruction attitudes about universal voting rights are alive and well in America in 2012.

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