

# SOUTHERN EXPOSURE

JOURNAL OF THE PROGRESSIVE SOUTH

WINTER 2002/2003 \$5.00

ONE  
VOTE

## THE RIGHT TO VOTE

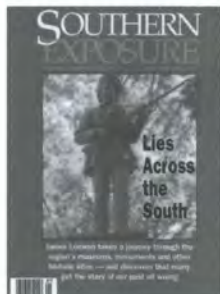
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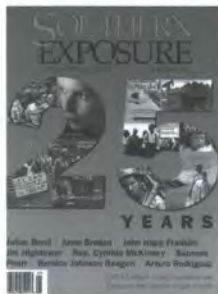
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## SOUTHERN EXPOSURE

**SOUTHERN EXPOSURE** has been published since 1973 by the Institute for Southern Studies. With its combination of investigative reporting, historical perspective, oral histories, photography, and literature, the magazine has earned a national reputation. The magazine has received several Project Censored Awards; the Sidney Hillman Award for courageous reporting on racial injustice; two Alternative Press Awards for best regional publication; a National Magazine Award; and the John Hancock Insurance Company award for economic reporting.

**THE INSTITUTE FOR SOUTHERN STUDIES** is a nonprofit center working for progressive change in the region. Since its founding in 1970, the Institute has sponsored research, education, and organizing programs to (1) build the capacity of grassroots organizations and communities with strong local leadership and well-informed strategies, (2) provide the information, ideas, and historical understanding of Southern social struggles necessary for long-term fundamental change, and (3) nourish communication, cooperation, and understanding among diverse groups.

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COVER PHOTO: Herbert Randall

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WINTER 2002/2003

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**SOUTHERN EXPOSURE** is published quarterly by the Institute for Southern Studies, a non-profit research, education and publishing center founded in 1970 to work for social, political, and economic change in the region. Views expressed herein do not necessarily reflect the views of the Institute.

Southern Exposure

Institute for Southern Studies

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**SUBSCRIPTIONS** for Southern Exposure are available with a membership in the Institute for Southern Studies at the following rates:

- \$24/year for individuals (\$45 for two years; \$65 for three years)
- \$35/year for libraries, institutions, businesses and government agencies (\$68 for two years; \$100 for three years)

Please add \$12 for surface mail postage outside the U.S.

For subscription orders, changes of address, and other subscription inquiries, please contact: Circulation Department, P.O. Box 531, Durham, NC 27702, or call (919) 419-8311 x21 or e-mail circulation@southernexposure.org

**LETTERS TO THE EDITOR** are welcome at letters@southernexposure.org or by mail to SE Letters, P.O. Box 531, Durham, NC 27702.

**SUBMISSIONS:** Manuscripts and photos may be submitted if accompanied by a self-addressed, stamped envelope. Address all correspondence and requests for writer guidelines and sample issues (\$5) to the address above.

**SOUTHERN EXPOSURE** is indexed in Alternative Press Index, The American Humanities Index, and Access: The Supplementary Index to Periodicals, and is available on microfilm from University Microfilm, 300 North Zeeb Road, Ann Arbor, MI 48106. Periodical postage is paid at Durham, NC 27702 and additional offices. ISSN: 0146-809X. Post Office No. 053470, POSTMASTER: Send form 3579 with address changes to Southern Exposure, P.O. Box 531, Durham, NC 27702.

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## “No Effort to Attain Something Beautiful is Ever Lost”

On an overcast October day last fall, standing before a sparse crowd in the small northwest town of Tuscumbia, Alabama, Governor Don Siegleman had a momentous announcement to make.

The state was on the brink of becoming the 22nd in the country to issue its own specialized quarter, and the coin's design, which Siegleman was about to unveil, would feature one of Alabama's most gifted natives: Helen Keller.

The story of Helen Keller that was reported in the wake of Gov. Siegleman's ceremony is one many people are familiar with. Born in 1880, Keller was abruptly struck at the age of 18 months with a brain fever that would rob her of hearing and sight for the rest of her life.

Keller's courage in overcoming her deafness and blindness was legendary, and is what likely prompted school kids across Alabama to lobby the governor to feature Keller's image on the coins, which will come out next April. As the governor said, "Helen Keller's struggle and her optimistic spirit of determination represent all that is good in the human race and in Alabamians."

The words rang true. But there's another side to Helen Keller that wasn't told at the press conference on the lawn of Keller's Tuscumbia birth home, or in most media accounts that followed – even though it was the part of Helen Keller that perhaps most reflected the spirit of struggle and determination that made up her life.

Helen Keller was a radical. Swept up into the burgeoning labor, feminist, and other social movements of the early 20th century, from early on Keller proudly declared herself – to the chagrin of establishment figures who (often patronizingly) lauded her triumphs in the face of disability – a socialist.

Keller was unrelenting in her criticism of a society ruled by the wealthy few. She observed that "The country is governed for the richest, for the corporations, the bankers, the land speculators and for the exploiters of labor."

The drive for profit, Keller believed, was connected to the drive for war. As she argued on the eve of the First World War, "The few who profit from the labor of the masses want to organize the workers into an army which will protect the interests of the capitalists." Faced with a deadly conflagration between European powers, Keller called on the working masses – heavily influenced at the time by the militant Industrial Workers of the World, or "Wobblies," and Eugene Debs's popular Socialist Party campaign for president, both of which she fervently supported – to resist the war machine:

Strike against all ordinances and laws and institutions that continue the slaughter of peace and the butcheries of war. Strike against war, for without you no battles can be fought. Strike against manufacturing shrapnel and gas bombs and all other tools of murder. Strike against preparedness that means death and misery to millions of human beings. Be not dumb, obedient slaves in an army of destruction. Be heroes in an army of construction.

The great strikes didn't happen, and war engulfed the world. U.S. politicians used the war as a pretext for crushing domestic dissent and the movements of which Keller was a part. Most infamous were the 1919 Palmer Raids, in which Attorney General A. Mitchell Palmer arrested and otherwise destroyed the lives of thousands of supposedly "unpatriotic" Americans, targeting in particular 249 "resident aliens" because they had little legal recourse to resist.

But up until her death in 1968, despite the ebbs and flows of the "mighty mass movement," Keller took comfort in having cast her lot with those fighting for justice and peace. As she once said, "Remember, no effort that we make to attain something beautiful is ever lost."

## The Right to Vote

"We, the people, are not free. Our democracy is but a name. We vote? What does that mean? We choose between Tweedledum and Tweedledee."

– Helen Keller, 1911

I'd bet an Alabama quarter that most people in this country, at one time or another, have felt the same way about voting as Keller did in 1911 – probably as we're scurrying to our obscurely-located precinct, before or after work, wondering if it's all worth the hassle.

One could say that millions of Americans answer the question of "is voting worth it" each campaign season through their actions. In the 2000 elections, roughly half of the nation's voting-age citizens didn't make it to the polls, which has left us with the lowest rate of voter participation in the industrialized world.

Maybe folks pass up the poll booth because they sense they're not being given real choices. They are in tacit agreement with Ms. Keller, not to mention populist Jim Hightower, who titled his latest book "If the Gods Had Meant Us to Vote, They'd Have Given Us Candidates."

Maybe so many of us boycott elections because of the near-total takeover of big money in politics, which has tipped the scales against average citizens so completely that we no longer see the point. Maybe it's because it's just so damn hard to register, read up on the candidates, and find time on election day to cast a ballot.

And surely some, consciously or not, side with Helen Keller's anarchist fellow traveler and Palmer Raid deportee, Emma Goldman, who said: "If voting changed anything, they'd make it illegal."

I'm sure that civil rights workers, such as those registering poor African Americans during Freedom Summer in rural Mississippi, pondered such questions as police clubs smashed against their heads and bullets riddled the houses and offices of those who dared to speak out for the franchise.

Organizers of the 1960s Southern freedom movement had few illusions about the purity of U.S. democracy. Indeed, as SNCC leader John Lewis – another great Alabama native – observed in his speech to the 1963 March on Washington, American politics is "dominated by politicians who build their careers on immoral compromises and ally themselves with open forms of political, economic and social exploitation" – a situation requiring not just marking a ballot every few years, but a "great social revolution."

The young men and women who risked their lives for basic civil rights knew voting wasn't everything. But they also understood the significance of the vote, not only as a tool of democracy, but also as a touchstone issue – like education or health care – that helps us understand broader conflicts in our communities and country.

Today, laws that strip millions (a disproportionate number of them black) of the right to vote due to felony convictions, even after they've served their time, are links in the chain of a prison-industrial complex that locks up a larger share of our country's population than South Africa.

The system of legalized bribery called campaign contributions is merely one tool at the disposal of those who hold inordinate wealth and power in every facet of political and economic life. The lack of seriousness about voting reform at all levels of government, while millions are disfranchised, reveals a country that honors democracy more as mythology than reality.

While insisting on voting rights may help remedy the divisions and injustices in our country, voting alone can't be expected to heal our social ills. Such change, we know from history, comes only when great numbers of people join together around a shared sense of purpose, and use every means at their disposal – not just the ballot box – to force change.

A symbol of our country's ideals, a barometer of the state of society, an imperfect instrument for social change – voting is all of these, and more. As long as this most elemental building block of democracy remains under attack, we must defend the right to vote.

CHRIS KROMM  
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*NOTE: This full-length issue of Southern Exposure devoted to voting rights in the South complements the Special Election Edition that was released before the 2002 elections last November. The special edition featured two investigations not found in this issue: Greg Palast's expose of how Florida again disenfranchised tens of thousands of voters wrongfully labeled "felons," and Steve Landry's in-depth reporting on St. Martinsville, Louisiana – a town that, due to racial divisions, didn't hold elections for over 10 years.*

*The special issue also included three pieces reprinted in this edition: "The State of Voting," "Five Ways to Protect Your Right to Vote," and "Election Investigation."*

*For copies of the Special Election Edition (\$5), please use the form at the back of this issue, call (919) 419-8311 x21 to make a credit card order, or visit our website: [www.southernstudies.org](http://www.southernstudies.org)*

## A Little Help (and a Big Boost) from Our Friends

This spring, *Southern Exposure* returned after taking a two-year hiatus to raise money and create a sustainable business plan. We asked readers to help with our comeback effort by contributing to the *Southern Exposure* Re-Launch Fund. Many answered the call, helping raise much-needed resources to put *SE* on the road to financial independence.

Contributors to the Re-Launch Fund included:

Reuben and Victoria Adams; Anonymous; Courtney Bailey; William Barry; Mike Budd; Mary Bufwack and Bob Oermann; Minnie Carson; Naomi Chamberlain; Forest DeBeek; Fredric Dolezal; L.C. Dorsey; William Edwards; Catherine Fletcher; Lee Formwalt; Don & Joan Gildmeister; David Goldfield; Annkathryn Goodman; Victoria Gray; Jewell Handy Gresham; Hedy Hilburn; Ted Klitzkie; John Kneebone; Jonathan Kotch; Elizabeth Levenson; Lucy Lewis; Robert Markman; Eula McGill; T. Mitchell; Linda Moore; Susan Mumpower-Spriggs; Nan Grogan Orrock; Gwen Patton; Glenn Pratt; Amelie Ratliff; Thomas Reid; Martha Reiner; Forrest Roberts; Richard Saunders; Ed Sebesta; Neal Shepherd; Charles Sherrod; Nancy Sullivan; Willie Thompson; Jacques Turner; Charles Vincent; Bennett H. Wall; Jeffrey and Theresa Walsh; Susan Walton; Margaret Weitzmann.

Thank you for your support!

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## And the Winner Is...

This summer we also surveyed our readers about what they liked – and didn't like – about *SE*. We'll report on the survey results in the next issue. Survey respondents were entered into a prize drawing. Here are the winners:

### 1st Prize: \$100

**Penny Wheat** – Ms. Wheat is an Alachua County Commissioner in Gainesville, Florida. She said she finds *SE* useful in her work on the Commission; she also wants to see more coverage of Florida in the magazine!

### 2nd Prize: Free two-year subscription to *SE*

**Gwen Patton** – Ms. Patton is a longtime civil rights activist and scholar based in Montgomery, Alabama. She considers *SE* "required reading" as an organizer, and wants to see more coverage of campaign finance reform.

### 3rd Prize: Free one-year gift subscription to friend of your choice

**Charles Vincent** – Mr. Vincent is a professor at Southern University-Baton Rouge.

*Congratulations!*

## Field Work: The Institute in Action

### SOUTHERNERS

**FOR PEACE:** After the release of "Missiles & Magnolias: The South at War," a special issue of *SE*, editors Rania Masri, Chris Kromm, and Jordan Green (l-r, pictured here in Austin, Texas) toured the South to publicize the issue and stimulate

Photo courtesy of the Texas Observer



debate about the South's role in the war economy. Inspired by the warm reception to the issue – and the groundswell of interest in challenging the South's dependence on war – the Institute launched the Southern Peace Research & Education Center. Dr. Masri, who directs the Center, has since been featured on Fox National, NPR, *Politically Incorrect*, and other media outlets, and has spoken at dozens of conferences across the country. The Center has also launched a "Voices for Peace" Speaker's Bureau. For more information or to bring a speaker to your area, please contact [rania@southernstudies.org](mailto:rania@southernstudies.org) or visit [www.southernstudies.org](http://www.southernstudies.org)

## GEORGIA'S NEW McCARTHYISM

ATLANTA – When U.S. Rep. Cynthia McKinney (D-Ga.), one of the most outspoken progressive voices in Congress, lost in the Democratic primary in August to a little-known challenger, pundits saw it as punishment for her support of Palestinian and Arab-American causes. Major newspapers, especially the *Washington Post*



**Cynthia McKinney**

and McKinney's hometown paper, the *Atlanta Journal-Constitution*, played a central role in fostering this percep-

tion, linking her support from the Arab-American community to terrorism. In the weeks leading to the primary, the *Journal-Constitution* resurrected and bestowed mainstream credibility on charges made by an Atlanta-based right-wing group, the Southeastern Legal Foundation (SLF), several months earlier.

On April 16, a press release from the SLF accused McKinney of accepting campaign contributions from "terrorist-sympathetic organizations," including the American Muslim Council and the Council on American/Islamic Relations. According to the SLF, 21 percent of McKinney's individual contributors who gave more than \$101 in 2001 were "identifiably Arab or Middle Eastern-connected."

The conservative foundation's report attracted little attention at the time. But on June 22, 2002, the *Atlanta Journal-Constitution* returned to the issue, carrying a story headlined "Arab-American

dollars shore up McKinney." Like the SLF, the *Journal-Constitution* combed McKinney's contributors for "names that appear to be Arab-American or Muslim." While the article mentioned the SLF's criticism of McKinney's "terrorist-sympathetic" support, it did not point out that the right-wing organization had already done a similar study of McKinney's campaign contributions.

Then, with the date of the 2002 primaries (August 20) approaching, the *Journal-Constitution* ran another article on McKinney's campaign contributors, this time focusing on the supposed terror links already "exposed" by the SLF. Again like the SLF, the August 3 article by Bill Torpy listed several prominent Arab-American figures and institutions, such as Abdurahman Alamoudi, founder of the American Muslim Council.

The article did not mention political connections between some of these donors and other politicians, notably President George W. Bush. The American Muslim Council endorsed Bush for president, for example, and Alamoudi contributed to Bush's campaign in 2000 (though the contributions were later returned). He was also asked by the White House to appear at the National Cathedral memorial for 9/11 victims on September 14, 2001.

In addition, the *Journal-Constitution* failed to clarify what was meant by "Arabic-sounding names." A brief inspection of Federal Election Commission records by *Southern Exposure* revealed, for example, that among such names on McKinney's contributors' list is Atlanta Hawks' basketball star Sharif Abdur-Rahim, an African American and Georgia native.

Torpy also repeated an observation that had been making the rounds of right-wing websites: that some of McKinney's supposedly "terrorist"-related contributions were recorded on September 11, 2001. The article did contain an explanation from McKinney's campaign: that the contributions were from a fundraiser held days earlier, and were only coincidentally logged on Sept. 11. But her opponent, Denise Majette, embellished the charge in an August 9 television debate, saying (as paraphrased by the *Journal-Constitution*) that "McKinney had taken campaign contributions from Arab terrorists on Sept. 11."

Such criticism of McKinney's contributors amounted to "blatant Arab-baiting," according to Ziad Asali, president of the Arab-American Anti-Discrimination Committee. "Those who would seek to smear Arab Americans and candidates to whose campaigns they contribute as 'supporters of terrorism' are peddling simple, unadulterated racism."

As the *Congressional Quarterly* and other publications have noted, the coverage of McKinney's Arab-American support coincided with an upsurge in donations to her opponent. On August 13, the *Journal-Constitution* reported that Majette, who had by the end of June been way behind in the fundraising race, had since then "outdrawn McKinney nearly 7-1 in contributions," mostly from out-of-state donors. "McKinney's the radical Muslims' representative in Congress," a New York financier who contributed to Majette's campaign told the *Journal-Constitution*. "She had all this Arab/Muslim money that wasn't allowing Majette a say. All this money does is give Denise Majette her say."

– Gary Ashwill

## MIAMI SAYS NO TO HATE

### FLORIDA VOTERS REFUSE TO ROLL BACK PROTECTIONS FOR GAYS AND LESBIANS

MIAMI – A 25-year-old fight for lesbian and gay equality went full throttle this September over a hotly contested ballot initiative in Florida's Miami-Dade County. Backed by the Christian Coalition and Take Back Miami-Dade, the initiative sought to remove "sexual orientation" as a protected category from the county's human rights ordinance, leaving gays and lesbians vulnerable to discrimination from employers, banks and housing authorities. With help from the National Gay and Lesbian Task Force, the SAVE Dade – No To Discrimination Campaign garnered enough support to defeat the proposal, listed as "Question 14" on the ballot. Over 80 volunteers from across the country gathered in Dade County to help fuel the campaign. The proposal failed by six percentage points, and sexual orientation remained on the books. Kathleen Campisano, a volunteer from the Louisville Fairness Campaign, remarked, "I didn't know what the projection was [for the vote]. I always knew it would be close and was thrilled with 53 percent."

Both sides pushed for support in the African American and Cuban communities. Take Back Miami-Dade, co-chaired by Eladio Armesto-Garcia, a Cuban-American and local Republican politician, and Nathaniel Wilcox, an African-American and former civil rights activist, strategically enlisted churches in African American and Cuban communities to favor the repeal. SAVE Dade gathered support from the NAACP, Rep. Carrie Meek (D-Fla.) and the Urban League of



**In 1977, Florida orange juice spokesperson Anita Bryant campaigned against gay rights in Miami.**

Greater Miami, not to mention famous figures like Gloria Estefan and Coretta Scott King.

With civil rights and legal watchdog groups heading to Florida to observe the polls, the world's eyes were focused on how the Sunshine State would treat its voters this election. Every precinct in Florida used a new computer "touch screen" system that was supposed to keep election day running smooth. However, by 8:30 a.m. on September 10, hundreds of voters had been turned away at about 50 precincts because the computers were not working. To compensate for the computer glitches, polling hours were extended from 7 pm to 9 pm.

Emily Haddad, a volunteer for SAVE Dade from New York City who worked at a precinct in northeast Miami-Dade County, remembered "seeing so many folks leaving the polling site just after it opened and grumbling

about 'not again'. Most of these folks were African-American and I saw only half of them come back later in the day."

Electoral irregularities were already in the news during this campaign, and not just because of the 2000 Presidential "selection." Although Miami-Dade Elections Supervisor David Leahy approved the pro-repeal petitions, he found enough suspicious names to begin an investigation. In August, authorities arrested Anthony Verdugo, head of the Miami-Dade Christian Coalition and board member of Take Back Miami-Dade, and three others on charges of falsely certifying petitions. The Florida Elections Commission also fined the pro-repeal group for repeatedly violating campaign finance laws.

The September 10 vote was not the first time voters have faced the issue of anti-discrimination for gays and lesbians in Miami-Dade County. In 1977, former beauty queen Anita Bryant initiated the "Save Our Children" campaign, which succeeded in getting a similar law repealed by almost 40 percentage points. The victory was a huge boost for the religious right, and unleashed a campaign to roll back gay rights ordinances across the country. It took 25 years to get protections for gays and lesbians back on Miami-Dade County's human rights ordinance, and the "no" vote on Question 14 helped secure an important victory for equal rights in an electoral hot spot.

– Kim Diehl

## WATER WARS

### WILL ATLANTA'S THIRST DRY UP THE SOUTHEAST?

APALACHICOLA, Fla. – In the popular imagination across broad swaths of the deep South, Atlanta



has assumed the shape of a water-guzzling bogeyman, a city whose uncontrolled expansion threatens to deplete the region's dwindling water resources.

Though carpeted in forests and lush farmlands and coursed by countless streams, the Chattahoochee River basin in Georgia, Alabama, and Florida is the focus of one of the nation's most rancorous water wars.

Because of drought and the seeming collapse of bitter tri-state negotiations, 2002 may go down as one of the most heated years in the increasingly storied annals of the battle over the Chatahoochee's water.

South's prosperity.

The Chattahoochee begins in the Appalachian Mountains, providing 70 percent of Atlanta's water needs before winding along the Alabama border, through the Florida Panhandle, and spilling into Apalachicola Bay on the Gulf of Mexico.

With its course through the heart of the South, the river has long been celebrated in song and verse. Nineteenth-century Southern poet Sidney Lanier wrote an ode to the river called "Song of the Chattahoochee." In one recent hit, country music star Alan Jackson croons of the river, "Never knew how much that

they've gotta have water."

In March, negotiators gathered in Tallahassee and solemnly announced their "sorrow" at failing to reach a deal that was meant to regulate use of the Chattahoochee River basin's water for 50 years. Weeks earlier, they had reached a tentative agreement, but Georgia accused Florida of trying to place caps on metro Atlanta's water intake. Florida negotiators, citing "irreconcilable differences," said not having a deal was better than signing a compact that would jeopardize the water needs of the state's coastal fisheries and wildlife.

That sentiment was echoed in the picturesque, bayside fishing town of Apalachicola, where a fragile and economically vital oyster industry depends on the Chattahoochee's infusions of freshwater to stay productive. Since the talks collapsed, the water war will likely enter the federal court system and may end up being settled by the U.S. Supreme Court, the final arbiter in interstate disputes. The court could take the unprecedented measure of ordering officials to place curbs on Atlanta's growth.

That's what it may take for Atlanta to finally "put the brakes on," said John F. Lee, general manager of the *Apalachicola Times*. "We thought the fact that the talks broke down wasn't really such a bad thing," he said. "There were too many unanswered questions." This summer's drought underscored why down river communities like Apalachicola want assurances that a water sharing formula would meet their needs, even through dry spells, Lee said.

Woody Miley, director of the Apalachicola National Estuarine Research Reserve, said the drought had adverse impacts on the oyster industry, and

(cont. on page 10)



**Last summer's drought underscored the importance of a water sharing plan that would meet the whole region's needs.**

The water war has pitted clashing visions of the South against one another, as communities sharing the river advocate for their contrasting lifestyles. In an idyllic corner of Florida, residents dependent on traditional fisheries are hopeful that Atlanta will be forced to check its unbridled sprawl. Denizens of the congested, smog-bound metropolis wonder why the fate of a handful of fishermen and a few patches of marshland should trump the city's role as a model of the New

muddy water meant to me."

But urban developers know the Chattahoochee's real value. With no natural obstacles in the way, water availability is the only real barrier to growth in Atlanta's metro area, which already is home to 4 million people, double the population 20 years ago. Buddy Ward, 66, whose family has been working Apalachicola Bay since the 1930s, sounds fatalistic when he says: "Atlanta is the hub of the South. They've got that tremendous population, and

## BAD BUSINESS

### THE LOWDOWN ON CORPORATE SCANDAL IN THE SOUTH

The South is no stranger to big-business misbehavior, as the recent wave of accounting scandals and energy market manipulation shows. However, few (if any) have pointed out that a disproportionate number of the corporations involved are headquartered in the South.

Feeling overwhelmed by the sheer number (and complexity) of corporate meltdowns? Frustrated by the mainstream media's preference for war propaganda and sensational serial killers? Check out this quick guide to Southern corporate crime:

**ENRON** – From 1993 to 1999, the now-bankrupt Houston-based energy giant Enron created almost 3,000 off-the-books partnerships, limited liability companies, and affiliates in order to obscure debts of over \$1 billion and manipulate energy prices in California and Texas, while simultaneously lining the pockets of executives. A federal probe has also been investigating whether or not the company bribed foreign governments to win contracts overseas. The company's auditor, Arthur Andersen, admitted to shredding incriminating documents, and has already been found guilty for obstruction of justice. CEO Kenneth Lay resigned in January 2002, and in August, Michael Kopper, ex-managing director of global finance, pled guilty to charges of money laundering and wire fraud, which led to the indictment of Andrew Fastow, former CFO, for securities fraud, wire fraud, money laundering,

and conspiracy.

Also in August, the Federal Energy Regulatory Commission (FERC) launched a formal investigation of three Enron affiliates for allegedly manipulating California energy markets. In October, Timothy Belden, the head of Enron's Portland, Ore., office, pled guilty to conspiracy in the first public acknowledgement of criminal activity connected to the 2000-2001 energy crisis.

**WORLD.COM** – Worldcom, Inc., of Clinton, Mississippi, the nation's second largest long-distance company, has admitted to wrongly listing over \$7 billion of expenses as capital expenditures from 1999 to the first quarter of 2002. Without the misleading error, the company would have reported a net loss over that period. In July 2002, with assets of \$107 billion, the company filed for the largest bankruptcy in U.S. history. WorldCom also gave \$408 million in low interest loans to former CEO Bernard Ebbers so he could buy shares in the company. Ebbers resigned just seven weeks before the scandal broke. Former CFO Scott Sullivan and former controller David Myers have been indicted on charges of securities fraud and making false filings to the Securities and Exchange Commission (SEC).

**DYNEGY** – Another energy trader headquartered in Houston, Dynegy, Inc. participated in "round-trip" or "wash" energy trades, in which Dynegy and a partner company bought identical amounts of energy from each other for the same price, in order

to inflate revenues and trading volume. The SEC has also investigated the ominous-sounding "Project Alpha," a complex series of natural gas trades and accounting maneuvers, helped along by a \$300 million loan from Citigroup, that boosted Dynegy's operating cash flow by 37 percent and cut the company's taxes by \$79 million. CEO Chuck Watson resigned in May 2002. Dynegy agreed to pay a \$300 million penalty while neither admitting nor denying the SEC's findings.

**EL PASO CORPORATION** – Round-trip trades also helped inflate the revenue of El Paso Corporation, a Houston-based natural gas company. Investors and shareholders have filed a lawsuit charging that the company engaged in "wash" trades using an off-the-books Cayman Islands company called Gemstone, which allowed El Paso to keep \$950 million off its balance sheet. The company has repeatedly denied its involvement in these sham trading practices.

**EL PASO ELECTRIC COMPANY** – This west Texas utility, not to be confused with the El Paso Corporation (above), is under formal investigation by the FERC for manipulation of California energy markets in 2000-2001.

**HALLIBURTON** – Dallas-based Halliburton, formerly run by Vice President Dick Cheney, booked cost overruns of over \$100 million on energy-related construction jobs as additional revenue before customers agreed to pay for them, thus inflating

the value of the company's stock. Judicial Watch, a conservative watchdog group better known for its seemingly endless series of legal assaults on Bill and Hillary Clinton and members of the Clinton administration, has filed suit against Cheney and members of the board of directors, charging that they defrauded investors. CFO Doug Foshee has claimed the allegations are "untrue, unsupported, and unfounded."

**ADELPHIA** – The Pennsylvania-based cable company Adelphia, which has a significant presence in Nashville and bought the right to name the Tennessee Titans' stadium (Adelphia Coliseum), filed for bankruptcy in March 2002. By June, the Titans had changed the name of their stadium. The month after that, founder John Rigas, two of his sons, and two other executives were arrested, handcuffed, paraded before television cameras, and charged with conspiracy to commit fraud. According to the U.S. Justice Department and the SEC, beginning in 1999 the five men had concealed billions of dollars of debt and personally looted the company for hundreds of millions.

**RELIANT RESOURCES** – Another Houston-based company, Reliant Resources, was one of the first to admit to participating in round-trip trading, when news reports began to surface about suspect deals with CMS Energy (Michigan-based, with important offices in Houston and Jackson, Miss.) and EnCana (a Canadian company, with much of its energy market-

ing done out of a Houston office), among other companies. Two Reliant executives resigned in May when news of the trades broke.

**DUKE ENERGY** – headquartered in Charlotte, N.C., Duke Energy engaged in 89 round-trip trades from January 1999 through June 2002, inflating the company's revenues by \$217 million. Two employees at Duke's Houston offices have since been fired. Duke claimed the effects of those transactions on financial statements was "immaterial," but later admitted that the trades had "no legitimate purpose." A class-action lawsuit on behalf of shareholders claims that round-trip trading resulted in a \$1 billion overstatement of revenue over three years.

**MIRANT CORPORATION** – After conducting an internal review, Atlanta-based Mirant Corporation uncovered what it called "honest mistakes" that may have inflated revenue by as much as \$1.1 billion. Mirant, the biggest natural gas trader in North America, is currently cooperating with an "informal" inquiry by the SEC.

**HARKEN ENERGY** – Then there's a series of older scandals receiving new attention: George W. Bush's involvement with another Houston outfit, Harken Energy, the corporation that in 1986 bought out Bush's failed oil company, awarding Bush a seat on its board and a \$100,000 a year consultancy. In 1989, company insiders kept its stock prices artificially inflated by borrowing

Harken money to purchase a subsidiary – Aloha Petroleum – at an unrealistically high price, allowing Harken to conceal \$8 million in losses. In 1990, Harken collaborated with Harvard University's endowment on an off-the-books partnership to conceal losses and keep the company afloat. A key member of the endowment's board, Robert Stone, Jr., described by *The Wall Street Journal* as "the person with the most influence over the endowment for decades," was a political supporter of Bush's father.

In June 1990, Bush sold his Harken stock for more than \$800,000 in order to buy into the Texas Rangers, but failed to report the sale to the SEC (the SEC's general counsel at the time, James Doty, had been Bush's personal attorney). In August, Harken disclosed an operating loss of \$23 million, whereupon its stock price took a nosedive. In April 1991, Bush finally reported his stock sale to the SEC, eight months after the law required that he do so.

To top it all off, employees have recently filed lawsuits against Enron, Duke Energy, WorldCom, and Dynegy, charging that the companies mishandled their 401(k) plans.

– Crystal Taylor and Gary Ashwill

Sources on file at the Institute for Southern Studies.

Look for further coverage of the Southern energy empire in future issues of Southern Exposure.

(cont. from page 7)

demonstrated how quickly fisheries are affected by lack of freshwater. Last summer, as the streams feeding the Chattahoochee dried up, and the river itself sank lower in its banks, saltwater began moving deeper into the bay, bringing predators like the dreaded Oyster Drill, a slug-like creature that pierces shells to get at its prey. These aquatic pests and others threaten Apalachicola Bay's economic lifeblood, the \$14 million a year oyster industry.

For Miley, there is a simple reason why the states can't arrive at a deal. "Some of the user groups are trying to get more of their fair share of a finite resource," he said. Miley points to metro Atlanta developers and Georgia and Alabama agribusiness, including corn, peanut, and soybean farmers who use intensive irrigation, especially in drought years. In Atlanta, Georgia's chief water negotiator, Bob Kerr, has said that it is an issue of providing enough water to meet all taxpayers' needs. Atlanta is the economic engine of the region; as they juggle big-city issues such as highway gridlock, crime and housing, many city residents simply don't want to accept the reality of water scarcity.

To Miley, manager of the Apalachicola reserve, the pressure on resources across the South is a warning sign of the need for a new regional ethic for resource-sharing. In the end, the entire region has a stake in preserving waterways for future generations. "If Atlanta could capture every bit of the water coming down the Chattahoochee, you're still dealing with a finite resource," he said. "We need to somehow get away from the whole idea, 'I better get mine, before someone else gets it'."

— *Marcelo Ballve*

## War for Thee, But Not for Me: Southern Chicken Hawks

"Chicken hawk," according to Steven Fowle of the *New Hampshire Gazette*, "is a term often applied to public persons – generally male – who (1) tend to advocate, or are fervent supporters of those who advocate, military solutions to political problems, and who have personally (2) declined to take advantage of a significant opportunity to serve in uniform during wartime." With the help of the *Gazette's* "Chicken Hawk Database," together with our own research, we've put together a brief (and incomplete) list of prominent Southerners who fit the description:

### ■ SEN. LAMAR ALEXANDER (R-TENN.)

Alexander (born 1940) never served in the military, and the campaign of his opponent in the recent election (Bob Clement) said that Alexander "arranged a series of questionable draft deferments that kept him out of harm's way until he was just old enough to avoid being drafted." As a law clerk, he was exempted from the draft, but the Clement campaign claimed Alexander was really a "messenger" and "played in a band while others served, fought, and died."

### ■ REP. DICK ARMEY (R-TEXAS)

The former House Majority Leader (born 1940), who

briefly questioned the Bush Administration on its Iraq policy but now supports it (and has said that "I'm content to have Israel grab the entire West Bank"), received a college deferment during the Vietnam war.

### ■ REP. BOB BARR (R-GA.)

This former congressman (born 1948) has occasionally defended civil liberties against the onslaughts of the Bush Administration, but shored up his hawk credentials by supporting a unilateral attack on Iraq (and demanding that the practice of witchcraft be outlawed on military bases). He managed to avoid service in Vietnam through a college deferment.

U.S. Selective Service



A draft lottery in 1969.

### ■ GARY BAUER

Kentuckian Gary Bauer (born 1946), sometime presidential candidate and head of the Family Research Council, avoided Vietnam by going to college and law school. Bauer was later classified 1-Y (meaning he would only be drafted in a national

emergency) due to a "physical problem."

## ■ PRES. GEORGE W. BUSH

Like former Vice President Dan Quayle, President and Texan George W. Bush (born 1946) served in the Air National Guard during the Vietnam era – a well-known dodge in many states for the sons of influential families. "They could sense I was going to be one of the great pilots of all time," he once said of his fighter-jet prowess; but the military never made use of his talents overseas or in combat. In 2000, an investigation by the *Boston Globe* revealed that, for a full year in 1972-73, Bush is unaccounted for in military records. For part of that time, he was in Alabama working on a U.S. Senate campaign, but apparently didn't show up for mandatory drills.

## ■ GOV. JEB BUSH (R-FLA.)

The presidential brother (born 1953), just reelected governor of Florida, avoided military service by going to college (University of Texas, class of '73).

## ■ SEN. SAXBY CHAMBLISS (R-GA.)

Georgia's new Republican senator (born 1943) avoided military service in Vietnam with four student deferments and a knee injury some have charged was faked. Chambliss won office in part by impugning the patriotism of incumbent Sen. Max Cleland (D), a Vietnam vet who lost three limbs in the war.

## ■ VICE PRESIDENT DICK CHENEY

Cheney (born 1941) is originally from Wyoming, but headed Dallas-based Halliburton Corp. for several years. The Vice

President had, in his own words, "other priorities in the sixties than military service." Cheney relied on several student deferments and a marriage deferment to stay out of Vietnam.

## ■ REP. TOM DELAY (R-TEXAS)

At the 1988 Republican National Convention in New Orleans, DeLay (born 1947) claimed, in the words of Tim Fleck of the *Houston Press*, that during the Vietnam War "so many minority youths had volunteered for the well-paying military positions to escape poverty and the ghetto that there was literally no room for patriotic folks like himself." According to Molly Ivins, after DeLay left the microphone, a television reporter asked, "Who was that idiot?"

## ■ FORMER REP. NEWT GINGRICH (R-GA.)

This onetime Speaker of the U.S. House of Representatives (born 1943) stayed out of Vietnam with a college deferment.

## ■ SEN. PHIL GRAMM (R-TEXAS)

This retired senator (born 1942) avoided service in Vietnam through a marriage deferment.

## ■ SEN. TIM HUTCHINSON (R-ARK.)

## ■ FORMER REP. ASA HUTCHINSON (R-ARK.)

Just-defeated Republican Sen. Tim Hutchinson (born 1949) and brother Asa, former Congressman (born 1950) and current head of the Drug Enforcement Administration, both avoided service in Vietnam during their undergraduate days at Bob Jones University.



Illustration by Ted May

## ■ SEN. TRENT LOTT (R-MISS.)

The former Senate Majority Leader (born 1941) avoided service in Vietnam while upholding segregation in his fraternity at the University of Mississippi.

## ■ GERALD MCRANEY

Actor and conservative activist Gerald McRaney (Mississippian and "Major Dad"; born 1947) told a reporter he tried to enlist during the Vietnam War, but was turned away because he was married with a child. "When all the people of good sense were trying to get out of the military, 'rocket scientist' here was trying to get in," he said.

## ■ KARL ROVE

Bush adviser Karl Rove (born 1950) grew up in Colorado but moved to Texas in 1977 to work for Bush, Sr. He managed to stay out of Vietnam while serving as chairman of the College Republicans in the early seventies.

– Gary Ashwill

– Sources on file at the Institute for Southern Studies.

## NOT IN OUR TOWN

### ONE SOUTHERN COMMUNITY SAYS NO TO THE PATRIOT ACT

CARRBORO, N.C. – On June 25, 2002, this Piedmont town, adjacent to Chapel Hill, became the first Southern municipality to pass a resolution opposing federal legislation that permits, among other things, roving

Photo by Matt Robinson



Carrboro's fighting town hall.

wiretaps, indefinite detention for certain suspected criminals, and widespread violations of privacy rights among American citizens. The USA-PATRIOT Act, an anti-terrorism bill approved by Congress in the wake of the September 11 attacks on the Pentagon and World Trade Center, broadens law enforcement powers, expands governmental surveillance and seizure authority, and calls for increased federal expenditures in the name of combating terrorist groups and individuals.

The act builds upon existing federal legislation, refining the wording of many previous crime-control measures, but surpasses prior laws by introducing a new level of governmental intrusiveness. Citing Constitutional concerns over the bills' expansive

reach, more than 20 other American cities have passed resolutions opposing the anti-terrorist legislation, including Denver and Boulder, Colorado; Ann Arbor, Michigan; Berkeley, California; and several cities in Massachusetts.

The Carrboro resolution, which passed unanimously, expresses concern about the PATRIOT Act's effect on "fundamental rights and

liberties, including: freedom of speech, religion, assembly, and privacy; the right to counsel and due process... and protection from unreasonable searches and seizures." It specifically requests that local law enforcement

continue to protect citizens' rights "even if requested or authorized to infringe upon these rights by federal law enforcement." The resolution further requests that federal or state law enforcement officials operating in Carrboro abide by town police procedures and "not engage in or permit detentions without charges or racial profiling," and to inform the town government if they take any actions in Carrboro under the auspices of the PATRIOT Act or related executive orders. It calls on these officials to report "the names of any detainees held in the region or any Carrboro residents detained elsewhere."

The Carrboro resolution was introduced by town alderman Mark Dorosin, also the president of the Orange County chapter of the American Civil Liberties

Union. The impetus for the resolution arose from the initiative of townfolk. "A couple of concerned citizens had contacted me about some work that groups had been doing and organizing against the PATRIOT Act around the country," Dorosin says. The resolution, submitted to the Carrboro Board of Aldermen, passed unanimously.

Although questions were raised regarding the right of Carrboro police to refuse to cooperate with federal authorities, Dorosin says, the town attorney defended the resolution and its intent. "The town attorney explained that the police department is not permitted to do anything that's unconstitutional, no matter who is requesting that they do that." In light of the sweeping, and largely untested, powers that the act grants to law enforcement, Dorosin argues, this is "a critical perspective to bring."

Dorosin and his fellow aldermen are particularly concerned about the act's possible impact on Carrboro's burgeoning immigrant population, especially those from Mexico and Central America. "We know that these provisions, despite the stated fact that they're about fighting terrorism, can easily be used to harass and persecute immigrants generally," says Dorosin, noting that Carrboro is the home of a growing, and largely Latino, immigrant population.

"Certainly, if the act is allowed to stand, then, under the guise of fighting terrorism, many innocent people can be persecuted just because they're non-natives." Dorosin has spoken to people in the Latino community who are fearful about possible enforcement outcomes of the act. "There is a lot of concern" he notes, "about expanded powers of the INS [Immigration and Naturalization Service] and the

Justice Department.”

Challenges to the act are surfacing in venues other than town hall, though, which vindicate the grassroots opposition movement. Courts of law across the nation have begun to scrutinize the PATRIOT Act and its implementation, and recent rulings cast an unfavorable light on many of the act’s provisions.

Dorosin has taken some flak for the Carrboro resolution, mostly in the form of unsigned letters and “hate emails” demanding his removal from office, but generally he believes the public has rallied behind the town’s position. “There is support in the community for preserving the constitutional rights that are threatened by the act.”

– Matt Robinson

## ADDENDUM

Our friend Robert Sherrill points out that a story in our fall 2002 issue, “Messing with Justice in Texas,” neglected to mention Nate Blakeslee’s definitive expose of the Tulia drug-war scandal, “Color of Justice,” which appeared in the *Texas Observer* (June 23, 2000). Nate’s story was nominated for the National Magazine Award. Visit [www.texasobserver.org](http://www.texasobserver.org) to see the *Observer’s* coverage of the Tulia story, and to get a look at one of the best progressive magazines in the country.

## Contributors to Southern News Roundup

■ Gary Ashwill is managing editor of *Southern Exposure*.

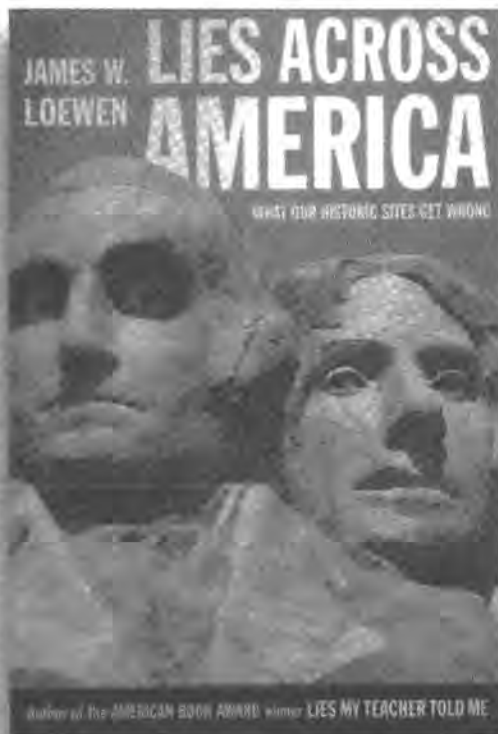
■ Marcelo Ballve is a reporter for the *Pacific News Service*.

■ Kim Diehl is a member of the editorial board of *Southern Exposure*.

■ Matt Robinson is a writer based in Carrboro, N.C.

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Do you have a news item or lead for *Southern News Roundup*? Please send to [gary@southernstudies.org](mailto:gary@southernstudies.org) or mail to Roundup, P.O. Box 531, Durham, NC 27702.



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## Lies Across America

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## Interview by Rania Masri

**O**n September 11, 2001, David Potorti's eldest brother, Jim, was killed while working on the 95th floor of the World Trade Center's North Tower. When David, a 46-year-old former television advertising producer in North Carolina, learned that a Chicago-based peace group called Voices in the Wilderness was sponsoring a peace walk from the Pentagon to the World Trade Center in late November 2001, he joined them. On the march he met Amber and Ryan Amundson, relatives of Craig Amundson, a 28-year-old Army multimedia specialist who was killed at the Pentagon, and Rita Lasar, a 70-year-old widow whose brother, Abe Zelamanowitz, died in the World Trade Center.

Out of their meeting came an organization called September Eleventh Families for Peaceful Tomorrows. Its core membership of 50 is limited to immediate and extended family members of those who lost their lives in the September 11 attacks. Its mission is "to seek effective nonviolent responses to terrorism, and identify a commonality with all people similarly affected by violence throughout the world. By conscientiously exploring peaceful options in our search for justice, we choose to spare additional innocent families the suffering that we have already experienced – as well as to break the endless cycle of violence and retaliation engendered by war."

More than year after the 9/11 attacks and ten months after the birth of Peaceful Tomorrows, I sat down to talk with Potorti. In an office transformed from a one-car garage, with a large map of the United States to his left, a poster calling out for peace to his right, a constantly ringing phone, a large cat purring among us, and a baby sleeping in a room next door, he

shared his thoughts about the peace movement, the media, and the use of 9/11 to justify war.

**SE: Let's start with your feelings about the way that 9/11 has been remembered.**

**Potorti:** Lately, I have been really angry. I heard [Defense Secretary Donald] Rumsfeld talking yester-


9/11 for this new war. And it is clear – it is a patently planned, pre-programmed use of 9/11 for the next invasion.

**SE: So what do you think people can do? Earlier, when you alluded to the relationship some are trying to create between Iraq and the crimes of 9/11, you said that people felt helpless. So what do you think we can do if we're not helpless?**

**Potorti:** Well, I think the biggest problem endangering us right now is not al-Qaeda, it is not Osama bin Laden. It is corporate control of the U.S. media. Because if we cannot get the truth out among the American people, then we've lost already. When I see Tom Brokaw or Peter Jennings or Dan Rather toeing the company line, repeating lies from Bush and Rumsfeld, then I feel really helpless, because they're acting like a public relations firm for the government. Democracy can only exist when a well-informed public makes good decisions. And at the moment, I feel like we don't have a working free press. We're inside this bubble of propaganda, like we're living in the Soviet Union or something.

There are two worlds – the internet world and the mainstream media world. I read [commondreams.org](http://commondreams.org), with brilliant essays from overseas – and then I look at our own newspapers moronic repeating of whatever the government line is. This is the only news that most people get in this country, so how can they possibly make an informed decision?

So we ought to start having actions at TV networks and



## INSIDE THE PEACE MOVEMENT: A Conversation with David Potorti

day and the way he linked [the plan to invade and occupy Iraq] to 9/11. As 9/11 demonstrated, he said, these people are just crazy, and they will come out of the blue and attack us and kill innocent Americans for no reason. Even though there is no link between Saddam Hussein and 9/11.

They are using the emotion of

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**“Our biggest problem isn't al-Qaeda or Osama bin Laden. It's corporate control of the U.S. media.”**



newspapers – if we’re going to be doing some sort of protest action – to demand that they start telling us the truth.

**SE: You and other members of September Eleventh Families for a Peaceful Tomorrow must have some interesting stories to tell about media coverage and media non-coverage.**

**Potorti:** Oh, yes. I would say, most of our coverage is from the foreign press. We get a huge amount of interest from Britain, Germany, France, Holland, the Netherlands. Australia has been very interested. And [we’ve gotten] some local newspaper coverage, which is occasionally quite good.

We did this 9/11 [memorial] just last week in NY and we had a rally in Washington Square Park – about 3,000 to 5,000 [people]. We all came out, five of us holding hands. We had all lost our brothers and sisters in the World Trade Center, and one of us gave a speech. And I thought, this is a great picture, right? These five people directly affected, at this rally, with 3-5,000 people – and nobody covered it in New York. Zero coverage. Not the *New York Times*. Not the *Daily News*. Not the *Post*.

WUNC [the National Public Radio affiliate in Chapel Hill, N.C.], where I worked part-time for two years: absolutely no interest. They know I left their station to do this group. And they have never expressed the slightest interest in what I’m doing – as, first of all, a member of their listening audience; secondly, as a 9/11 victim. They’ve run NPR

specials on 9/11. They interviewed a guy from Greensboro who has a piece of the World Trade Center. He’s an artist and he welded it into something, and I remember listening to *The State of Things* [a local NPR program], and she’s interviewing this guy and saying, “So tell us about your experience from 9/11.”



**SE: What happened with the *New York Times*?**

**Potorti:** We did this walk from the Pentagon to the World Trade Center sponsored by Voices in the Wilderness, and [we ended up in] Union Square Park on December 2, 2001. *The New York Times* had a

**“They cropped the picture so the only thing you can see is ‘for war’! Amber and David – for war!”**

photographer there, and he took a picture of all of us posing with our signs – “Stop killing the children of Afghanistan,” “Our grief is not a cry for war,” et cetera.

The picture appeared the next day in the Sunday “Portraits of Grief” page. They cropped out all the signs, and [the caption read], here is David Potorti and Amber Amundson vigiling at the park; they’ve both lost loved ones on September 11. No mention of what we were vigiling for, or that we had completed a peace march, or that we were against the war.

The *Portraits of Grief* book has come out, this hardcover book where they’ve reproduced all the photos of [victims] like my brother – and they’ve reproduced the picture of Amber and me. They’ve cropped it again, so now there is the sign that said, “Our grief is not a cry for war” – but the only thing you can see is “for war!” Amber and David – for war! Am I paranoid? Are they doing this on purpose or not?

**SE: Have you had one experience this past year that strikes you as being most remarkable and memorable, in either a good way or a bad way?**

**Potorti:** There was that woman at the San Diego radio station. It was a call-in show in December, 2001, and people were just rabidly pro-war – “Do you want to kiss Osama on the lips, what’s wrong with you?” The host was really pernicious – he appeared to be incredibly nice and listening, but he slowly turned on me, took everything I said and just shoved it down my throat. He did this five-minute monologue about how “on September 11 people kissed their wives and petted

their dogs and sipped their coffee and a few moments later they were killed in a vicious attack." Then he said, "Not one person has been killed in Afghanistan." He dismissed the whole war in Afghanistan as "self-defense," and said that therefore nobody really died. I was saying, "Excuse me, excuse me, what do you mean," but they had turned my microphone off.

Then the show was over. His assistant was like, "Thank you very much for being here," and I said, "Excuse me, I don't get to respond to that bullshit diatribe that your host just went through?" And she just changed personalities, from typically sunny California to this horrible person. "We gave you an hour for your agenda." I said, "Agenda?" And she said, with this vicious tone in her voice, "Yeah, I think you're a peace activist from way back and your brother gets killed and you've got your moment in the spotlight and you're riding it for all it's worth." This was a week before Christmas last year. I was speechless.

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## **"The head of the Muslim American Society told me, 'David, your brother is our brother, and we are all praying for his soul.'"**

And the best moment? On July 5, Rita Lazar and I went to the Islamic Circle of North America convention. There were 10,000 people there. They had an interfaith dinner the day before. I talked about my experience, and afterward the head of the Muslim American Society approached me and said, "David, your brother is our brother, and we are all praying for his soul." It brings tears to my eyes, because right outside the door there were 10,000 Muslims praying for my brother. That is, to this day, the nicest thing that anyone has ever said to me in terms of my work here.

**SE: Do you feel that you change people's minds with all the work you do?**

**Potorti:** On some level I really do. You know, we get e-mails. There are people who say, "You have rekindled our faith in mankind." Someone said, "You are our north star." When you hear that, at least you know that you're touching people. This one-on-one kind of thing is what keeps me going.

A few [e-mails] are very cruel. The people that send bad e-mails never put their name or their return e-mail address. It is like they just swoop in and drop the bomb and leave – sort of like our country. At least I have the power of my convictions. I'm doing this publicly with my own name. People know where to find me.

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*Rania Masri is Associate Editor of Southern Exposure. David Potorti and September Eleventh Families for a Peaceful Tomorrow can be contacted at [www.peacefultomorrow.org](http://www.peacefultomorrow.org).*



**For more coverage of voting rights in the South, see SOUTHERN EXPOSURE'S ELECTION 2002 SPECIAL EDITION**

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*Photo by Danny Lyon*

# The Right to Vote in the South: A BRIEF HISTORY

By Alexander Keyssar

Alexander Keyssar's *The Right to Vote: The Contested History of Democracy in the United States* (Basic Books, 2000, paperback 2001) is the first comprehensive history of the right to vote in the United States to be published since World War I. In it, Keyssar chronicles the evolution of the franchise throughout the United States from the era of the American Revolution to Election 2000. In so doing, he explores the links between various voting rights issues (e.g. class and race), and compares developments in different regions.

Widely acclaimed, *The Right to Vote* received the Beveridge Award from the American Historical Association (for the best book in American history) and the Eugene Genovese Prize from The Historical Society (also for the best book in American history). It was also a finalist for the Pulitzer Prize and for the Los Angeles Times Book Award.

For this essay, the author has specially adapted and combined several excerpts from *The Right to Vote* to create a brief (and necessarily incomplete) history of voting rights in the South.

## From Republic to Democracy

At its birth, the United States was not a democratic nation – far from it. The very word democracy had pejorative overtones, summoning up images of disorder, government by the unfit, even mob rule. In practice, moreover, relatively few of the

new nation's inhabitants were able to participate in elections: among the excluded were most African Americans, Native Americans, women, men who had not attained their majority, and adult white males who did not own land. Only a small fraction of the population cast ballots in the elections that elevated George Washington and John Adams to the august office of the presidency.

To be sure, the nation's political culture and political institutions did become more democratic between the American Revolution and the middle of the nineteenth century. This was the "age of democratic revolutions," the epoch that witnessed the flourishing of "Jacksonian democracy." The ideal of democracy became widespread during these years, the word itself more positive, even celebratory. Owing in part to these shifting ideals and beliefs –

and also because of economic and military needs, changes in the social structure, and the emergence of competitive politi-

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**"President's Levee, or all Creation going to the White House," by Robert Cruikshank. Andrew Jackson's inauguration has come to symbolize American democratization, but the U.S. in 1828 stood a long way from universal suffrage.**

cal parties – the franchise was broadened throughout the United States. By 1850, voting was a far more commonplace activity than it had been in 1800.

Yet the gains were limited. Longstanding historical labels ought not obscure the restricted scope of what was achieved. The American polity may have been set on an unmistakably democratic course during the first half of the nineteenth century, but the United States in 1850 stood a long



At its birth, the United States was not a democratic nation

way from “universal suffrage.” Significantly, that phrase had begun to appear in public discourse, but the institution lagged far behind. Indeed, some Americans who had been enfranchised in 1800 were barred from the polls by mid-century. Change was neither linear nor uncontested: the sources of democratization were complex, and the right to vote was itself a prominent political issue throughout the period.

Between 1800 and the early 1850s, most states, north and south, dropped their property and taxpaying requirements for voting. They did so for complex reasons and often under pressure. In the northern states, with the notable exception of Rhode Island, economic qualifications for voting were eliminated before industrialization had advanced very far; this had the unintended consequence of permitting industrial workers to vote when, decades later, they became numerous.

In the South, the issue had an added twist: enfranchising all white Southerners was a means of making sure that poor whites would serve in militia patrols guarding against slave rebellions. However much diehard reactionaries such as John Randolph of Virginia might have feared that broader suffrage would unravel the fabric of slave society, there were other political leaders who believed that it would contribute to white solidarity. A delegate to Virginia’s convention pointedly noted that “all slave-holding states are fast approaching a crisis truly alarming, a time when freemen will be needed – when every man

must be at his post.” Was it not then “wise...to call together at least every free white human being and unite them in the same common interest and Government?”

In Europe (and elsewhere), resistance to universal suffrage was grounded not only in opposition to the enfranchisement of industrial workers but in an equally powerful opposition to the extension of political rights to the peasantry – to the millions of men, many of them illiterate, who lived in poverty, toiling on farms large and small. The American peasantry, however, was peculiar: it was enslaved. As Benjamin Watkins Leigh observed at Virginia’s constitutional convention of 1829, “slaves, in the eastern part of this state, fill the place of the peasantry of Europe.” “In every civilized country under the sun,” Leigh argued, “some

**Enfranchising all white Southerners was a means of making sure that poor whites would serve in militia patrols guarding against slave rebellions.**

there must be who labor for their daily bread” and who were consequently unfit to “enter into political affairs.” In Virginia and throughout the South, those who labored for their daily bread were African-American slaves – and because they were slaves, they never became part of the calculus, or politics, of suffrage reform. When the political leaders of Virginia or North

Carolina or Alabama decided to abolish property or taxpaying qualifications, they did not remotely imagine that their actions would enfranchise the millions of black men who toiled on the cotton plantations and tobacco farms of the region.

In both the South and the North, thus, economic barriers to enfranchisement were dropped

in social and institutional settings that permitted political leaders to believe that the consequences of their actions would be limited, far more limited than they would have been in Europe. The relatively early broadening of the franchise in the United States was not simply, or even primarily, the consequence of a distinctive American commitment to democracy, of the insignificance of class, or of a belief in extending political rights to subaltern classes. Rather, the early extension of voting rights occurred – or was at least made possible – because the rights and power of those subaltern classes, despised and feared in the United States much as they were in Europe, were not at issue when suffrage reforms were adopted. The American equivalent of the peasantry was not going to be enfranchised in any case, and the social landscape included few industrial workers. What was exceptional about the United States was an unusual configuration of historical circumstances that allowed suffrage laws to be liberalized before men who labored from dawn to dusk in the factories and the fields became numerically significant political actors.

### Race, Reconstruction, and Jim Crow

The Civil War refocused the national debate about suffrage. Most obviously, four years of armed conflict, as well as the challenge of reconstructing the nation after the war, brought the question of black voting rights to the foreground of national politics. As important, the process of wrestling with the issue of black enfranchisement raised critical questions, largely ignored since the writing of the

Constitution, about the role of the federal government in determining the breadth of the franchise. Although political leaders eventually drew back, they veered remarkably close to a profound transformation of the principles shaping the size and composition of the nation's electorate.

At the outset of the war, only five states, all in New England, permitted blacks to vote on the same basis as whites; a sixth, New York, enfranchised African Americans who met a property requirement. Not surprisingly, the Civil War unleashed new pressures to abolish racial discrimination. The abolition of slavery turned four million men and women into free citizens who had a new claim on political rights; African Americans were loyal supporters of the Union cause and the Republican Party; they also had fought and died to preserve the Union, in considerable numbers. Indeed, by 1865, the traditional argument that men who bore arms ought to wield the ballot was applicable to more than 180,000 blacks. As General William Tecumseh Sherman himself noted, "when the fight is over, the hand that drops the musket cannot be denied the ballot."

Freedmen themselves, as well as northern blacks, asked for – and sometimes demanded – the right to vote: hardly had the war ended when freedmen throughout the South began to write petitions, hold meetings, and parade through the streets to press for an end to racial barriers

to voting. In Wilmington, North Carolina, freedmen organized an Equal Rights League, demanding that blacks be granted "all the social and political rights" that whites possessed. In 1865, the highly politicized black community of New Orleans put together a widely participated-in mock election to demonstrate the strength of their resolve; in Maryland, blacks held conventions and marches to further their demands. Former soldiers, ministers, free blacks, and artisans all played prominent roles in this political activity, joined by thousands of others who insisted that suffrage was their right and their due. To African Americans, enfranchisement not only constituted a means of self-protection but was a critical symbol and expression of their standing in American society.

Despite intense opposition from the white South, the political dynamics of Reconstruction led to a pathbreaking series of steps by the federal government to override state control of the franchise and grant political rights to African-American men. At the center of these dynamics

were conflicts that unfolded between Republicans in Congress and President Andrew Johnson and his (generally) Democratic supporters after the end of the Civil War. Johnson's approach to the task of Reconstruction, begun in 1865, was to offer lenient terms to Southern states so that they could be restored quickly to the Union. Despite some early vengeful rhetoric, Johnson's program demanded few reforms and virtually guaranteed that political and economic power in the South would remain in the hands of whites, including those who had supported the rebellion. Alarmed at this prospect and at the resistance of many Southern leaders to policies emanating from Washington, the Republican-controlled Congress began to formulate its own program in 1866. Although relatively few Republicans at that juncture advocated black enfranchisement, they did seek to guarantee the civil rights of blacks and promote greater racial equality in Southern society.

To further that end, the moderate majority of Republicans in Congress negotiated the passage of the Fourteenth



In 1866, rioters attacked a New Orleans convention favoring African-American suffrage, leaving 37 blacks and four whites dead.

Amendment in June 1866. A compromise measure, the amendment was designed to punish Confederate political leaders (by preventing them from holding office), to affirm the South's responsibility for a share of the national debt, and to protect Southern blacks without arousing the racial fears of northern whites. Although denounced by some (but not all) Radical Republicans as too tepid, the amendment nonetheless altered the constitutional landscape. By declaring that "all persons born or naturalized in the United States" were "citizens of the United States and of the State wherein they reside," the amendment at long last offered a national definition of citizenship and confirmed that blacks were indeed citizens. The amendment also prohibited states from passing laws that would "abridge the privileges or immunities" of citizens or deny them "the equal protection of the laws."

In its direct references to suffrage, the Fourteenth Amendment was a double-edged



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Upper-class whites feared a biracial alliance of blacks and nonelite whites.

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sword. Since most congressional Republicans – whatever their personal beliefs – were convinced that northern whites would not support the outright enfranchisement of blacks, the amendment took an oblique approach: any state that denied the right to vote to a portion of its male citizens would have its representation in Congress (and thus the electoral college) reduced in proportion to the percentage of citizens exclud-

ed. The clause would serve to penalize any Southern state that prevented blacks from voting without imposing comparable sanctions on similar practices in the North, where blacks constituted a tiny percentage of the population. Although this section of the amendment amounted to a clear constitutional frown at racial discrimination, and Congress hoped that it would protect black voting rights in the South, the amendment, as critics pointed out, tacitly recognized the right of individual states to erect racial barriers. Wendell Phillips sharply attacked the amendment for this very reason, calling it a "fatal and total surrender." Of equal importance to many, the use of the word male constituted a *de facto* recognition of the legitimacy of excluding women from electoral politics.

However tepid or double-edged the Fourteenth Amendment may have been, it was fiercely opposed by President Johnson, white Southerners, and northern Democrats. Meanwhile, the state governments that Johnson had sponsored in the South legally codified various forms of racial discrimination while doing little to stop campaigns of violence against blacks and white Republicans who tried to vote or run for office. In New Orleans, one of the most flagrant incidents of violence left 34 blacks and four whites dead, with scores of others wounded, when they attempted to hold a convention favoring black suffrage. Deeply disturbed by such developments and emboldened by substantial electoral victories in the fall of 1866, congressional Republicans approached the issue more aggressively in the winter of 1866-67. To more and more Republicans, many of whom were changing their views in the

cauldron of circumstances, black enfranchisement began to appear essential to protect the freedmen, provide the Republican Party with an electoral base in the South, and make it possible for loyal governments to be elected in the once-rebellious states.

This surge of activity, fed by continued Southern intransigence, culminated in the passage of the Reconstruction Act of March 1867. The act, the legal centerpiece of Radical Reconstruction, denied recognition to the existing state governments of the South and authorized continued military rule of the region under the control of Congress. In order to terminate such rule and be fully readmitted to the Union, each southern state was required to ratify the Fourteenth Amendment and to approve, by manhood suffrage, a state constitution that permitted blacks to vote on the same terms as whites. President Johnson vetoed the bill, but his veto was quickly overridden. To rejoin the political nation, the states of the Confederacy were now compelled to permit blacks to vote.

Under the protective umbrella of the Reconstruction Act, politics in the South were transformed. In 1867 and 1868, African Americans, working with white Unionists and Republicans – most of whom came from poor or modest circumstances – elected new state governments, wrote progressive constitutions that included manhood suffrage provisions, and ratified the Fourteenth Amendment; black enthusiasm for political participation was so great that freedmen often put down their tools and ceased working when elections or conventions were being held. By June 1868, seven states, with manhood suffrage, had been readmitted to the Union, and the

process was well under way elsewhere. All this was achieved despite fierce opposition from upper-class whites, who feared that a biracial alliance of blacks and nonelite whites would superintend the erection of a new and inhospitable economic and political order. The intensity of white hostility was manifested in a petition that conservatives in Alabama sent to Congress, denouncing the enfranchisement of "Negroes,"

in the main, ignorant generally, wholly unacquainted with the principles of free Governments, improvident, disinclined to work, credulous yet suspicious, dishonest, untruthful, incapable of self-restraint, and easily

ring us to the blighting, brutalizing and unnatural dominion of an alien and inferior race.

Nor was southern opposition purely rhetorical: antiblack and anti-Republican violence flared up throughout the region, often spearheaded by the rapidly growing Ku Klux Klan.

### The Fifteenth Amendment

By the late 1860s, most radical and moderate Republicans had concluded that the protection of African American interests in the South (as well as Republican party interests) also demanded the passage of a separate constitutional amendment banning racial discrimination at the polls.

After months of debate,

Congress in the winter of 1869 passed the text of the Fifteenth Amendment, which declared that "no citizen" would be denied the right to vote because of "race, color, or previous condition of servitude." The amendment was then sent to the states for ratification.

Although the moment was as propitious as it ever would be (Republicans

controlled most state legislatures and President Grant actively supported the measure), opposition to the amendment was widespread and intense; it was passed easily only in New England, where blacks already voted, and in the South, where the federal government had already intervened to compel

black enfranchisement.

Elsewhere, battles over ratification were closely fought and heavily partisan. Democrats argued that the amendment violated states' rights, debased democracy by enfranchising an "illiterate and inferior" people, and promised to spawn an unholy (and contradictory) mixture of intermarriage and race war. Republican legislators replied that black men had earned the franchise through their heroism as soldiers and that the amendment was needed to finally put the issue of black rights to rest; given the narrow boundaries of the amendment, they often avoided claiming suffrage as a universal right. What neither party mentioned much was that partisan interests were at stake, particularly in the border, Midwestern, and mid-

Atlantic states, where the black population could boost the fortunes of the Republicans. In the end, most of these close contests were won by the Republicans, and the Fifteenth Amendment became part of the Constitution in February, 1870.

African Americans jubilantly celebrated the amendment's ratification. Thousands of black voters, including military veterans with their wives and children, marched in triumphant parades throughout the country. Frederick Douglass, speaking in Albany in late April, declared that the amendment "means that we are placed upon an equal footing with all other men...that liberty is

In the 14th and 15th Amendments, the words *right to vote* were penned into the nation's Constitution for the first time.

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An anti-Reconstruction cartoon, featuring "Louisiana" held down by racist caricatures of black freedmen as Ulysses Grant looks on.

impelled...into folly and crime...how can it be otherwise than that they will bring, to the great injury of themselves as well as of us and our children, blight, crime, ruin and barbarism on this fair land?...do not, we implore you, abdicate your own rule over us, by transfer-



to be the right of all.”

The Fifteenth Amendment was certainly a landmark in the history of the right to vote. Spurred by pressure from blacks, deeply felt ideological convictions, partisan competition, and extraordinary conditions created by an internecine war, the federal government enfranchised more than a million men who only a decade earlier had been slaves. Moving with a speed reflecting rapidly shifting circumstances, Congress and state legislatures had created laws that would have been unthinkable in 1860 or even 1865. In the Fourteenth and Fifteenth Amendments, the words *right to vote* were penned into the nation’s Constitution for the first time, announcing a new, active role for the federal government in defining democracy. Yet momentous as these achievements may have been, the limitations of the Fifteenth Amendment were, as Henry Adams pointed out, as significant as its contents: the celebrations of the black community would soon prove to be premature, and the unresolved tension between federal and state authorities would vibrate for another century.

## The South Redeemed

Even before Reconstruction came to a quasi-formal end in 1877, black voting rights were under attack. Elections were hotly contested, and white Southerners, seeking to “redeem” the region from Republican rule, engaged in both legal and extralegal efforts to limit the political influence of freedmen. In the early 1870s, both in the South and in the border states, districts were gerrymandered (i.e., reshaped for partisan reasons), precincts reorganized, and polling places closed to hinder black political participation. Georgia, Tennessee, and

Virginia reinstated financial requirements for voting, while local officials often made it difficult for freedmen to pay their taxes so they could vote.

Far more dramatic was a wave of what historian Eric Foner has called “counterrevolutionary terror” that swept the South between 1868 and 1871. Acting as the military, or paramilitary, arm of the Democratic Party, organizations such as the Ku Klux Klan mounted violent campaigns against blacks who sought to vote or hold office, as well as their white Republican allies. In 1870 alone, hundreds of freedmen were killed, and many more badly hurt, by politicized vigilante violence. Although the Klan was never highly centralized and actions generally were initiated by local chapters, its presence was felt throughout the region. Whites of all classes (but not all whites) supported the Klan, its leadership often drawn from the more “respectable” elements of society;

support was so widespread that Republican state governments, as

well as local officials, commonly found it impossible to contain the violence or convict offenders in court.

The national government did

*Harper's Weekly, October 19, 1872*



**A wave of counterrevolutionary terror swept the South between 1868 and 1871, as the Ku Klux Klan mounted violent campaigns against blacks who sought to vote or hold office.**

*Harper's Weekly, October 21, 1876*



**The original caption for this pro-Reconstruction cartoon read: “Of course he wants to vote the Democratic ticket...”**

not stand by idly. In May 1870, stretching the limits of its consti-



In September 1875, one Republican newspaper referred to the 14th and 15th Amendments as “dead letters.”

tutional powers, Congress passed an Enforcement Act that made interference with voting a federal offense, punishable in federal courts – which presumably were more reliable than state courts. This first enforcement act was followed by others, including the Ku Klux Klan Act, which, among its provisions, authorized the president to deploy the army to protect the electoral process. However, by the mid-1870s, many northern Republicans, including President Grant, had lost their enthusiasm for policing the South; preoccupied with an economic depression and labor conflict in the North, they wearily drifted toward a “let alone policy.” In September 1875, one Republican newspaper referred to the Fourteenth and Fifteenth Amendments as “dead letters.”

The resistance to black voting was rooted in class conflict as well as racial antagonism.

Republicans from power and elected Democrats, an objective hard to attain in a fully enfranchised South. Limiting black voting therefore was a means to a precise end; but it was more than that. Keeping freedmen from the polls was also a means of rebuffing broader claims to equality, a way of returning blacks to “their

place,” of making clear that, whatever the Fourteenth Amendment said, blacks did not enjoy full citizenship.

There were important class dimensions to this political and racial agenda. Freedmen not only were men of a different race, they also constituted the primary labor supply of the agricultural South. Emancipation and Reconstruction threatened white control over needed black labor, and landowners and merchants sought both to halt the erosion of labor discipline and to utilize the state to enforce their dominance. It was no accident that the Klan targeted economically successful blacks or that it tried to keep freedmen from owning land. When Redeemer governments came to power, they commonly passed draconian vagrancy laws (subjecting anyone without a job to possible arrest) as well as legislation prohibiting workers from quitting their jobs before their contracts expired. The Redeemers also enacted laws that

harshly punished petty theft, gave landlords complete control of crops grown by tenants, and reduced the proportion of tax revenues that went to education and social improvements. The resistance to black voting was rooted in class conflict as well as

Harper's Weekly, October 31, 1874



Democrats solidified their hold on the South by modifying the voting laws in ways that would exclude African Americans.

racial antagonism.

The pace of Redemption was quickened by the presidential election of 1876 and the subsequent removal of the last federal troops from the South. At roughly the same time, the Supreme Court (in *U.S. v. Cruikshank* and *U.S. v. Reese*) challenged key provisions of the enforcement acts. In

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1878, moreover, Democrats won control of both houses of Congress for the first time in 20

Contrary to 20th-century images of a monolithic solid South, there was substantial white opposition to new restrictions on the franchise.

years. The upshot of these events – which reflected the North’s growing fatigue with the issue of black rights – was to entrust the administration of voting laws in the South to state and local governments. Between 1878 and 1890, the average number of federal prosecutions launched annually under the enforcement acts fell below 100; in 1873 alone there had been more than 1,000.

In the Deep South, the Republican Party crumbled under the onslaught of Redemption, but elsewhere the party hung on, and large, if declining, numbers of blacks continued to exercise the franchise. Periodically they were able to form alliances with poor and upcountry whites and even with some newly emerging industrial interests sympathetic to the pro-business policies of the Republicans. Opposition to the conservative, planter-dominated Redeemer Democrats, therefore, did not disappear: elections were contested by Republicans, by factions within the Democratic Party, and eventually by the Farmers’ Alliance and the Populists. Consequently, the Redeemers, who controlled most state legislatures, continued to try to shrink the black (and opposition white) electorate, resorting when necessary to violence and fraudulent vote counts. In 1883, a black man in Georgia testified to a Senate committee that “we are in a majority here, but you may vote till eyes drop out or your tongue drops out, and you can’t

count your colored man in out of them boxes; there’s a hole gets in the bottom of the boxes some way and lets out our votes.”

In 1890, in response to the increasingly widespread discrimination against black voters in the South, liberal Republican members of Congress pressed for passage of the Federal Elections Bill, which came to be called the “Lodge Force Bill.” The bill called for renewed activity by the federal government to enforce the Fifteenth Amendment in the South. It was narrowly defeated in Congress.

The year 1890 also marked the beginning of systematic efforts by Southern states to disfranchise black voters legally. Faced with recurrent electoral challenges, the annoying expense of buying votes, and controversy surrounding epidemics of fraud and violence, Democrats chose to solidify their hold on the South by modifying the voting laws in ways that would exclude African Americans without overtly violating the Fifteenth Amendment. In short order, Southern states adopted – in varying combinations – poll taxes, cumulative poll taxes (demanding that past as well as current taxes be paid), literacy tests, secret ballots (which functioned as de facto literacy tests), lengthy residence requirements, elaborate registration systems, confusing multiple voting-box arrangements, and eventually, Democratic primaries restricted to white voters. Criminal exclusion laws also were altered to disfranchise men convicted of minor offenses, such as vagrancy and bigamy. The overarching aim of such restrictions, usually undisguised, was to keep poor and illiterate blacks – and in Texas, Mexican Americans – from the polls. “The great

underlying principle of this Convention movement...was the elimination of the negro from the politics of this State,” emphasized a delegate to Virginia’s constitutional convention of 1901-2. Literacy tests served that goal well, since 50 percent of all black men (as well as 15 percent of all whites) were illiterate; and even small tax requirements were a deterrent to the poor. Notably, it was during this period that the meaning of poll tax shifted; where it once had referred to a head tax that every man had to pay and that sometimes could be used to satisfy a taxpaying requirement for voting, it came to be understood as a tax that one had to pay in order to vote.

Small errors in registration procedures or marking ballots might or might not be ignored at the whim of election officials; taxes might be paid easily or only with difficulty; tax receipts might or might not be issued. Discrimination was built into literacy tests, with their “understanding” clauses: officials administering the test could, and



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did, judge whether a prospective voter’s “understanding” was adequate. Discrimination, as well as circumvention of the Fifteenth Amendment, was also the aim of the well-known grandfather clauses that exempted men from literacy, tax, residency, or property requirements if they had performed military service or if their ancestors had voted in the

1860s. The first Southern grandfather clause was adopted in South Carolina in 1890; with exquisite regional irony, it was modeled on an anti-immigrant Massachusetts law of 1857.

Such laws were not passed without controversy. Contrary to twentieth-century images of a monolithic solid South, there was substantial white opposition to new restrictions on the franchise: many upcountry whites, small farmers, Populists, and Republicans viewed such laws as a means of suppressing dissent, a self-interested and partisan grab for power by dominant, elite, often black-belt Democrats. Egalitarian voices were raised, insisting that it was "wrong" or "unlawful" to deprive "even one of the humblest of our citizens of his right to vote." Commonly, apprehensions were voiced about the laws' potential to disfranchise whites. A delegate from a predominantly white county in Texas asked whether a proposed poll tax had a "covert design,"



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Many advocates of so-called electoral reform were quite comfortable with the prospect of shunting poor whites aside along with African Americans.

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since "it afflicts the poor man and the poor man alone." Proponents of suffrage restriction, however, drowned such objections in rhetoric stressing the urgency of black disfranchisement while assuring whites that their political rights would not be subverted. "I told the people of my county before they sent me here," declared R.L. Gordon at Virginia's constitutional convention in 1901, "that I intended...to disfranchise every Negro that I could disfranchise under the Constitution of the United States, and as few

white people as possible."

Despite such claims, many advocates of so-called electoral reform were quite comfortable with the prospect of shunting poor whites aside along with African Americans. One little-noticed irony induced by the Fifteenth Amendment was that it led southern Democrats to resurrect class, rather than racial, obstacles to voting, a resurrection that was altogether compatible with the conservative views and interests of many of the landed, patrician whites who were the prime movers of disfranchisement. "I believe in the virtue of a property qualification," proclaimed Gordon of Virginia. A New Orleans newspaper attacked manhood suffrage as "unwise, unreasonable, and illogical," and Louisiana's disfranchising laws

targeted not only blacks but a political machine supported by working-class whites, many of them Italian. One Alabama disfranchiser publicly avowed his desire to eliminate "ignorant, incompetent, and vicious" white men from the electorate, while a Virginia delegate revived the notion of virtual representation in an attempt to mitigate the significance of legislation that would keep many whites from the polls.

Indeed, the late-nineteenth-century effort to transform the South's electorate was grounded

solidly in class concerns as well as racial antagonism. Not only was the disfranchisement of poor

Restoring the "peasantry" to its pre-Civil War political condition would permit landowners and businessmen to wield unchallenged control of the state

whites palatable to many of their better-off brethren, but the exclusion of black voters also had significant class dimensions. Ridding the electorate of blacks was a means of rendering most of the agricultural laborers of the rural South politically powerless, of restoring the "peasantry" to its pre-Civil War political condition. Taking this step would permit post-slavery agriculture to be organized

and economic development to be promoted while landowners and businessmen wielded unchallenged control of the state.

To be sure, the upper classes were not alone in advocating black disfranchisement: the movement was actively supported by many poor and lower-middle-class whites, just as the Know-Nothing effort to disfranchise immigrants was backed by some native-born workers. Yet the presence of a racial and political schism within the lower classes did not blunt (though it did complicate and disguise) disfranchisement's class edge. In the black-belt, cotton-growing counties that remained at the core of the South's economy, a large majority of the laboring population was vulnerable to the new laws; in the region as a whole, the threat of a troublesome electoral alliance between blacks and poor whites could be eliminated. As historians have long noted, the political order of the new South was structured by class as well as racial dominance. In the words of an Alabama trade unionist, "the lawmakers...made the people

believe that [the disfranchising law] was placed there to disfranchise the negro, but it was placed there to disfranchise the workingman."



"The lawmakers made the people believe that the law was there to disfranchise the Negro, but it was placed there to disfranchise the workingman."

The laws, of course, worked. In Mississippi after 1890, less than 9,000 out of 147,000 voting-age blacks were registered to vote; in Louisiana, where more than 130,000 blacks had been registered to vote in 1896, the figure dropped to an astonishing 1,342 by 1904. Throughout the region the black electorate was decimated, and many poor whites (as well as Mexican Americans) went with them. Just how many persons were barred from the polls is impossible to determine, but what is known is that both registration and turnout (calculated as the percentage of votes cast divided by number of men of voting age) dropped precipitously after the electoral laws were reconfigured. By 1910, in Georgia, only four percent of all black males were registered to vote. In Mississippi, electoral turnout had exceeded 70 percent in the 1870s and approached 50 percent in the decade after the Redeemers came to power: by the early twentieth

century, it had plummeted to 15 percent and remained at that level for decades. In the South as a whole, post-Reconstruction turnout levels of 60 to 85 percent fell to 50 percent for whites and single digits for blacks. The enlargement of the suffrage that was one of the signal achievements of Reconstruction had been reversed, and the rollback had restored the Southern electorate to – at best – pre-Civil War proportions.

What this meant for the history of the twentieth-century South is well-known: the African-American population remained largely disfranchised until the 1960s, electoral participation remained low, and one-party rule by conservative Democrats became the norm. Viewed through a wider lens, these developments also signified that in a major region of the United

In a major region of the United States the 19th-century trend toward democratization had been not only checked, but reversed

States the nineteenth-century trend toward democratization had been not only checked, but reversed: the increasingly egalitarian institutions and convictions forged before the Civil War were undermined, while class barriers to electoral participation were strengthened or resurrected. The legal reforms of the late nineteenth and early twentieth centuries created not just a single-party region but a class-segmented as well as racially exclusive polity. Large segments of the rural, agricultural working class – America's peasantry – were again voteless, and industrialization, which became increasingly important to the region after 1880, took place in a profoundly undemocratic society.

## Women's Suffrage

The history of voting rights for women carved its own path through the political landscape. As half the population, women constituted the largest group of adults excluded from the franchise at the nation's birth and for much of the nineteenth century. Their efforts to gain the right to vote persisted for more than 70 years, eventually giving rise to the nation's largest mass movement for suffrage, as well as a singular countermovement of citizens opposed to their own enfranchisement. Women enjoyed (or at least possessed) different, more intimate relationships with

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**"We intend to avail ourselves of the strong arm and the blue uniform of the black soldier to walk in by his side."**

**– Elizabeth Cady Stanton**


the men who could enfranchise them than did other excluded groups, such as African Americans, aliens, or the propertyless. Moreover, the debates sparked by the prospect of enfranchising women had unusual features – with fairly conventional propositions about

political rights and capacities contending with deeply felt and publicly voiced fears that female

of democracy was as broad as it ever had been; the war and the plight of the freedmen had energized the language of universal rights; and the Republican Party, home of the staunchest advocates of civil and political rights, was firmly in power. What the suffragists anticipated was a rising tide of prodemocratic sentiment

Fourteenth Amendment disheartened suffragists: while offering strong, if indirect, federal support to black enfranchisement, the amendment undercut the claims of women by adding the word *male* to its pathbreaking guarantee of political rights. Although well aware of the strategic concerns that prompted such language, Stanton, in a prescient warning, declared that "if that word 'male' be inserted, it will take us a century at least to get it out."

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"One question at a time - this hour belongs to the Negro."  
- Wendell Phillips

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participation in electoral politics would undermine family life and sully women themselves.

Yet distinctive as this history may have been, it always ran alongside and frequently intersected with other currents in the chronicle of suffrage. The broad antebellum impulse toward democratization helped to fuel the movement for women's rights; decades later, the reaction against universal suffrage retarded its progress. Black suffrage and women's suffrage were closely linked issues everywhere in the 1860s and in the South well into the twentieth century; similarly, the voting rights of immigrants and the poor pressed repeatedly against the claims of women in the North and West. To some degree, this interlacing was inherent and structural. Women, after all, were not a socially segregated group; they were black and white, rich and poor, foreign-born and native.

A formal and energetic movement to enfranchise women began to take root in the United States in the late 1840s. It gained strength during the following decade, but then, understandably enough, paused for much of the Civil War.

As the war ended and Reconstruction began, leaders of the suffrage movement, including Elizabeth Cady Stanton and her indefatigable collaborator, Susan B. Anthony, were optimistic about its prospects. The public embrace

that would lift women, as well as African Americans, into the polity. We intend, declared Stanton, "to avail ourselves of the strong arm and the blue uniform of the black soldier to walk in by his side." Suffragists also felt that their claim to the franchise had been strengthened by the energetic support women had lent to the war effort: such activities presumably had neutralized the oft-repeated argument that women should not vote because they did not bear arms.


Yet the suffragists were doomed - or at least slated - to be disappointed. Within a few months of the war's end, Republican leaders and male abolitionists began to signal their lack of enthusiasm for coupling women's rights to black rights. "One question at a time," intoned Wendell Phillips. "This hour belongs to the negro." The

Most Southern women continued to live in an entirely agricultural world, while elite women from plantation and textile-manufacturing families often joined a vocal antisuffragist counter-movement

After the passage of the Fifteenth Amendment, which decisively severed the causes of black (male) and women's suffrage, the leaders of the suffrage movement settled down to a prolonged effort to gain the right to vote for women. They had a few successes in western states in the late nineteenth century, and a number of other states permitted women to vote in school board or local elections. But progress was slow until the second decade of the twentieth century. And it was particularly slow in the South

There were, of course, active suffragists in the region, both white and black; there also were male politicians, usually Republican, who embraced the cause in constitutional conventions and state legislatures. Still, the movement was slow to gather

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"Little could be said in favor of adding to the voting population all the females of that race."  
- Sen. Joseph Brown (D-Ga.)

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steam: suffrage organizations were far smaller and less visible than in the North, no referenda were held, and even school-district suffrage remained a rarity. This lag had two critical sources. The first was the South's predominantly rural, agricultural social structure. The social strata most receptive to woman suffrage – urban, professional, educated, middle-class-emerged belatedly and slowly in the South. Most women continued to live in an entirely agricultural world, while elite women from plantation and textile-manufacturing families often joined a vocal antisuffragist countermovement.

The second reason that the movement lagged was race. Although suffrage advocates argued that their enfranchisement would solidify white supremacy – because white women outnumbered black men and women – this claim made little headway with white male Southerners: to them, women's suffrage meant opening the door to a large new constituency of black voters, something to be avoided at all costs. As Senator Joseph E. Brown of Georgia put it in 1887, little could "be said in favor of adding to the voting population all the females of that race." In addition, the movement for a national suffrage amendment was repellent to southern Democrats, who perceived such an amendment as yet another federal threat to states' rights.

A new surge of organizing began in 1910, however, rooted in an urban and quasi-urban middle class that had grown rapidly in preceding decades: that middle class spawned Southern New Women who were educated, had held professional or white-collar service jobs, and were married to (or the children of) professionals and small businessmen. This new generation of white Southern

suffragists – women such as Gertrude Weil from the railroad juncture town of Goldsboro, North

Carolina, or Margaret Caldwell of Nashville, the daughter of a doctor and wife of a car dealer – was motivated by concerns very similar to those of their northern counterparts, and they joined hands with National

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**Suffragists had to contend with active and well-financed antisuffrage organizations.**

American Woman Suffrage Association (NAWSA) and other national organizations, reviving or building chapters throughout the South. By 1913, every southern state had a suffrage organization allied with NAWSA; within a few years, Virginia's organization had 13,000 members and Alabama possessed 81 local



Some Southern suffragists made concerted efforts to reach out the South's emerging labor movement and to link the cause of suffrage to the exploitation of working people.

suffrage clubs. These women were joined (although usually not in the same organizations) by numerous African-American women who believed with good reason that they, more than

anyone perhaps, had a compelling need to be enfranchised. Notably, some Southern suffragists, like their Northern colleagues, made concerted efforts to reach out to the South's emerging labor movement and to link

the cause of suffrage to the exploitation of working people.

"We are not afraid to maul a black man over the head if he dares to vote, but we can't treat women, even black women, that way."

"We have no right," declared Virginia's Lucy Randolph Mason, "to stand idly by and profit by the underpaid and overdriven labor of people bound with the chains of economic bondage."

Despite such efforts, the soil for democratic expansion remained less fertile in the South. Not only



**Gov. Edwin P. Morrow of Kentucky signs a bill ratifying the Nineteenth Amendment on January 6, 1920.**

was the middle class relatively small and the rural world large and difficult to reach, but antisuffrage forces were strong and well organized. In addition to the liquor interests and political machines, such as those in New Orleans and parts of Texas, suffragists had to contend with active and well-financed antisuffrage organizations, led by upper-class women and men tied both to the world of plantation agriculture and to the new industrial South of textiles and railroads. This elite opposition was grounded in southern variants of traditional gender ideology and in a fierce class-based antagonism to the types of social reform (including labor reform) that many suffragists advocated.

The opposition also had a great deal to do with race. By the latter years of the Progressive era, African Americans had been successfully disfranchised throughout the South, and most whites were intent on keeping it that way. Politicians were loath to

tinker at all with electoral laws, and they feared that black women might prove to be more difficult to keep from the polls than black men – because black women were believed to be more literate than men and more aggressive about asserting their rights, and also because women would be unseemly targets of repressive violence. “We are not afraid to maul a black man over the head if he dares to vote, but we can’t treat women, even black women, that way,” fretted a senator from Mississippi. Although some white suffragists continued to advance the statistical argument that woman suffrage would insure white supremacy, that rhetorical claim made no more headway after 1910 than it had in the 1890s.

Compounding the difficulties faced by southern suffragists was another issue, the growing support nationally for a federal amendment. If women’s suffrage itself was unpopular in much of the South, a federal constitutional amendment was anathema. Not

implausibly, many Southerners were convinced that a federal amendment would open the doors to Washington’s intervention in elections, to enforcement – so glaringly absent – of the Fifteenth Amendment and any subsequent amendment that might appear to guarantee the voting rights of black women. In addition to strengthening antisuffragism, this issue split the southern suffrage movement itself, often along lines coinciding with suffragists’ attitudes toward racial equality. While some suffragists welcomed the prospect of a federal strategy (either on principle or because it was more likely to succeed than state efforts), others – most vocally, Kate Gordon of Louisiana – denounced the possibility. Gordon, a champion of women’s suffrage as a bulwark against black political power, resigned her leadership position in NAWSA to protest the organization’s renewed efforts to promote a federal amendment. In 1913, she founded the Southern States Woman Suffrage Conference to focus on passage of state laws and convincing the national Democratic Party to endorse suffrage on a state-by-state basis. Gordon’s new organization – which she thought should replace NAWSA’s in the South – proved to be short-lived, but by 1915 it was evident that the two currents in the Southern movement coexisted very uneasily with one another.

Thanks in part to the unusual political circumstances of World War I, a constitutional amendment calling for women’s suffrage was passed by the House of Representatives in 1918 and by the Senate the following year. It was then sent to the states for ratification. Although many northern states had already enfranchised women and clearly



supported the Nineteenth Amendment, its ratification by the necessary three-quarters of all states was by no means assured.

To no one's surprise, the South remained recalcitrant. In the hope of wooing Southern votes, some politicians, such as Jeannette Rankin (the first woman elected to the House of Representatives), as well as activists such as Carrie Chapman Catt and Alice Paul, tried to reassure Southerners that the amendment did not threaten white supremacy (it meant "the removal of the sex restriction,

Kate Gordon and her followers actively and successfully worked to defeat the amendment; in the end, it was approved only by the four border states of Kentucky, Tennessee, Texas, and Arkansas. Nonetheless, women everywhere, including Kate Gordon, were enfranchised. On August 18, 1920, Tennessee, by a margin of one vote, became the 36th state to vote positively on the amendment; a week later, after ratification had been formally certified, the Nineteenth Amendment was law.

vote, which was always at the heart of the civil rights movement. Convinced that the franchise was an important right in itself and the key to securing other civil rights, hundreds of thousands of African Americans, acting along and in organized registration drives, attempted to enter their names on registry lists and participate in elections. "Once Negroes start voting in large numbers," observed one black newspaper, "the Jim Crow laws will be endangered." "Give us the ballot and we will fill our legislative halls with men of good will," declared the Reverend Martin Luther King, Jr., to a crowd of nearly 30,000 people in front of the Lincoln Memorial in 1957.

The push for civil rights encountered formidable opposition, which evolved into a semiformal policy of "massive resistance" after the *Brown* decision. To be sure, an increasing number of white Southerners were recognizing the inevitability, and even desirability, of integration; many advocates of a modernized New South sought to remove the stigma attached to the region's racial practices, while the mechanization of agriculture diminished the reliance on semicaptive black labor. Nonetheless, resistance to equal rights remained fierce and sometimes violent. Mayors and governors refused to integrate schools and public facilities; legislatures declared that they would not dismantle Jim Crow; sheriffs arrested and beat black protesters and their white allies. Meanwhile, the fortunes of liberal or populist white politicians who displayed any sympathy with blacks, such as Earl Long in Louisiana and Jim Folsom in Alabama, were spiraling into decline.

The widespread resistance to integration only underscored the

### Race and the Second Reconstruction

The South was a cauldron of racial tension in the 1950s. Throughout the region – and particularly in its many small and medium-sized cities – African Americans pressed forward against the boundaries of America's caste system, demanding an end to social segregation and second-class citizenship. Sometimes led by national and regional organizations, such as the NAACP, trade unions, or the newly formed Southern Christian Leadership Conference, and sometimes acting entirely on local initiative, black citizens marched, rallied, boycotted buses, wrote petitions, and

filed lawsuits to challenge the Jim Crow laws that had kept them in their place for more than half a century. Encouraged by the Supreme Court's 1954 decision, in *Brown v. Board of Education*, that separate was not equal, the black community focused particular attention on the integration of schools and institutions of higher learning. African Americans also kept the spotlight on the right to

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Voters at a polling station in 1946.

nothing more, nothing less"); and NAWSA opportunistically distanced itself from black suffragists. But despite their rather unprincipled efforts, the South remained opposed, with the full-throated cry of states' rights giving tortured voice to the region's deep anxieties about race. Nowhere were those anxieties more vividly manifested than in Louisiana and Mississippi, where

black community's need for political rights, but throughout the 1950s their efforts to vote were thwarted more often than not. In seven states (Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina,

for minor paperwork irregularities, and a 1960 law provided for the disfranchisement of a person of "bad character" – which included anyone convicted of refusing to leave a movie theater or participating in a sit-in.

Registrars in many towns and cities thwarted black aspirants by not showing up at the office or by simply refusing to register blacks when they did. Those who were adamant about registering could lose their jobs, have loans called due, or face physical harm. More than a few were killed.

It was apparent to nearly all black leaders that the civil rights movement could succeed only with significant backing from the federal government: the black community by itself could not compel city and state authorities to cease discriminating. But Washington, although sympathetic, was hesitant. Liberal Democrats in Congress were eager to take

action, but their influence was offset by the power of southern Democrats. Republicans were similarly torn: while the desire to court black voters reinforced the party's traditional pro-civil rights principles, many Republicans also hoped to make inroads into the solid South by winning over white Southern voters.

The pace of governmental activity began to quicken in 1960, largely because the political temperature was soaring in the South. A sit-in at a segregated luncheon counter in Greensboro,

North Carolina, sparked a wave of civil disobedience by young African Americans who refused to adhere to the strictures of Jim Crow; freedom riders rode buses to try to integrate interstate transportation; in Birmingham and other cities, mass movements challenged segregation and disfranchisement; efforts to register black voters even reached into the Deep South bastions of white supremacy in rural Alabama and Mississippi (see "Freedom Is a Constant Struggle," page 36).

The growing militance of the black freedom movement only stiffened the opposition. The governors of Alabama and Mississippi refused to desegregate their universities; voting districts were gerrymandered to dilute the influence of blacks who did manage to register; freedom riders were beaten and their buses burned; police arrested protestors by the thousands; bombs were tossed into black churches; and activists were occasionally – as in Mississippi in 1964 – murdered in cold blood. In 1961, the U.S. Commission on Civil Rights (CCR) reported that "in some 100 counties in eight Southern states," discriminatory laws, arbitrary registration rulings, and threats of "physical violence or economic reprisal" still kept most "Negro citizens...from exercising the right to vote."

The commission also concluded that the federal government's reliance on county-by-county litigation was too "time consuming, expensive, and difficult" to bring an end to discriminatory voting practices. "Broader measures are required," the CCR intoned, urging Congress once again to pass legislation "providing that all citizens of the United States shall have a right to vote in Federal or State elections" if they

Photo by Danny Lyon



**Freedom Schools conducted classes in literacy, history, and voter registration in rural towns all over Mississippi.**

and Virginia), literacy tests kept African Americans from the polls: failure of the test could result simply from misspelling or mispronouncing a word. In 1954, Mississippi instituted a new, even more difficult "understanding test," complete with a grandfather clause exempting those already registered. In Alabama, prospective registrants had to be accompanied by white citizens who would "vouch" for them. In Louisiana, members of the White Citizens Council purged black registrants from the voting lists

Photo by Danny Lyon



**Activists Martha Prescod, Mike Miller, and Bob Moses do voter registration work in the Mississippi countryside.**

could meet reasonable age and residency requirements and had not been convicted of a felony.

Neither Congress nor President John Kennedy was ready to bite that bullet. Although Kennedy's narrow electoral victory owed a great deal to black voters, he lacked a strong popular mandate, had limited influence with Congress, and did not regard civil rights as a high-priority issue. His approach, accordingly, was nearly as cautious as Eisenhower's, involving the support of voter registration campaigns, a constitutional amendment to ban poll taxes, and lawsuits to enforce the Civil Rights Act. These efforts bore some fruit. Rulings by federal judges stripped away more of the legal camouflage that was sheltering discrimination; the Twenty-fourth Amendment (banning poll taxes) was ratified with relatively little opposition; and black registration in the South rose to more than 40 percent by 1964. Still, the pace of legal progress was outstripped by the acceleration of conflict in the South. Consequently, the administration in 1963 drafted an omnibus civil rights bill designed

to give strong federal support to equal rights, although it said little about voting rights per se. Kennedy did not live to witness the passage of his civil rights bill, but Johnson successfully seized the moment after Kennedy's assassination to urge the bill's passage as a tribute to the late president. As important, Johnson himself was elected to the presidency in 1964 with an enormous popular vote, offering the first Southern president in a century the opportunity to complete the Second Reconstruction.

Personally sympathetic to the cause of black suffrage, bidding for a place in history, and prodded by the nationally televised spectacle of police beatings and arrests of peaceful, prosuffrage marchers in Selma, Alabama, Johnson went to Congress in March 1965 to urge passage of a national Voting Rights Act. "The outraged conscience of a nation" demanded action, he told a joint session of Congress. "It is wrong – deadly wrong – to deny any of

your fellow Americans the right to vote," he reminded his former colleagues from the South. Then, rhetorically identifying himself with the civil rights movement, he insisted that "it is really all of us, who must overcome the crippling legacy of bigotry and injustice. And we shall overcome."

Johnson's words, spoken to a television audience of 70 million and to a somber, hushed Congress that interrupted him 40 times with applause, were sincere, principled, and moving. Yet, astute politician that he was, the president also knew that the Democrats' political balancing act was over: with the Civil Rights Act of 1964, the party had decisively tilted away from the white South and toward black voters, and now it was going to need as many black voters as possible to have a chance of winning Southern states. Johnson understood that the politics of

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**Lyndon B. Johnson signs the Voting Rights Act of 1965.**

suffrage reform once again had entered its endgame: black enfranchisement would become a reality, and few politicians in either party wished to antagonize a new bloc of voters by opposing their enfranchisement.

## The Voting Rights Act

The Voting Rights Act of 1965 contained key elements demanded by civil rights activists and the Commission on Civil Rights. Designed as a temporary, quasi-emergency measure, the act possessed an automatic "trigger" that immediately suspended literacy tests and other "devices" (including so-called good character requirements and the need for prospective registrants to have someone vouch for them) in states and counties where fewer than 50 percent of all adults had gone to the polls in 1964; the suspensions would remain in force for five years. In addition, the act authorized the attorney general to send federal examiners into the South to enroll voters and observe registration practices. To prevent the implementation of new discriminatory laws, the act prohibited the governments of all affected areas from changing their electoral procedures without the approval (or "pre-clearance") of the civil rights division of the Justice Department. States could bring an end to federal supervision only by demonstrating to a federal court in Washington that they had not utilized any discriminatory devices for a period of five years. Finally, the act contained a congressional "finding" that poll taxes in state elections abridged the right to vote, and it instructed the Justice Department to initiate litigation to test their constitutionality.

The Voting Rights Act was passed by an overwhelming majority, as moderate Republicans joined with Democrats to carry out what Johnson called the "tumbling" of "the last of the legal barriers" to voting. Some conservative Republicans and southern Democrats voted negatively, but

recognizing the inevitability of the bill's triumph and the political wisdom of supporting it, 40 Southern congressmen voted favorably. Hailed by one activists as "a milestone" equal in importance to the Emancipation Proclamation, the legislation had an immediate impact, particularly in the Deep South. Within a few months of the bill's passage, the Justice Department dispatched examiners to more than 30 counties in four states; scores of thousands of blacks were registered by the examiners, while many more were enrolled by local registrars who accepted the law's dictates to avoid federal oversight. In Mississippi, black registration went from less than 10 percent in 1964 to almost 60 percent in 1968; in Alabama, the figure rose from 24 percent to 57 percent. In the region as a whole, roughly a million new voters were registered within a few years after the bill became law, bringing African-American registration to a record 62 percent.

The Voting Rights Act of 1965 was indeed a milestone in American political history. A curious milestone, to be sure, since the essence of the act was simply an effort to enforce the Fifteenth Amendment, which had been law for almost a century. But the very fact that it had taken so long for a measure of this type to be adopted was a sign of its importance. Racial barriers to political participation had been a fundamental feature of American life, and resistance to racial equality was deeply ingrained; so too was resistance to federal intervention into the prerogatives of the states. That such resistance was finally overcome in the 1960s was a result of the convergence of a wide array of social and political forces: the changing socioeconomic structure of the South, the

migration of blacks to southern cities, the growing electoral strength of African-American migrants in the North, the energies of the civil rights movement, the vanguard role played by black veterans of World War II, and a renewed American commitment to democracy occasioned by international struggles against fascism and communism. As is often the case, more contingent factors played a role as well – including the post-assassination election of a skillful Southern president, the talents of civil rights leaders such as Martin Luther King, Jr., and technological changes in media coverage that brought the violence and ugliness of a "Southern" problem in to the homes of citizens throughout the nation.

The Voting Rights Act did not suddenly put an end to racial discrimination in Southern politics. (For reasons of brevity, the role of the Supreme Court – which was large – is not discussed in these pages. In a stunning series of decisions, the Court not only upheld the Voting Rights Act but substantially broadened the federal judiciary's protection of the right to vote – in part by bringing many areas of voting law under the umbrella of the equal protection clause of the Fourteenth Amendment.) To a considerable degree, the locus of conflict shifted from the right to vote to the value of the vote, but reports from the field made clear, to the Justice Department and the CCR, that racial obstacles to enfranchisement per se also persisted long after 1965. As a result, the act was renewed three times after its initial passage, despite a political climate that grew more conservative with each passing decade. In 1970, despite significant reluctance in the Nixon administration and

congressional jockeying to weaken the measure, the bill was renewed for five years, while the ban on literacy tests was extended to all states. In 1975, the act was extended for an additional seven years, and its reach enlarged to cover "language minorities," including Hispanics, Native Americans, Alaskan Natives, and Asian Americans; the "language minority" formulation was, in effect, a means of redefining race to include other groups who had been victims of discrimination. In 1982, despite the Reagan administration's anti-civil rights posture, the act's core provisions were extended for an additional 25 years. Throughout this period, the Justice Department, as well as the Civil Rights Commission, worked actively to promote black enfranchisement and reviewed thousands of proposed changes in electoral law.

The debates surrounding these renewals – and they were substantial – were grounded in a new partisan configuration that in part was a consequence of the Voting Rights Act itself. By the late 1960s, all Southern states contained a large bloc of black voters whose loyalty to the Democratic Party had been cemented by the events of the Kennedy and Johnson years; since these voters constituted a core Democratic constituency, Democratic politicians, even within the South, generally supported efforts to shore up black political rights. At the same time, conservative white

Southerners, joined by some migrants into the region, flocked to the Republican Party, reviving its fortunes in the South and becoming a critical conservative force in the national party. Efforts to weaken the Voting Rights Act, or even to let it expire, invariably came from these Southern Republicans and from national Republican leaders – such as Nixon and Reagan – who wanted and needed their support. The party of Lincoln, as one critic quipped, had donned a "Confederate uniform." That almost all of these Republican efforts failed – despite the conservative drift of the 1970s and 1980s – was a clear sign that the nation had turned a corner, that formal racial barriers to enfranchisement were dead. In 1982, even South Carolina Republican Senator Strom Thurmond, who had led the Dixiecrat exodus from the Democratic Party in 1948, voted in favor of extending the Voting Rights Act, marking the first time in his astonishingly long career that he had supported passage of a civil rights bill.

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*Photographs by Danny Lyon are reprinted, with the author's permission, from Memories of the Southern Civil Rights Movement, by Danny Lyon (University of North Carolina Press, 1992).*



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**R**abbi Arthur J. Lelyveld (Cleveland, Ohio) came to Hattiesburg, Mississippi, to assist with voter registration. This photo was taken after he had been beaten with a tire iron.

mostly white students, young African-American activists were able to organize and develop local leadership. Some of the black activists, like Muriel Tillinghast, stayed on after the volunteers went home.

Tillinghast had already worked with a SNCC affiliate, the Nonviolent Action Group, to desegregate lunch counters and rest stops along Route 40, the Washington-Maryland highway that was traveled by African consular staff. As soon as she graduated from Howard University,

Tillinghast went to Mississippi, where she worked as a SNCC project coordinator for two years.

**T**hree days after I graduated, I decided I was going to Mississippi. I didn't know what was going to happen after that, but I was definitely going to go. Now, it was already bad enough that I had let my hair grow natural – that eliminated about 90 percent of the discussion in my house – but when I decided to go to Mississippi, everyone got on

# Freedom Is a Constant Struggle

A SNCC project coordinator talks about her experiences during Freedom Summer in Mississippi, 1964.

**By Muriel Tillinghast**

**I**n 1964, the Student Nonviolent Coordinating Committee (SNCC), together with the Southern Christian Leadership Conference (SCLC), the Congress on Racial Equality (CORE), and the National Association for the Advancement of Colored People (NAACP), put out a general call for volunteers to work for voter registration in the Deep South. The response was tremendous – thousands answered the call. Protected by this human shield of

my case. My parents, my family – people weren't talking to me.

We knew that something momentous was occurring down South. People were operating in very small groups, but they were operating in many places. At that point the press had not yet decided what political perspective they were going to take on the events in the South, so they were actually showing all this activity on television. This was a source of encouragement for us and helped to tie the lines of communication together. Of course, that didn't last. Later on, I'm sure the press boys sat down in a large room and said, "Enough of this, let's move on."

Now, I was basically a Northerner – folks from Washington, D.C., like to think that they're from the North. I had already had some experiences on the eastern shore of Maryland, which will let you know immediately that you're not North, but I hadn't really gotten ready for Mississippi. We all spent a week at the orientation center in Oxford, Ohio. SNCC sent up its people, who told us all these tales about what folks had to go through just in terms of a normal life struggle. We knew that Mississippi was going to be a special place. And for all of us who went, we know that we didn't come back the same.

### Heading South

So we went to Mississippi after spending a week getting ready for something you really couldn't get ready for. We headed in on Greyhound buses. People were singing and talking and joking around on the bus, but when we hit that Mississippi line there was silence. People got dropped off at various projects one by one in the dead of the night. I was dropped off in Greenville. We made a

point of distinguishing Greenville from Greenwood. Greenville was relatively liberal. If you were in Greenwood, you were in deep. I still had hope.

In all honesty I spent my first two weeks in the office upstairs because I didn't know quite how I was going to survive Mississippi. After a while it dawned on me that I would never get anybody to register that way, so I started coming downstairs and cautiously going out into the town. I functioned like a shadow on the wall, just getting used to walking in the streets.

Charles Cobb was my project director. About a month after I got to Mississippi, Charles looked at me and said, "You know, I want to do something else. So, I'm going to leave you in charge of this project. You look like you can handle it." Right, sure thing....

I was in charge of three counties: Washington, Sharkey, and Issaquena. In Mississippi, you learn the county structure like the back of your hand, because the basis of power politics is the county structure. Greenville, which was the base of our operations, was the Washington County seat. It was the town in a county of hamlets. Sharkey County was the

Klan in that part of Mississippi. Issaquena was a black county, and it was sort of discounted at the time.

By and large we took our mandate from Stokely Carmichael (Kwame Toure), who was the project chief in our area. We were young, and we were just beginning to learn what politics and power were all about. We began to find out that power is monolithic, particularly in places where there is not a lot of competition.

People in Mississippi knew about us long before we had even gotten there. We didn't realize it at first, but we were under constant surveillance. For instance, a young white volunteer was doing some research at the library, which was in the same building as the police station, on the second floor. As she was



Freedom School students at Mt. Zion Baptist Church in Hattiesburg.





↑ Volunteer Jim Nance, a minister, heading into the black community to do voter registration canvassing near the intersection of Fifth and Mobile Streets in Hattiesburg.

coming out of the library, the police chief said to her, "Come here, I want to show you something." He took her to a room, and in that room was a file drawer, and in that file drawer were pictures of everybody in our project. We had no idea that they were watching us this closely. And they had pictures of every kind of activity, taken day and night, because they were using infrared.

Well, these pictures may not mean anything right now, but there were times when the political pressure really got to us. For example, we had some young gay men who were in our project, and I remember very tearfully putting one of them on the bus. He said, "Muriel, I can't have those pictures shown." I didn't even know that anything was going on, but the bottom line is that

everybody's privacy was invaded. And that's before we had even registered anybody to vote.

In these little country towns, as soon as a foreign-sounding motor comes across the road in the middle of the night, people know that a stranger is there. You need never make an announcement. You can stay in the house all day – someone knows. "I heard a different motor last night. It stopped about two doors down the street." And they start making inquiries. There were instances when the police just opened the door and came through the house looking for us and never said a word to any of the people who lived there. Not that they were going to rough us up at that point, but someone knew that someone was keeping company with people who weren't local.

In order to encourage people to

vote, we had to explain what was going on in the country and why they were in the situation that they were in. We tried to convince them of the importance of their participation in the voting process by showing them who was actually on the voting rolls – for instance, half the local cemetery! Sometimes we were able to register only a few people – why risk your life simply to sign a piece of paper or register at the county courthouse? – but as people gradually came to trust us, they would

talk to their neighbors, and the numbers swelled.

### The Heart of the Black Belt

Later I moved out of Greenville Land into Issaquena County. Until I got to Mississippi, I didn't know anything about black counties. I began to find out that there were these towns like Mound Bayou outside of Holly Springs where blacks had settled after the Emancipation Proclamation and established their own base.

Most people in the North don't understand why blacks are so poor. They don't realize that when black people left slavery, they left with nothing – I mean nothing. Whatever they were wearing, those were the clothes that they took with them into their new life. Whatever beans or



seeds they could gather, that was going to be food. They didn't own the land they were standing on – they were immediately trespassing. And in Mississippi trespassing was serious crime – as serious as selling a kilo of cocaine in New York City today. You were going to go to jail and your minimum time was going to be five years – just for standing on the land.

So the people had to move, and when they moved, they moved under pain of death, because the same people who had always kept black people enslaved were again at work hunting down those bands of blacks who were leaving by foot. Black people had no way of defending themselves. They had to travel by night, gathering up at certain places – word gets around on the grapevine. And they began to establish themselves in various places, even in the state of

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**When black people left slavery, they left with nothing – I mean nothing.**

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Mississippi. Issaquena was one of those places. It was sort of a long county, and very sparsely settled. Counting everybody standing up, the county seat at Mayersville had 50 people.

Some of you may be familiar with the name of Unita Blackwell. She made a name for herself over time as the mayor of Mayersville and as an activist, but when I met Unita, she was just an ordinary housewife. She and her husband, Jeremiah Blackwell, were the first ones to offer us a safe haven in Issaquena. That's really how we operated. We would be invited in by one household, and based on that household's sense of us as individuals and where we were going as an organization – because they knew that we were



**↑ Voter registration canvassing of local resident Felix Smith by Doug Smith (back to camera) and COFO-Hattiesburg director Sandy Leigh.**

not alone – they would introduce us to someone else. This would be our next contact. And if this sounds like we were operating under war conditions, we were. You did not talk to anybody unless someone said it was okay. And it wasn't that obvious who was safe to talk to, because you never knew if you were talking to the State Sovereignty Commission.

The State Sovereignty Commission was an intelligence-gathering force. It was set up by the government in the state of Mississippi. Hundreds of thousands of dollars of state taxpayers' money – including black taxpayers' money – was used to finance all this surveillance. It was responsible for gathering and spreading disinformation early in the game. Early on we thought it was misinformation – that they just didn't get it straight – but it was really disinformation that was deliberately designed to undermine

public support for the activities that we were engaged in.

You had to be careful about who you spoke to because you could be trailed back to your base. Wherever you were staying, those people were as vulnerable to midnight raids as you were on the streets. So when they allowed you to sleep on their floor or in their best bed in the corner of their house, whatever the accommodations were, they were putting themselves in jeopardy. As Bob Moses used to say, "Mississippi needs no exaggeration." It was its own exaggeration.

I remember one family of cotton pickers that I stayed with – two adults and five kids. They were in Hollandale, a nasty little town on the highway between Greenville and Mayersville. This family was at the very bottom of the economic ladder. They worked by permission on someone else's land. They worked from sup sun up to sun down

with no breaks. It was as close to slavery as I hope to ever see in life. I usually made a point of eating somewhere else, but one night they said, "No, you eat with us." I'll never forget that dinner. It was cornbread and a huge pot of water into which they cut three or four frankfurters. For them that was a good dinner.

### Founding a Freedom School

We also started a Freedom School. Why? Well, out of natural curiosity schoolchildren wanted to know, "Why can't we vote?" So there was a need to put this particular situation into some sort of historical context. And as you talked about the history of black people in this country, you began to see another kind of development taking place in the young people. Before, they would let certain things in school go by unchallenged. They might not like something, but they wouldn't question it. Our presence gave them a support base, and they began to have the courage to say certain things, or not to read certain things, or to bring other materials to the classroom. This was unheard of. And it wouldn't take long before those kids would be sent home, first one kid, then another, and by the time a week had passed, there would be 20 kids who had been told by the principal, "Don't come back!"

Now the school system was segregated – these were black kids in black schools – so how could this be happening? To understand that you have to understand the power relations in the South. You don't get to be a

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SOUTHERN  
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(N) WHITE AMERICA

A Live Play

Mon August 3  
TRUE LIGHT  
8:30 PM

Tuesday Aug 4  
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**↑ The Free Southern Theater's poster announcing the performance of Martin Duberman's play *In White America*, hosted by two black churches in Hattiesburg.**

black principal in a black school in Mississippi unless you are an acceptable political commodity – pure and simple. And you quickly become unacceptable when you start having alien thoughts, like why can't we register to vote and what is this "grandfather clause," anyway – just normal conversation. But that wasn't considered normal conversation, that was considered subversive, and these young people had to be plucked out before they spread the cancer to the rest of the student population. So even though most of us tried to maintain a low profile, it didn't take long for brush fires to occur.

### Sheriff Davis Builds a Jail

Even though Issaquena was a black county, all the people who had any power were white,

including Sheriff Davis. When our paths crossed, which they did all too frequently, we would greet each other – "How ya doin'?" – because Mississippi is country-like in that way. The first time I saw Sheriff Davis coming down the road he was in a pickup truck. By the next week the pickup truck had a kind of metal grating on the top. One day he stopped me and said, "You like that, you like what I got? Well, that's for y'all."

And then Sheriff Davis told us that he was building a one-room jail out of cinder blocks – just for us! And did we like that? It was big enough to stand up in, you could also sit down, and of course it was out there in the middle of the hot sun.

When we told him he was really wasting his time, Sheriff Davis said, "Well, I know you're gonna do something. I know you are, and I'll keep up with you." Sometimes when we would go walking down the street, there was Sheriff Davis's car, coming right behind us. He'd

sit in the front and wait, and sometimes we'd go past the person's house and go to somebody else's house in the back, because we didn't want to lead him directly to our next possible registrant.

I don't think we understand what

people risked when they took those steps. As soon as we had made contact with people, as soon as they went to the courthouse to register, their boss would be right there. If they worked in the cotton fields, oftentimes they were dismissed immediately. Or they'd be cut off from their welfare

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**"Why can't we register to vote? What is this 'grandfather clause', anyway?"**

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rations. The power system was consolidated on the notion that no, you will not move up, you will not challenge us in any way.

## Welcoming the Klan

Then we began to look at other things that were going on. Why could some people plant cotton when others couldn't? There were these gentlemen farmers who planted nothing but made an awful lot of money, and then there were people who were planting cotton but were barely able to get it ginned. So early on, we began to deal with the cotton allotment system. Well, when we began to run people for the cotton allotment board, we hit the economic bell. And that brought out the Klan.

Sometimes the Klan seemed benign compared to some of the other rabid, racist organizations, like the Preservation of the White Race, who made no bones about the fact that if they saw you, they were going to kill you.

One time I called a meeting of tractor workers, thinking that I was going to organize black tractor workers, and I walked right dead into a nest of Klansmen who had gotten the same word, but didn't realize the meeting was for black workers. I don't know who had told them, but they were there. As I approached them in my car – carefully – I was wondering who all these white men were standing at the church steps. They knew something was wrong because the place of the meeting was a black church, and they didn't look happy. I kind of looked at them. They kind of looked at me. I said, "You here for the meetin'?" And they said, "Yeah, you called the meetin'?" I said, "No. I'm just looking for the person who called the meetin'." And I backed on out and left.

All of us learned how to be patient, how to play for the

occasion, because your life could turn on a dime. Later you might laugh, but at the time it wouldn't seem so funny. Like the time I ran into the police car.

Now, you should have seen me jump out of my car all incensed, carrying on about this and that, with this poor white volunteer sitting next to me. He just knew we were dead. But this policeman was so disgusted with me that he just told me to get a move on.

## Life Lessons

One of the things I have learned about doing political work is that you may not be serious about it, or you may not know how serious a step you're taking, but when the opposition sees anybody treading on their territory, they're always serious.

We had so many near misses, so many close calls, and we had nobody to depend on but ourselves. If you had a problem you sure couldn't call a cop! Which is almost the same situation that the black community faces in the inner cities today. If you have a problem and you call the cop, the cop is going to give you a bigger problem. So we learned to handle things ourselves as best we could.

Most of all we learned that people in Mississippi were a very special group of people. They were our country's peasant base. They were incredible in their wisdom, and many had extreme courage. I can remember this guy, Applewhite. Now Applewhite was a placid, nondescript kind of guy. You were never quite sure whether what you had to say registered or not. I didn't like riding with Applewhite because I felt that if I was going to get pushed into something, I was going to be on

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## We hit the economic bell – and that brought out the Klan.

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my own. One day we were riding down the road, and I said to Applewhite, "Do you have anything in this car in case we get stopped?" Well, you would never know what was going on in Applewhite's head – he had a perfect poker face. "Open up the glove compartment," he said. "Check down underneath the seat on my side. And on your side. Listen, we may not survive, but we sure could blaze a few holes." I said, "That's the way I want to go."

I learned that people aren't always what they appear. At the time you're trying to organize them, they're trying to figure out where you are in this constellation of players. Are you going to be around when the action goes down? Am I talking to the State Sovereignty Commission? And essentially, is what you're telling me true? That's why we always encouraged people to read. We always encouraged people to discuss. Nothing that we did was cloaked in any kind of secrecy, which is the way I've continued to operate.

So that was my life for two years. It was about day-to-day survival but it was also about how you transform a community that really had not been touched in over 100 years by any outside force – how you get it to join the twentieth century and get enough players inside that loop to be able to carry it on after you leave. On the whole, I think we were very successful. We paid some very, very high prices for it, but I think most of us would have done it again.

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*Muriel Tillinghast was the 1996 vice-presidential candidate on the Green Party ticket in New York. This article was originally published in Forward Motion 58 (Summer 1994).*



**Is high-tech voting the new face of democracy?**

tion than old-style paper ballots.

It can be shockingly easy to tamper with vote counts on new machines. Software can be altered, subroutines slipped in by dishonest technicians to manipulate the vote in any way desired. Such fraud would be nearly impossible to detect, in large part because the companies that make the machines consider the code to be proprietary, and state and county officials are prohibited from examining it. Just as troubling, says voting technology expert Rebecca Mercuri, computer-administered elections can be much harder – even

# Who Counts the Votes?

**By Gary Ashwill and Chris Kromm**

A quick, two-part quiz on the 2002 mid-term elections: Who really won? And second: Can you prove it?

In 2000, Democrats blamed butterfly ballots and hanging chads – and the Supreme Court's decision of how to deal with them – for Al Gore's failed Presidential bid. Now, after the Republican sweep of the 2002 elections, charges are shooting through cyberspace that once again, voting technology is to blame for Democratic misfortune.

At issue is the rise of high-tech voting. In the wake of Florida's 2000 mishaps, hundreds of voting jurisdictions nation-wide began the process of switching to touch-screen machines and other upgrades. But in the end it may be, as journalist Jonathan Vankin has put it, that "the real scandal is the voting machines themselves" – especially these new, computerized systems, which, it turns out, may be far more vulnerable to fraud and manipula-

**High-tech elections have spawned new vote-fixing conspiracy theories. Is there any truth to the charges?**

impossible – to check, audit, and recount, because systems increasingly record votes only electronically, eliminating paper trails. Without physical ballots to check, voters have no way of knowing whether machines are accurately casting their votes.

And the small number of companies dominating the field of computer-run elections are overwhelmingly connected to one party. As famed Texas journalist Ronnie Dugger, who wrote a pathbreaking investigation of electronic voting in the *New Yorker* in 1988, told Vankin, "The whole damn thing is mind-boggling. They could steal the presidency."

Here are short profiles of the three most important voting-systems companies in the United States:

## ■ ELECTION SYSTEMS AND SOFTWARE

By far the largest vote-counting company in the United States, Election Systems and Software (ES&S) of Omaha, Neb., was founded in 1980 by

brothers Todd and Bob Urosevich. According to internet journalist Bev Harris of Talion.com, the company, originally known as American Information Systems, was controlled in the 1980s by the hard-right, fundamentalist-leaning Ahmanson family of California, heirs to the Home Savings of America fortune. In the nineties, the company could boast future U.S. Sen. Chuck Hagel (R-Neb.) as its chairman; Hagel still owns stock in the McCarthy Group, which currently has a stake in ES&S. Since ES&S enjoys an exclusive contract with the state of Nebraska and counts 80 percent of the state's votes (the rest are hand-counted), Hagel is effectively part owner of the firm responsible for counting his own votes.

ES&S has been involved in voting-related scandals across the country, particularly in the South. In April 2002, Arkansas secretary of state Bill McCuen pleaded guilty to taking bribes and kickbacks in voting-machine scandals, part of which involved Business Records Corp. (BRC), now merged into ES&S. A BRC executive, Tom Eschberger, accepted immunity from prosecution in return for cooperating in the investigation, and has since become a Vice President of ES&S.

According to the *Tallahassee Democrat*, Sandra Mortham, Florida's top election official from 1995 to 1999, lobbied for both ES&S and the Florida Association of Counties, which endorsed ES&S in return for a commission. Mortham herself received commissions for ES&S touch-screen machine purchased by Florida counties (see "The Re-Election of Jim Crow," *Southern Exposure* Election 2002 Special Edition).

In another revolving-door scandal, the state of California has begun an investigation into Louis Dedier, the state's director of voting systems. Dedier accepted a job with ES&S, then made recommendations without disclosing the potential conflict of interest.

Breakdowns and other problems have plagued ES&S machines since at least the late 1990s. When the company's new ballot-reading machines malfunctioned in Hawaii in 1998, Tom Eschberger admitted there were difficulties, but protested to the *Honolulu Star Bulletin* that "in all fairness, there were 7,000 machines in Venezuela and 500 machines in Dallas that did not have problems." However, during that same election season, the Dallas devices initially failed to count 41,000 votes. And two years later, massive breakdowns and technical difficulties with ES&S systems rocked the Venezuelan national elections, causing the vote to be suspended. Pres. Hugo Chavez and Venezuelan election officials accused the company of "trying to destabilize the

country's electoral process," while protesters chanted "Gringos go home!" at ES&S technicians.

ES&S-related problems continued in 2002, as Bev Harris has documented:

- In the primaries, Union County, Florida, used ES&S machines for the first time. According to the *Bradenton Herald*, under old methods of hand counting, election workers usually finished tallying the county's votes by the end of the day. This time, when a programming error corrupted the machine count, officials had to resort to the old method. Altogether the process took more than twice as long as manual counting.
- During early voting in Dallas County, Texas, voters complained that ES&S touch-screen devices were recording Democratic votes as votes for Republicans. Similar problems were reported in Florida.
- Twenty percent of ES&S machines in Tangipahoa Parish, Louisiana, malfunctioned on election day. According to the *Baton Rouge Advocate*, the state committee that chose ES&S ignored the wishes of local officials, who preferred another system.
- In South Dakota, a "defective chip" in one ES&S machine caused the double counting of some ballots.
- In Nebraska, a counting error and ballots printed too lightly for machines to read gave the false impression that a school bond issue had failed, when it had actually passed by a 2-1 margin. Officials blamed ES&S, which had supplied both machines and ballots.
- ES&S coding errors in Adams County, Nebraska, resulted in no votes being counted at all.

## ■ SEQUOIA VOTING SYSTEMS

The second-largest voting systems provider in the United States, Sequoia is owned mostly by London-based De La Rue Cash Systems, "the world's largest security printer and papermaker, involved in the production of over 150 national currencies," as well as travelers' checks and vouchers.

According to internet journalist Lynn Landes of EcoTalk.org, Sequoia has been "plagued by scandal." In 1999, two Sequoia executives, Phil Foster and Pasquale Ricci, were indicted for paying Louisiana Commissioner of Elections Jerry Fowler an \$8 million bribe to buy their voting machines. Foster's ongoing legal troubles would later haunt the company, when Sequoia neglected to inform several



**Critics charge that touch-screen machines like the one pictured here are easy targets for fraud, due to the lack of a paper trail.**

Florida counties about his indictment. Indian River County voided a \$2 million contract with Sequoia, and contracts with other counties were jeopardized. Indian River reversed itself only after a personal appearance by Sequoia's CEO before the county

commission.

In August 2002, a losing candidate in Boca Raton, Fla., city council elections wanted to have Sequoia voting machines examined by experts. But Palm Beach County Elections Supervisor Theresa LaPore (responsible for the infamous butterfly ballot) said that the contract with Sequoia, as well as state law, defined Sequoia's equipment and programming as "trade secrets," shielded from public scrutiny. Also, any tampering by non-Sequoia technicians would void the machines' warranties.

## ■ DIEBOLD INC.

Ohio-based Diebold Inc. may not be the leader in election technology today, but it shows every sign of dominating the market of the future. Not bad for a company that just three years ago had never built a voting machine.

Diebold's roundabout entry into elections came in 1999, when the company – the nation's leading maker of ATM machines, where it now corners 66% of the U.S. market – bought a Brazilian ATM maker for \$240 million. The Brazilian company was also in charge of upgrading that country's voting machines, and Diebold set about blanketing Brazil with 355,000 touch-screen voting terminals, including generator-operated vote-counters rafted into the heart of the Amazonian rainforest in the most recent presidential contest.

In January of 2002, Diebold's election division –

Diebold Election Systems – bought its way into the U.S. market as well, acquiring the failing Global Election Systems for \$24 million. *Forbes* reports that heavy lobbying led to contracts in California, North Carolina, and most notably Georgia, which in March 2002 announced it was contracting Diebold for \$54 million to install touch-screen systems in all of Georgia's 159 counties.

With this year's passage of Congressional legislation granting \$3.9 billion to states for, among other things, upgrading election technology, Diebold is now anticipating \$1.5 to \$2 billion in revenues for filling the national touch-screen niche.

Diebold maintains close ties to the other leading voting machine companies. Diebold's current president, Bob Urosevich, was the co-founder of American Information Systems with brother Todd Urosevich, who is now Vice President of Election Systems & Software (see above).

Furthermore, former Diebold executives Howard Van Pelt and Larry Ensminger are now top managers at Advanced Voting Solutions (formerly Shoup Voting Solutions). Shoup/AVS has a checkered past in the elections business; Lynn Landés notes that Shoup officers were indicted for bribing politicians in Tampa, Florida, in 1971, and company founder Ransom Shoup was convicted in 1979 of conspiracy and obstruction of justice in a FBI election-machine inquiry in Philadelphia.

The Diebold corporation is heavily political, and heavily favors the Republican Party. Since 2000, the company itself has made \$170,000 in political contributions – all to the Republican National State Elections Committee.

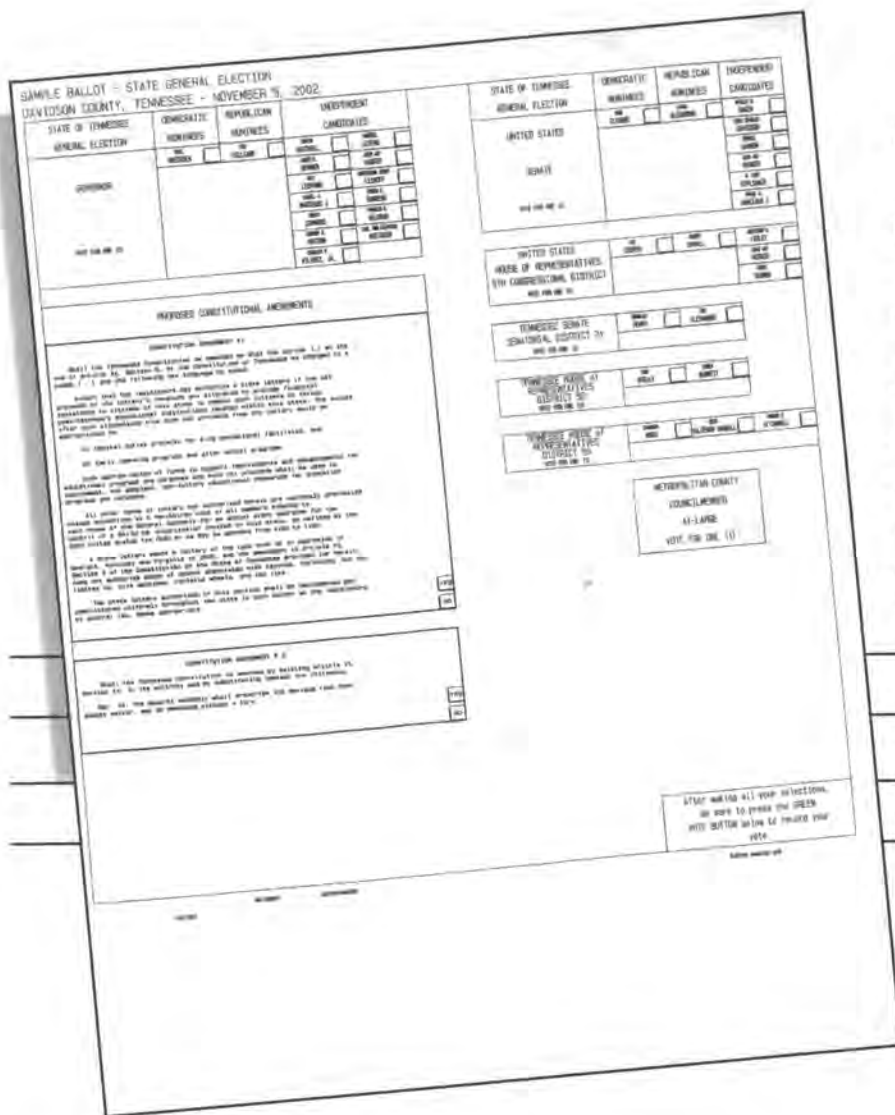
Diebold's corporate directors and officers are similarly clear in their political sympathies. Long-standing and generous friends of the Republican Party such as Louis Bockius III, Donald Gant, and Eric Roorda populate the board of directors.

According to campaign finance records at OpenSecrets.org, of the over \$240,000 given by Diebold's directors and chief officers to political campaigns since 1998, all has gone to Republican candidates or party funds.

Diebold's clear political sympathies are cause for scrutiny. Yet for the rising star of the voting technology world, prospects of cornering the elections market may trump ideology. In Brazil's presidential elections this year, many political analysis credit Diebold's extensive voting-machine installation with helping elect Luiz Inacio "Lula" da Silva, leader of the left-wing Workers' Party.

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*Gary Ashwill is managing editor of Southern Exposure; Chris Kromm is publisher and editor.*



# The More Things Change, The More They Stay the Same

## VOTING IN TENNESSEE, 2002

By Catherine Danielson

Ballot from the 2002 Tennessee general election

Tennessee is one of the jewels of the New South, glittering with new construction in its cities and suburbs, a growing population, and, of course, relentless urban sprawl and hideous traffic jams. Yet, like all the South, it remains a place haunted by its past. This was evident in the 2000 elections, when allegations of racist voting irregularities swept through the South, and particularly this state. Black voters were reportedly told to get behind the white voters in Murfreesboro and Memphis ("You know what it is to stand at the back of the bus," a Murfreesboro election worker allegedly said). In the Hadley Park district of Nashville, black

voters were told to remove NAACP stickers from their cars—or leave the polling place without voting. Police standing around polling places intimidated African-American voters in several locations. In western Tennessee and the Upper Antioch and Hadley Park areas of Nashville, black voters stood in lines over a mile long to use ancient punch-card machines on the verge of falling apart.

The Department of Safety mysteriously lost and mishandled voter records and applications all over the state, turning the so-called "motor voter" process into a nightmare. Tennessee State University, a historically African-American school, was the only

college in Central or Eastern Tennessee that didn't get satellite polling place status. Polling places were moved and changed their hours of operation all over western and southern Tennessee without notifying anybody.

Tennessee's felon purge list was possibly as problem-ridden as Florida's. Only the quick work of Dr. Blondell Strong, a Nashville NAACP representative, kept many former inmates from being improperly barred from voting in Nashville. In some areas, such as Memphis and Bolivar, simple misdemeanors placed some people on the purge list. Clifton Polk, an NAACP worker in Bolivar, filed a complaint with the Equal Employment Opportunity

Commission over the difficulties experienced in his area.

The Tennessee Voter Empowerment Team met at the Tennessee NAACP Conference of Branches on November 17, 2000, and released their findings to the state. There was massive evidence that thousands – perhaps even tens of thousands – had been disenfranchised, mostly African Americans. The evidence was serious enough to merit a current lawsuit conducted by the U.S. Department of Justice.

But the vast majority of media coverage that appeared on this issue came from the black press, newspapers like the *Tennessee Tribune*, *Nashville Pride*, and *Urban Flavor*. For several months, major news outlets such as *The Tennessean* (a Gannett paper), *The Scene*, and local network affiliates essentially ignored the entire. Drew Smith, a producer for NewsChannel 5 (Nashville's CBS affiliate), Drew Smith, received reports on election night of police intimidation and African Americans turned away from polling places in Memphis. Smith, along with the news director and the anchor, refused to run the story, either that night or in the future. (The employee who passed this story on to me begged to remain anonymous, terrified of losing his job.)

"People want to sweep this under the rug," says Rev. Neal Darby, head of the Greater Nashville Black Chamber of Commerce. "They don't want to think it could have happened here." But Tennessee, in some ways, has the dubious distinction of representing the worst of the worst in United States voting. And now, with the 2002 elections looming, we are once again faced with the same question as in 2000: will we ever have justice in voting here?

Voting irregularities were reported in 23 states in 2000. Yet Tennessee may have the most strikes against it going into the

2002 election cycle, far more than Florida, the state that received the lion's share of the coverage. Being one of only three states sued by the Department of Justice is only the beginning. The governor of Tennessee, Don Sundquist, never signed notable election reform legislation. The flawed felon purge list was not corrected. The oldest type of voting machine has not been replaced. Tennessee is one of only six states that received a grade of F in the NAACP's report on the voting situation nationwide.

This is not a new story, and it isn't necessary to go back to the pre-civil rights era to find significant problems. In 1992, hundreds of people in Davidson County showed up to vote and were told they were at the wrong precincts. In 1994, election results from early voting weren't counted until the Friday after Election Day. In 1997, faulty computer equipment at early voting sites in Nashville kept untold hundreds from voting. In 1998, sample ballots were not published before early voting, as required by state law.

Problems continued in the 2002 primaries. Twenty-one of the state's 95 counties were still using the infamous punch-card ballots, exactly the type that caused problems in Florida. Michael McDonald, Davidson County's Administrator of Elections, acknowledges that polling places were understaffed and the workers badly trained. Redistricting caused polling places to be changed throughout the state, and frequently voters were not informed. Though the state is required by law to send registration cards to voters, 20,000 Davidson County voters received their cards late, and some never received them at all. Up to 500 voters in Madison, Hadley Park, Brick Church Pike, and Bordeaux (the poorest areas, which had the most problems in 2000) received incorrect polling

information on their cards. Phone lines that were supposed to keep voters informed on primary day were overwhelmed and out of order.

Voters in almost two dozen Davidson county precincts who asked for paper tally sheets for write-in votes had their ballots mysteriously go missing. *The Tennessean* – whose coverage of these issues has significantly improved since 2000 – went to the Election Commission warehouse and hand-counted all the tally sheets to confirm this fact. The ballots have never been found.

On Friday, Nov. 1, three days before the general election, Tennessee's state election coordinator, Brook Thompson, warned that Republicans had encouraged poll watchers to challenge voters who had registered under Tennessee's "motor voter" law. Thompson presented as evidence an internal GOP email obtained by Justice Department lawyers.

"In light of the apparent suspicion and possible hostility that some poll watchers may have to (motor voter) voters," Thompson wrote in a memo to county election officials, "we must advise the election officials that the poll watchers cannot and will not be allowed to harass and/or intimidate voters. We will not be patient with any person seeking to create a hostile and unfriendly atmosphere in the polling place."

In a particularly surreal note, state Republicans criticized the federal government's involvement in the matter: "With all due respect, I don't think the Justice Department [headed by John Ashcroft] knows what it's doing," said John Ryder, the party's attorney in Tennessee.

"There is obviously room for improvements, and we're going to make those improvements," says McDonald. However, there is still no state law requiring a recount in close elections or setting uniform



standards for recounts. Almost two dozen election bills proposed in the Tennessee legislature soon after the 2000 election went nowhere, including proposals to allow provisional voting, adopt minimum standards for nonpartisan voter education, and provide central voting locations for voters who have gone to incorrect polling places. One bill detailing what counts as a vote in counties that still use punch-card ballots did go through, but it's largely a moot point, since recounts are not required.

Republican Senator Fred Thompson explains that the state simply doesn't have the money to address all these problems due to seemingly perennial budget crunches, although he says that "we have taken some steps to rectify some problems." There isn't any money left in the loan fund that counties could previously borrow from to replace outdated voting machines; it was cleaned out by the legislature while balancing the budget this year. "The NAACP wants more money spent," Thompson adds. "I couldn't agree more. But — there's really no money to be had." Rep. Sherry Jones, D-Nashville, states that "the legislature was waiting for the federal government to act," which never happened.

The question that must be asked, then, is what the proper response should be in the face of government apathy, not enough money, not enough volunteers, not enough laws, not enough equipment, and a very disturbing past. The answer, so far, lies almost entirely in grassroots community organizing. Nowhere is this more obvious than in the African-American community, where most leaders seem to feel that the only way the situation will improve is through increased voter education



Photo by Catherine Davidson

and awareness. "This is what happened," the Rev. Edward Robinson of Nashville says. "Now we know how they threw away votes and took advantage of us. But you vote regardless of whether you go to the polls or not...Politicians will only respond on how or whether we vote."

The national NAACP has assigned voter empowerment coordinators to 22 states, working with a threefold purpose: to register, to educate, and to get out the vote. They're working with people where they live, through the organizations vital to them—labor unions, black colleges and their sororities and fraternities, local NAACP branches, the Urban League, black employee networks, and community centers. They're registering voters at neighborhood parades, festivals, tailgate parties, and beauty shops.

A 36-city NAACP bus tour traveled through the South this summer to promote voter awareness. It was as grassroots as grassroots can get, with activists speaking at high schools, driving through neighborhoods with bullhorns urging people to vote, and enlisting DJs at urban radio stations to push voter registration during evening drive-time.

"We don't know how many people might have been disheartened by the events of last year," says Paco Havard, Tennessee state president of the United Auto

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**Paco Havard of the UAW: "We're trying to do whatever we possibly can to get folks out to vote."**

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Workers civil rights council. "But we're trying to do whatever we possibly can to get folks out to vote."

And these techniques do work. In the 2000 election, the voting population of the state of Tennessee was 18% African-American, as compared to 13% in the 1998 elections. Statistically, this is an amazing jump, and it occurred before the unprecedented efforts of this year. "Our job is to teach the importance of voting," says state coordinator Florence Howard. "We're empowering people to be part of the American process. All citizens who have the right to vote, need to go vote."

Organizations such as the Nashville Peace and Justice Center are also leading voter registration workshops. And throughout the country, but especially in the South, the participation of churches is a crucial factor. The Missionary Baptist Church in Tennessee alone consists of 400 churches with 300 to 6,000 people per church, all coordinating with the national NAACP to register, to educate, and to get out the vote. There is a strength running under the media radar, a steely determination to exercise the right to vote that so many struggled to win.

"I don't know if the work I do on this issue will make a difference," says Chris Lugo, a Nashville activist. "All I know is how I'd feel if I didn't do it."

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*Catherine Danielson is the founder of United Progressive Citizens for Change, a non-profit organization in Tennessee dedicated to researching and publicizing the need for election reform. To learn more, please visit: <http://www.nashvilleinsanity.com/index.html>*

# THE STATE OF VOTING

## Does your vote count?

We grade the states on how well they uphold this basic act of democracy.

### A Southern Exposure/Institute for Southern Studies Report

In December of 2000, the momentum for voting reform appeared unstoppable. Just a month before, a presidential election had been held in the balance due to Florida's butterfly ballots, hanging chads, and other election system breakdowns. Dozens of studies and blue-ribbon panels soon followed, documenting a litany of barriers to voting across the country and proposing sensible reforms to restore democracy.

The momentum was not to last. Election reform soon fell off the public and political radar. Calls for voting rights were displaced by the "war on terror." Electoral reform legislation languished in Congress. State-level steps to overhaul voting systems ran up against legislatures facing historic budget shortfalls in a faltering economy. Some improvements were made; many initiatives, however, passed without money earmarked to implement them, amounting to unfunded mandates.

So now, more than two years after Florida, where do we stand? To answer this question, *Southern Exposure* and the Institute for Southern Studies, publisher of *SE*, looked at the major voting problems identified in the avalanche of studies and commission reports released after the 2000 elections, and took stock of what has – and hasn't – been done to address these issues.

We identified 10 key yardsticks for measuring the electoral health of each state. We then assigned a grade, based on how each state measured up to the national average and met basic standards required to conduct free and fair elections.

The findings are illuminating – and suggest that our nation's election systems remain in critical condition:



**VOTER REGISTRATION:** Voters face numerous obstacles to registering for elections. Over 30% of the U.S. population – 56 million eligible Americans – weren't registered in 2000. Furthermore, being registered doesn't guarantee a citizen will be able to vote. The Federal Elections Commission admits that in the 2000 presidential elections, problems with voter rolls kept 1.3 million registered voters from voting. While some progress has been made in state registration systems, many still fail to keep state-wide, integrated voter records.



**PROVISIONAL BALLOTS:** The impact of poor registration systems is compounded by the fact that many states do not allow residents to vote "provisionally" if, for whatever reason, their names don't appear on the voter rolls. As a result, many voters get unjustly turned away from the polls.



**UNCOUNTED VOTES:** Florida's butterfly ballots and faulty punch-card machines brought national attention to the problem of outmoded voting equipment. A Caltech/MIT study found that in 2000, up to two million "residual votes" were cast but not counted – largely as a result of machine failures. A handful of states, including Florida and Georgia, have made upgrading machines a priority – but lack of state funds has slowed implementation.



**DISENFRANCHISED FELONS:** Laws that keep people with felony convictions from voting – which in the late 1800s served primarily to block political access to African Americans – vary across the country. Eight states, largely in the South, strip ex-felons of voting rights even after they’ve fully completed their sentences. Over four million citizens are denied the vote due to felony convictions, representing over two percent of the U.S. voting population – and over six percent of the African-American population. No states have lifted this barrier to democracy since 2000, and some have increased restrictions.



**EFFORTS AT REFORM:** Despite widespread calls for electoral reform in the wake of the 2000 elections, few states have made significant progress. Indeed, as the political watchdog group Common Cause noted in a 2001 follow-up report, “Very little has been done to restore confidence in the fundamental civil right to

participate fully in our elections ... Most states made no improvements. A few even regressed.”

In the fall of 2002, the U.S. Congress passed a \$3.9 billion package to assist states in upgrading voting machinery and setting standards for uniform voter registration lists. If passed by the Senate, it would also require states to provide provisional ballots. Critics charge that on the downside, it would increase voter identification requirements that may depress turnout.

The bill addresses roughly half of the indicators assessed in this report, while ignoring issues such as felon disenfranchisement, the need for voter education, and disclosure of campaign finances.

Despite the efforts that have been made for reform, our country still needs a complete overhaul to ensure a basic level of functioning and guarantee political access to all U.S. citizens. Such an overhaul will require a substantial investment of energy and resources. But a democracy requires nothing less.

## STATE-BY-STATE REPORT CARDS

### ALABAMA

#### OVERALL GRADE: C

**Registration Rate:** Grade: C  
75.9% of voting age population registered in 2000. (National average: 69.51%)

**Registration System:** Grade: A  
Alabama has a computerized, statewide system. All 67 counties are now under the Alabama Voter Information Network (ALVIN), which allows the state to track voters and update their records as they move from county to county.

**Registration Deadline:** Grade: A  
Registration deadline: 10 days before election.

**Voter Turnout:** Grade: C  
50% of voting age population voted in 2000. (National average: 50.4%)

**Uncounted Votes:** Grade: D  
No data. Alabama does not collect state-wide data on “residual” votes, thus the public lacks information needed to assess voting systems.

**Felon Disenfranchisement Laws:** Grade: F  
Alabama is one of eight states that permanently disenfranchise ex-felons, even if they’ve served their sentences.

**Positive Developments:** Movement towards a state-wide, real-time voter registration system, which now reaches all counties. Alabama’s 10-day registration deadline makes registration more accessible to voters.

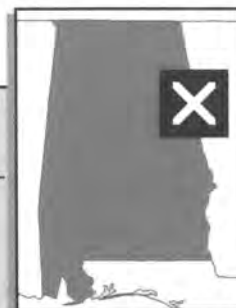
**Room for Improvement:** With some of the harshest felon disenfranchisement laws in the nation, Alabama continues to rank near the bottom in number of ex-felons stripped of the right to vote. A measure to restore the franchise to ex-felons was defeated in 2002.

**Rate of Disenfranchisement:** Grade: F  
6.2% of voting age population disenfranchised in 2000 due to felony convictions, tied for worst in the nation (national average: 2.1%). Equates to 225,095 voters.

**Provisional Balloting:** Grade: A  
Yes. Provisional ballots are available for people whose names do not appear on the registration rolls and cannot be confirmed at the site.

**Campaign Finance Disclosure:** Grade: F  
Alabama ranks 35th in the nation and receives a failing grade for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.

**Reform Efforts:** Grade: C  
Alabama made few improvements in 2001 and 2002.



# ARKANSAS

## OVERALL GRADE: D

**Registration Rate:** **Grade: B**  
80.7% of voting age population registered in 2000. (National average: 69.51%)

**Registration System:** **Grade: C**  
Arkansas has an integrated, computerized, statewide system, but local jurisdictions are not provided direct access.

**Registration Deadline:** **Grade: C**  
Registration deadline: 30 days before election.

**Voter Turnout:** **Grade: D**  
47.8% of voting age population voted in 2000. (National average: 50.4%)

**Uncounted Votes:** **Grade: D**  
No data. Arkansas does not collect state-wide data on "residual" votes. Thus, the public lacks information needed to assess voting systems.

**Felon Disenfranchisement Laws:** **Grade: D**  
Arkansas allows citizens to vote after fully completing sentences for felonies. However, in 2001 the state legislature tightened the rule, requiring individuals (instead of the state) to provide proof of completion of sentence from probation officer.

**Positive Developments:** Proposals released by study commission in June 2002 may be implemented thanks to federal funding.

**Room for Improvement:** Law enacted in 2001 that further restricts ex-felon voting was a setback. Questions surrounding authority of Secretary of State vs. local officials haven't been resolved.

**Rate of Disenfranchisement:** **Grade: C**  
2.6% of voting age population disenfranchised in 2000 (national average: 2.1%), or 50,416 voters.

**Provisional Balloting:** **Grade: B**  
Yes, by affidavit. If a voter claims eligibility but is not on the rolls, he/she is allowed to cast a challenged ballot, which is then handled by election officials.

**Campaign Finance Disclosure:** **Grade: F**  
Arkansas ranks 44th in the nation, and earns a failing grade for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.

**Reform Efforts:** **Grade: D**  
Arkansas made few improvements in 2001 and 2002. However, in 2001 the state House created the Arkansas State Election Improvement Study Commission, which in June 2002 released proposals for change - including Election Day standards, restoring voting to ex-felons, and funds for voter education and poll worker training. New restrictions on ex-felons a step backwards.



# FLORIDA

## OVERALL GRADE: C

**Registration Rate:** **Grade: C**  
74.3% of voting age population registered in 2000. (National average: 69.51%)

**Registration System:** **Grade: B**  
Legislature passed provisions in 2001 for statewide registration system that will bring all counties online. However, it has yet to be fully implemented, and localities do not have access to the full statewide list.

**Registration Deadline:** **Grade: C**  
Registration deadline: 29 days before election.

**Voter Turnout:** **Grade: C**  
50.6% of voting age population voted in 2000. (National average: 50.4%)

**Uncounted Votes:** **Grade: C**  
2.9% of votes uncounted in 2000. (National average: 2.0%)

**Felon Disenfranchisement Laws:** **Grade: F**  
Florida is one of eight states that permanently disenfranchise ex-felons, even if they've served their sentences. Change will require amendment to state constitution.

**Positive Developments:** Comprehensive 2001 reform package upgraded machines and greatly improved systems and procedures.

**Room for Improvement:** Difficulties during the 2002 primaries in two key counties - Miami-Dade and Broward, both with high "minority" populations - revealed implementation problems with machines and systems. Severe felon disenfranchisement laws lock hundreds of thousands out of the voting process.

**Rate of Disenfranchisement:** **Grade: F**  
6.2% of voting age population disenfranchised in 2000, tied for worst in nation (national average: 2.1%). Equates to 817,322 voters.

**Provisional Balloting:** **Grade: B**  
Yes, by affidavit. Affidavit ballots are available for people whose names do not appear on the registration rolls and cannot be confirmed at the site. The voter signs an affidavit affirming his/her right to vote.

**Campaign Finance Disclosure:** **Grade: B**  
Florida ranks eighth in the nation and receives good marks for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.

**Reform Efforts:** **Grade: B**  
State passed comprehensive reform legislation in wake of 2000 elections, including \$24 million for new voting machines, mandating uniform ballot design, and resources for voter education.



# GEORGIA



## OVERALL GRADE: C

**Registration Rate:** **Grade: D**  
65.6% of voting age population registered in 2000. (National average: 69.51%)

**Registration System:** **Grade: B**  
Georgia is incorporating all its local voter registries into a computerized statewide voter registration system. The list is a compilation of local lists, which can be accessed by local jurisdictions, but it is not a fully unified list.

**Registration Deadline:** **Grade: C**  
Registration deadline: 29 days before election.

**Voter Turnout:** **Grade: D**  
43.8% of voting age population voted in 2000. (National average: 50.4%)

**Uncounted Votes:** **Grade: D**  
3.5% of votes uncounted in 2000. (National average: 2.0%)

**Felon Disenfranchisement Laws:** **Grade: C**  
Georgia disenfranchises all citizens in prison, on probation, and on parole, but restores voting rights upon completion of sentences.

**Rate of Disenfranchisement:** **Grade: C**  
2.8% of voting age population disenfranchised in 2000

(national average: 2.1%), or 286,277 voters.

**Provisional Balloting:** **Grade: A**

Yes. Provisional ballots are available for people whose names do not appear on the registration rolls and cannot be confirmed at the site.

**Campaign Finance Disclosure:** **Grade: D**  
Georgia ranks 21st in the nation (tied with Texas) and receives barely passing marks for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.

**Reform Efforts:** **Grade: A**  
In 2001, passed legislation setting 2004 as deadline for overhauling voting technology. In May 2002, the state signed a \$54 million deal to provide Georgia's 159 counties with more than 19,000 touch-screen voting systems – the largest contract for voting technology in U.S. history, made without assurance of funds from Washington. The state also implemented provisional voting and increased voter education about new voting technology, mailing brochures to every registered voter.

**Positive Developments:** A strong push for reform in 2001-2002 led to impressive results in upgraded machines and improvements in voting systems.

**Room for Improvement:** Confusion over redistricting in 2002 primaries showed a need for even more extensive voter education. Low voter registration and turnout still a problem.

# KENTUCKY



## OVERALL GRADE: C

**Registration Rate:** **Grade: A**  
85.4% of voting age population registered in 2000. (National average: 69.51%)

**Registration System:** **Grade: A**  
Kentucky was one of the first states to develop a computerized statewide voter registration list. Its system is considered by some to be a model for other states. All county voter registries are online and have direct, real-time access to the statewide lists.

**Registration Deadline:** **Grade: C**  
Registration deadline: 28 days before election.

**Voter Turnout:** **Grade: C**  
51.6% of voting age population voted in 2000. (National average: 50.4%)

**Uncounted Votes:** **Grade: B**  
1.5% of votes uncounted in 2000. (National average: 2.0%)

**Felon Disenfranchisement Laws:** **Grade: F**  
Kentucky is one of eight states that permanently disenfranchise ex-felons, even if they've served their sentences.

**Rate of Disenfranchisement:** **Grade: F**  
4.2% of voting age population disenfranchised in 2000 (national average: 2.1%), or 147,434 voters.

**Provisional Balloting:** **Grade: B**  
Requires identification. As of July 15 2002, voters must show some form of identification such as a credit card or driver's license to vote provisionally.

**Campaign Finance Disclosure:** **Grade: D**  
Kentucky ranks 25th in the nation and receives barely passing marks for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.

**Reform Efforts:** **Grade: D**  
Kentucky legislature has passed few reforms since 2000 aside from voter identification requirements and boosting voter education.

**Positive Developments:** Improved voter education. Registration system remains a standout among states.

**Room for Improvement:** Felon disenfranchisement laws among harshest in nation. Need better disclosure of money in politics.

# LOUISIANA

## OVERALL GRADE: B



**Registration Rate:** **Grade: B**  
83.9% of voting age population registered in 2000. (National average: 69.51%)

**Registration System:** **Grade: A**  
Louisiana has an integrated, computerized, statewide voter registration list that parishes can access and update directly in real time.

**Registration Deadline:** **Grade: C**  
Registration deadline: 30 days before election.

**Voter Turnout:** **Grade: C**  
54.2% of voting age population voted in 2000. (National average: 50.4%)

**Uncounted Votes:** **Grade: A**  
0.6% of votes uncounted in 2000. (National average: 2.0%)

**Felon Disenfranchisement Laws:** **Grade: B**  
Louisiana restores voting rights to citizens who have been convicted of felonies upon their release from prison or jail, but denies the vote to inmates.

**Rate of Disenfranchisement:** **Grade: B**  
1.1% of voting age population disenfranchised in 2000 (national average: 2.1%), or 37,684 voters.

**Provisional Balloting:** **Grade: B**  
No, but not needed due to upgraded voting systems.

**Campaign Finance Disclosure:** **Grade: C**  
Louisiana ranks 16th in the nation and receives fair marks for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.

**Reform Efforts:** **Grade: B**  
The Louisiana legislature approved \$3 million to install 700 touch-screen machines, part of the state's exemplary modernization efforts. Legislature also voted in 2001 to place the Elections Department under the control of the Secretary of State's office, which promises to improve coordination and oversight.

**Positive Developments:** Despite old stereotypes of a state plagued by election irregularities, Louisiana continues to receive good marks in many key categories, such as its registration system. State began modernizing voting machines decades ago.

**Room for Improvement:** Could improve campaign finance disclosure laws.

# MISSISSIPPI

## OVERALL GRADE: F



**Registration Rate:** **Grade: B**  
84.9% of voting age population registered in 2000. (National average: 69.51%)

**Registration System:** **Grade: C**  
Mississippi does not have an integrated statewide voter registration list. Separate voter lists are kept by the local jurisdictions. However, the state is poised to implement an integrated list covering all 82 counties with the arrival of federal funds (although county commissioners will still be responsible for purging unqualified names from the rolls).

**Registration Deadline:** **Grade: C**  
Registration deadline: 30 days before election.

**Voter Turnout:** **Grade: D**  
48.6% of voting age population voted in 2000. (National average: 50.4%)

**Uncounted Votes:** **Grade: D**  
No data. Mississippi does not collect statewide data on "residual" votes. Thus, the public lacks information needed to assess voting systems.

**Felon Disenfranchisement Laws:** **Grade: F**  
Mississippi is one of eight states that permanently disenfranchise residents convicted of a felony.

**Rate of Disenfranchisement:** **Grade: F**  
5.3% of voting age population disenfranchised in 2000, one of the highest in the country (national average: 2.1%), or 119,943 voters.

**Provisional Balloting:** **Grade: A**  
Yes. Provisional ballots are available for people whose names do not appear on the registration rolls and cannot be confirmed at the site.

**Campaign Finance Disclosure:** **Grade: F**  
Mississippi ranks 42nd in the nation and receives failing marks for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.

**Reform Efforts:** **Grade: D**  
Mississippi passed a voter education bill for younger voters, implemented vote-counting standards, and is moving towards a state-wide voter registration list, but has made few other changes to election systems.

**Positive Developments:** Mississippi is moving towards an integrated registration system. The legislature also defeated a voter identification law, which some said could have a chilling effect on voting, and instead implemented an affidavit system for those without IDs.

**Room for Improvement:** Mississippi's poor voter registration system, weak campaign finance laws, and harsh felon disenfranchisement measures continue to keep its voting systems in the cellar nationally.

## NORTH CAROLINA

### OVERALL GRADE: C



<b>Registration Rate:</b>	<b>Grade: B</b>
88.4% of voting age population registered in 2000. (National average: 69.51%)	
<b>Registration System:</b>	<b>Grade: B</b>
North Carolina is moving towards a statewide, computerized voter registration list that counties can update in real time. However, it is a compilation of local lists, not a truly unified list.	
<b>Registration Deadline:</b>	<b>Grade: C</b>
Registration deadline: 30 days before election.	
<b>Voter Turnout:</b>	<b>Grade: C</b>
50.3% of voting age population voted in 2000. (National average: 50.4%)	
<b>Uncounted Votes:</b>	<b>Grade: D</b>
3.3% of votes uncounted in 2000. (National average: 2.0%)	
<b>Felon Disenfranchisement Laws:</b>	<b>Grade: C</b>
North Carolina restores voting rights to individuals convicted of felonies upon completion of sentences and notification from	

Department of Corrections, but disenfranchises all citizens in prison, on probation, and on parole.

<b>Rate of Disenfranchisement:</b>	<b>Grade: B</b>
1.3% of voting age population disenfranchised in 2000 (national average: 2.1%), or 70,653 voters.	
<b>Provisional Balloting:</b>	<b>Grade: B</b>
Yes, by affidavit. If voter claims eligibility but is not on rolls, voter must complete and sign affidavit. Ballot is then placed in sealed envelope and counted following verification.	
<b>Campaign Finance Disclosure:</b>	<b>Grade: B</b>
North Carolina ranks fourth in the nation and receives very good marks for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.	
<b>Reform Efforts:</b>	<b>Grade: C</b>
North Carolina enacted reforms to upgrade its registration lists.	

**Positive Developments:** State moved to phase-out antiquated punch-card machines and butterfly ballots by 2006. Also is upgrading voter registration system.

**Room for Improvement:** Registration system needs to be fully implemented and voter education efforts boosted to avoid confusion in wake of massive redistricting.

## SOUTH CAROLINA

### OVERALL GRADE: C



<b>Registration Rate:</b>	<b>Grade: C</b>
72.5% of voting age population registered in 2000. (National average: 69.51%)	
<b>Registration System:</b>	<b>Grade: A</b>
South Carolina has an integrated, statewide, computerized voter registration list that counties can update in real time.	
<b>Registration Deadline:</b>	<b>Grade: C</b>
Registration deadline: 30 days before election.	
<b>Voter Turnout:</b>	<b>Grade: D</b>
46.6% of voting age population voted in 2000. (National average: 50.4%)	
<b>Uncounted Votes:</b>	<b>Grade: D</b>
3.4% of votes uncounted in 2000. (National average: 2.0%)	
<b>Felon Disenfranchisement Laws:</b>	<b>Grade: C</b>
South Carolina restores voting rights to individuals convicted of felonies upon completion of sentences, but disenfranchises all citizens in prison, on probation, and on parole.	

<b>Rate of Disenfranchisement:</b>	<b>Grade: B</b>
1.7% of voting age population disenfranchised in 2000 (national average: 2.1%), or 52,210 voters.	
<b>Provisional Balloting:</b>	<b>Grade: B</b>
Yes, with affidavit. If voter claims eligibility but is not on rolls, he/she is allowed to vote a provisional ballot with affidavit.	
<b>Campaign Finance Disclosure:</b>	<b>Grade: F</b>
South Carolina ranks 47th in the nation and receives a failing grade for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.	
<b>Reform Efforts:</b>	<b>Grade: C</b>
South Carolina has done little to improve voting systems since 2000. Measures to create financial incentives for state's 46 counties to upgrade machines were defeated. However, a measure to remove punch cards - used by 40% of voters in 2000 elections - over course of three years did pass.	

**Positive Developments:** South Carolina was the first state in the nation with a statewide computer voter registration list. It also passed legislation in the wake of 2000 to improve standards for counting ballots, and increased poll worker training and pay.

**Room for Improvement:** The state needs to improve campaign finance disclosure laws and upgrade voting machines, which have led to high numbers of uncounted votes in last two presidential elections.

# TENNESSEE



## OVERALL GRADE: D

**Registration Rate:** **Grade: C**  
75.4% of voting age population registered in 2000. (National average: 69.51%)

**Registration System:** **Grade: C**  
Tennessee has a statewide, computerized voter registration list, but it is not fully integrated and cannot be updated in real time.

**Registration Deadline:** **Grade: C**  
Registration deadline: 30 days before election.

**Voter Turnout:** **Grade: C**  
49.2% of voting age population voted in 2000. (National average: 50.4%)

**Uncounted Votes:** **Grade: D**  
3.4% of votes uncounted in 2000. (National average: 2.0%)

**Felon Disenfranchisement Laws:** **Grade: D**  
Tennessee restores voting rights to individuals convicted of felonies upon completion of sentences, but disenfranchises all citizens in prison, on probation, and on parole, and permanently disenfranchises residents convicted of a felony prior to the enactment of this law.

**Rate of Disenfranchisement:** **Grade: C**  
2.0% of voting age population disenfranchised in 2000 (national average: 2.1%), or 94,149 voters.

**Provisional Balloting:** **Grade: C**  
No. If voter claims eligibility but is not on rolls, election officials check registration files. If name is not found, voter cannot cast a ballot. If voter has moved and his/her name is not on rolls, can cast ballot. However, other system allows for counting ballots.

**Campaign Finance Disclosure:** **Grade: F**  
Tennessee ranks 35th in the nation and receives a failing grade for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.

**Reform Efforts:** **Grade: C**  
In wake of 2000, many measures were introduced, but only three passed, including the "2000 Presidential Debacle Reform Bill of 2001." Enacted laws set standards for the state's voting systems and counting procedures, and improved its registration system. Other measures, including one to re-enfranchise some felons, failed.

**Positive Developments:** Has moved to improve voting systems and registration system.

**Room for Improvement:** Lack of provisional balloting for those whose names don't appear on the rolls. Should expand re-enfranchisement of ex-felons.

# TEXAS



## OVERALL GRADE: C

**Registration Rate:** **Grade: D**  
69.1% of voting age population registered in 2000. (National average: 69.51%)

**Registration System:** **Grade: C**  
Texas has a statewide, computerized registration system that is a compilation of all the county lists. However, it is not a fully unified registration system.

**Registration Deadline:** **Grade: C**  
Registration deadline: 30 days before election.

**Voter Turnout:** **Grade: D**  
43.1% of voting age population voted in 2000. (National average: 50.4%)

**Uncounted Votes:** **Grade: A**  
1.1% of votes uncounted in 2000. (National average: 2.0%)

**Felon Disenfranchisement Laws:** **Grade: B**  
Texas restores voting rights to individuals convicted of felonies upon completion of sentences, but disenfranchises all citizens in prison, on probation, and on parole.

**Rate of Disenfranchisement:** **Grade: D**  
3.6% of voting age population disenfranchised in 2000

(national average: 2.1%), or 525,967 voters.

**Provisional Balloting:** **Grade: A**  
Yes. Provisional ballots are available for people whose names do not appear on the registration rolls and cannot be confirmed at the site.

**Campaign Finance Disclosure:** **Grade: D**  
Texas ranks 21st in the nation (tied with Georgia) and receives barely passing marks for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.

**Reform Efforts:** **Grade: B**  
State passed legislation outlawing punch card machines and established a task force to study the possibility of uniform statewide machinery. Harris County, which includes Houston and is the third largest county in the country, has switched entirely from punch cards to electronic voting machines.

**Positive Developments:** Legislation to upgrade machines and voter registration systems a plus. Legislature also lifted cap on poll worker pay (was \$6), although lack of a minimum still means workers are among lowest paid in country.

**Room for Improvement:** State needs to implement integrated registration system. Campaign finance disclosure laws too limited.



## VIRGINIA

### OVERALL GRADE: D

**Registration Rate:** Grade: C  
71.6% of voting age population registered in 2000. (National average: 69.51%)

**Registration System:** Grade: A  
Virginia has an integrated, computerized, statewide voter registration list.

**Registration Deadline:** Grade: C  
Registration deadline: 29 days before election.

**Voter Turnout:** Grade: C  
52.0% of voting age population voted in 2000. (National average: 50.4%)

**Uncounted Votes:** Grade: B  
1.8% of votes uncounted in 2000. (National average: 2.0%)

**Felon Disenfranchisement Laws:** Grade: F  
Virginia is one of eight states that permanently disenfranchise ex-felons.

**Rate of Disenfranchisement:** Grade: F  
5.3% of voting age population disenfranchised in 2000, one of the highest in the country (national average: 2.1%). This equates to 310,661 voters.

**Positive Developments:** The state has made efforts to upgrade machines, and has good provisional ballot laws and an integrated registration system (largely because the entire state is considered one jurisdiction).

**Room for Improvement:** Disenfranchisement of ex-felon is among the highest in country, and machines need upgrading.

**Provisional Balloting:** Grade: B

Yes, by affidavit. A person who claims to be registered but is not on the list can vote only if the voter is "a qualified voter in the precinct in which he offered a conditional vote," according to the standard adopted in 2002.

**Campaign Finance Disclosure:** Grade: F  
Virginia ranks 37th in the nation and receives a failing grade for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.

**Reform Efforts:** Grade: D  
The Virginia legislature entertained many election measures, but passed few of them. Measures passed related to provisional ballots, absentee voters, and counting of over-votes and under-votes. In 2001, lawmakers created a joint subcommittee to look into voting machines in the Commonwealth, which still uses a mix of 1950s-era lever machines, punch cards, optical scan, and other technologies.



## WEST VIRGINIA

### OVERALL GRADE: C

**Registration Rate:** Grade: B  
75.4% of voting age population registered in 2000. (National average: 69.51%)

**Registration System:** Grade: D  
West Virginia does not yet have a fully integrated, real-time statewide voter list that all of its counties share. However, the state plans to launch a statewide database in 2003, contingent on federal funds.

**Registration Deadline:** Grade: C  
Registration deadline: 30 days before election.

**Voter Turnout:** Grade: D  
45.8% of voting age population voted in 2000. (National average: 50.4%)

**Uncounted Votes:** Grade: D  
2.6% of votes uncounted in 1996, 2000 data not available. (National average in 2000: 2.0%) West Virginia did not collect state-wide data on "residual" votes in 2000. Thus, the public lacks information needed to assess voting systems.

**Felon Disenfranchisement Laws:** Grade: D  
West Virginia restores voting rights to individuals convicted of felonies upon completion of sentences, but disenfranchises all

citizens in prison, on probation, and on parole.

**Rate of Disenfranchisement:** Grade: A  
0.6% of voting age population disenfranchised in 2000 (national average: 2.1%), or 8,875 voters.

**Provisional Balloting:** Grade: B  
Yes, with affidavit. If a person claims eligibility but is not on registration rolls, he/she is given a provisional ballot with a signed affidavit.

**Campaign Finance Disclosure:** Grade: F  
West Virginia ranks 45th in the nation and receives a failing grade for enforcement of disclosure laws, filing requirements, public access to information, and the reporting of contributions and expenditures of campaigns.

**Reform Efforts:** Grade: C  
West Virginia instructed the State Election Commission to study statewide electronic voting but stopped short of making any improvements. Measures were also enacted to boost turnout (which ranks near the bottom nationally), ban punch card machines, and expand "no excuse" absentee voting.

**Positive Developments:** Good provisional balloting laws, and steps towards replacing outdated voting machines.

**Room for Improvement:** State needs to upgrade its voter registration system and upgrade machines - only three counties have started to use touch-screen machines.



# THE STATE OF VOTING

Report author: Chris Kromm. Yolanda Carrington and Stan Goff provided research for this report.

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## SOURCES AND FOR MORE INFORMATION

Information from many sources went into this report, including Federal Election Commission data and reports by various election reform groups. Especially helpful was Electionline.org, including their report "Election Reform: What Has Changed, What Hasn't, and Why" (October 2002), which is available (along with daily news updates) at [www.electionline.org](http://www.electionline.org)

**VOTER REGISTRATION:** Percentage of voting age population registered to vote. Source: Federal Election Commission, 2000. [www.fec.gov](http://www.fec.gov)

**REGISTRATION SYSTEMS:** Grades based on whether or not a state has a fully unified, statewide, electronic registration database; a statewide database that compiles local lists, but is accessible to all localities; a statewide database that is compiled, but localities don't have access to; or no statewide system at all. Source: Electionline.org, "Election Reform: What Has Changed, What Hasn't, and Why," p. 16.

**REGISTRATION DEADLINE:** Number of days before election that one can register to vote. 37 states cut off voter registration 20 to 30 days before election day, well before polls indicate most voters become interested in elections. The six states that allow election-day registration have an average turnout 10% higher than the rest of the country. Source: Demos, "Election Day Registration," June 2002. [www.demos-usa.org](http://www.demos-usa.org)

**VOTER TURNOUT:** Percentage of voting age population that voted in 2000. FEC, 2000.

**UNCOUNTED VOTES:** Number of votes cast but not counted - "residual votes" - in 2000 due to bad machines and other election system failures. Caltech-MIT Voting Technology Project, "Voting: What It Is, What It Could Be," June 2001. [www.vote.caltech.edu](http://www.vote.caltech.edu)

**FELON DISENFRANCHISEMENT LAWS & RATE OF DISENFRANCHISEMENT:** Demos, "Restoring Voting Rights to Citizens with Felony Convictions," Summer 2002.

**CAMPAIGN FINANCE DISCLOSURE:** Standards for requiring candidates to make public information about contributions to their campaigns. Center for Public Integrity, "State Secrets," September 26, 2002. [www.publicintegrity.org](http://www.publicintegrity.org)

**PROVISIONAL BALLOTING:** Whether or not a state mandates provisional ballots; has limited provisional balloting; requires an affidavit; or has no process for handling voters whose names do not appear on the rolls. Electionline.org, "Election Reform," p. 17.

**REFORM EFFORTS:** *Southern Exposure* evaluation based on various reports and news sources. Counted twice in final grading.

# 5

## THINGS YOU CAN DO TO PROTECT YOUR RIGHT TO VOTE

By *Melissa Siebert, Stan Goff,  
and Chris Kromm*

### **1. CHECK YOUR RECORDS**

If you've registered to vote, you should have no problems casting a ballot come election day, right? Wrong. In 2000, problems with voter records kept 1.3 million registered citizens from voting. Troubles with voter rolls threaten to be even worse now, as several states go through redistricting and others work out the glitches of new electronic registration systems. Be proactive: call your local board of elections and make sure they have the right information about you, what polling location and district you will be voting in, and who will be on the ballot.

### **2. KNOW YOUR RIGHTS**

Find out the laws in your state that guarantee the right to vote. For example, in many states, if you have registered to vote yet your name doesn't appear on the rolls on election day, you have the right to cast a provisional ballot. Other standards are in place to ensure access to the polls for voters who speak English as a second language or have physical disabilities. People For the American Way

has compiled a "Voter's Bill of Rights" for over a dozen states (visit [www.pfaw.org](http://www.pfaw.org)). Distribute copies to your church or community group, or pass it out to voters on election day.

### **3. CONDUCT A "CITIZEN'S AUDIT"**

Most elections in this country are run by local election boards with small staffs, inadequate training, and shoestring budgets. Doug Lewis, director of the non-partisan Election Center in Houston, Texas, estimates that in 75% of the country's 6,000 jurisdictions, elections are the least well-funded arm of government. Concerned citizens and grassroots groups can become voting sentinels by performing a "citizen's audit" – an inventory of what election systems are in place, what improvements need to be made, and what resources are needed to get there. (See "Election Investigation," next page.) If there isn't a group yet working to improve elections in your county, form one.

### **4. LEND A HAND**

Most areas are desperate for poll workers. In 2000, over 1.4 million poll workers were recruited to help administer elections. The vast majority received little training, worked 14 or more hours on election day, and received little or no pay for their effort. Yet conscientious poll workers are critical to the smooth functioning of our election system. Contact your local election board and volunteer to staff the polls – chances are, your help is sorely needed.

### **5. DO ELECTION PROTECTION**

The best way to safeguard voter rights on election day is to organize "election protection" teams – people who fan out to polling precincts and advise voters of their rights, help voters assert those rights, and offer access to legal assistance. People For the American Way launched an election protection program in 2001, dispatching thousands of volunteers to monitor precincts in Virginia and New Jersey and helping hundreds of voters troubleshoot obstacles. If you want to set up an election protection program in your area, contact the Southern Voting Rights Project of the Institute for Southern Studies (publisher of *Southern Exposure*) at [melissa@southernstudies.org](mailto:melissa@southernstudies.org) and (919) 419-8311 x25 or visit the People For the American Way website listed above.

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*Melissa Siebert is director of the Institute's Southern Voting Rights Project; Stan Goff is an associate of the Project. Chris Kromm is publisher of Southern Exposure and executive director of the Institute for Southern Studies.*

**By Stan Goff  
and Chris Kromm**

“All politics is local.” This adage is especially true for voting systems, particularly in the South, where authority and funding are usually handed to counties and local jurisdictions. While this has often led to a disjointed patchwork of election systems and procedures, it also means that everyday citizens can have an enormous say in shaping voting policy.

Before pushing for change, you’ll want to get armed with the facts by performing a “citizen’s audit” of your election board.

Start by setting up an appointment with the board’s ranking staff person. Let her/him know what information you’d like at the meeting. Remember, the relationship doesn’t have to be adversarial—it’s a collaboration that benefits everyone. If you encounter resistance, that itself is instructive, and you should bring to the meeting a copy of your state’s open records law (available on the web). Here’s a starter list of information to request:

- A copy of the election board budget;
- A list of election board members, the director, and the staff, with their job descriptions and salaries (election workers and officials are often woefully underpaid);
- The most recent precinct map of the county;
- A sample ballot;
- A sample printout of the voter database, with at least 200 names in sequence. Citizens are allowed to have copies of the voter database, although there may be a fee.

Once the actual meeting begins, allow the director to give your group an orientation, which will often answer a number of questions. Afterwards, be sure to inquire about the following:

- What kind of voting equipment is your county using?
- How is it maintained?
- Is there enough of the equipment to deal with breakdowns in the course of the election?
- Are enough ballots printed for every election for every registered voter in the county?
- What are the most common errors that result in a ballot not being counted?
- How are poll workers trained?

# ELECTION INVESTIGATION

## How to Conduct a Citizen Audit of Your Election Board

- Are there provisional ballots? Does every poll worker know about provisional ballots?
- What were the “undercounts” for each precinct in the last election? (“Undercounts” are uncounted ballots. Your county or state may not have this data, which itself is valuable information.)
- How many changes have resulted from redistricting (if applicable)?
- What is the procedure to notify voters of changes?
- Is your county already using a statewide database system for its voter records?
- If so, how has it worked, and does the county have adequate technology to maintain that system correctly? If not, why not?
- A very important question for the director is: What has been your biggest frustration about this job? (This is often a thankless and underpaid position; interestingly, a disproportionate share of election board directors are women.)
- Finally, how might a group like yours assist in making the next election a success?

The information you collect from these and other questions will be critical to working with the board to identify problems and solutions. Your next step is gather the information, find patterns, and develop an agenda of what needs to change, and how. Again, in an ideal situation, this can be done in tandem with the election board staff themselves, who are often looking for citizen allies to help their cause.

Armed with this information, you can now approach the appropriate legislative body—usually the county commission—with your findings, showing the problems and outlining appropriate solutions.

For a more complete list of questions to ask election boards and other information on a Citizens’ Audit, visit the Southern Voting Rights Project at [www.southernstudies.org](http://www.southernstudies.org) or call (919) 419-8311 x25.

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*Stan Goff is an associate of the Southern Voting Rights Project of the Institute for Southern Studies; Chris Kromm is publisher and editor of Southern Exposure, and executive director of the Institute.*

**By Yolanda Carrington**

I'm a 24-year-old African American student who lives in Raleigh, North Carolina's capital and one of the wealthiest cities in the state.

At this point in my life, it's really hard for me to gauge just how I feel about elections.

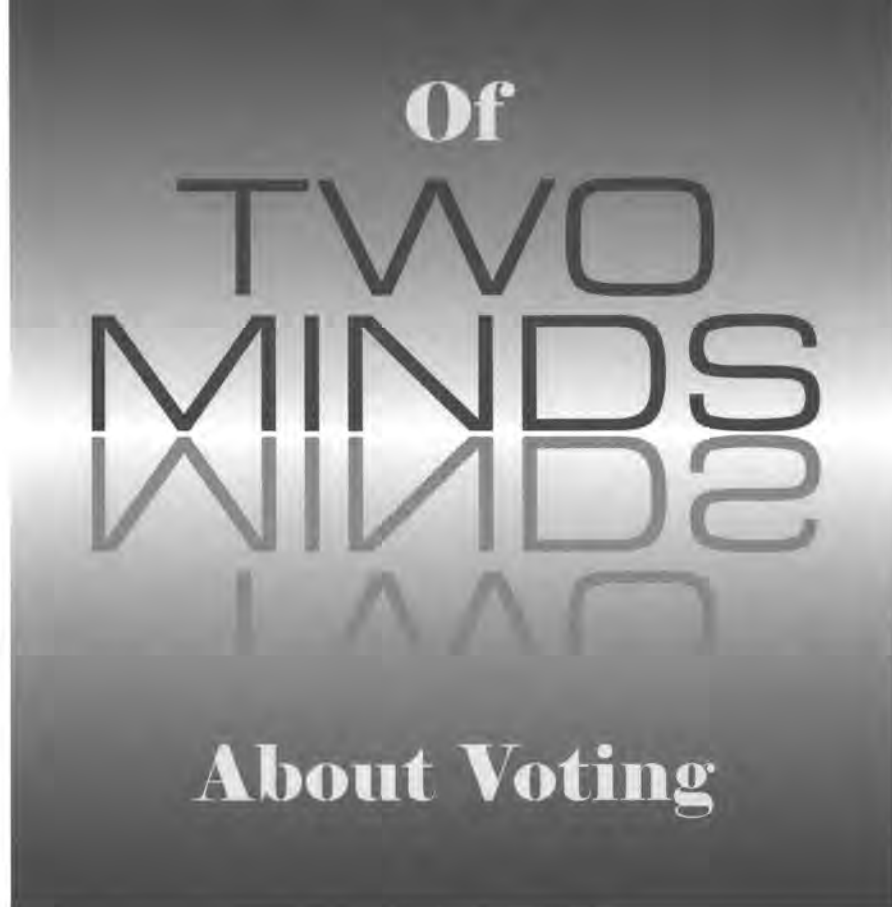
After having volunteered to work on a city council campaign last year, I haven't seen any real change in my city. I've kind of turned a deaf ear to voting.

That's not to say that I've stopped voting. As long as there are still elections in America, I intend to be at the polls. In this nominally democratic society, voting is a basic civil right, and too many of my people had to fight and die for the franchise for me to abstain.

But I see very clearly that elections don't make much of a real difference in my everyday life. They haven't helped my pursuit of a college education any easier. They haven't helped my two developmentally disabled sisters that my mother takes care of find any life skills training.

I vote at a relatively affluent precinct in northwest Raleigh, in the Lake Boone/Crabtree Valley area. The majority of people in this area are high-income, highly educated folks – tech sector people and professionals, retirees. It's also mostly white. My family is the antithesis of this. There are four of us living in a black low-income household. Only my mother and I are registered to vote. We don't have a car, so in order to get to the polls every election, Mom and I rely on rides from Democratic Party volunteers. If we didn't have this, we'd be up shit creek. Our polling place (Glen Eden Pilot Park) is too far from the nearest bus stop.

When we go to the Park to



vote, we don't experience the horror stories we hear about in other counties and states. The poll workers never ask us for proof of our registration. They offer assistance without us asking. The inside of the place is clean, well-lit, and organized. I note that my fellow voters are white and appear well-to-do, well-educated, confident, and cheerful.

They also, from what I can see, are politically literate. They are generally moderate to conservative in their views. I know this from overhearing conversations. They do not seem apathetic. They feel they have a stake in the system – although they don't come out for the primary races. Mom and I, we never miss an election. And I'm not sure if we have a stake or not.

This creates a gnawing disconnect between voting in elections and the social, economic, and political reality of my everyday life. My life may have been affected by elections in the six years that I've been voting, but not directly, not on the level where I can see it.

Our stake might be showing up because we can. Just 35 years ago I might not have even had this right. So I show up, even though I find the whole damn business of elections mind-numbingly boring.

My heart is deeply engaged instead in my day-to-day battles. I struggle with having enough money, food, and clean clothes to make it to school every day. I go to classes at Wake Technical Community College 17 hours and five days a week. I have to carry heavy textbooks that can weigh 15 to 20 pounds around with me for 11 hours a day, all because I don't have a car to put them in between classes. I study and do homework every night and weekend and never finish, because it's too much damn work for one person. I'm trying to graduate from that God-awful Wake Tech by May, because I'm getting sick and tired of having to spend three hours out of every day on our crappy Raleigh busing system and Wake Tech's sorry-ass one-trip-every-hour bus running back and forth

between that campus in the boondocks and my house. I have dreams and goals of being a writer and historian, but I'm often too goddamn tired at the end of the day to work on my craft. I'm trying to hurry up and finish my bachelor's degree, because it's the only way that I'll ever have a snowball's chance in hell of supporting my family and myself.

As you can see, I have too many things going on in my life to worry about the minute details of voting and the electoral process. There's enough socioeconomic struggle taking place right in front of me; tangible, up-to-the-minute struggle that matters to my life. Elections? I don't need to make a choice between two financially pre-selected candidates to participate in society. There's a struggle taking place right in front of me; tangible, up-to-the-minute, life and death struggle. There are no abstractions.

I guess it is that way for most African Americans, especially here in the South. When I'm in school or just on the street, I don't hear folks talking about elections. Of course everyone remembers the scandal in Florida during the 2000 Presidential elections, when thousands of African-American voters were intentionally purged from the registration rolls just prior to Election Day. We can recall the very scant coverage the mainstream American media gave to the fiasco, and the uphill battle that was faced by those people who were affected and their advocates to seek some kind of redress.

But I risk assuming too much when I say "we," for "we" almost always refers to those who follow politics and national affairs regularly – in other words, so called "conscious" folks. Between that time and now, I scarcely

recall many everyday black folk on the streets of Raleigh who had anything to say about the crisis, or who even knew what was going on. In the African-American community, what matters are low wages, inadequate public transit, abusive cops, high-priced housing and childcare, and degenerating public schools.

Does that mean I don't go to the polls? It's not an either-or proposition. My folks fought too damn hard and for too damn long for me to sit at home on Election Day.

The right to vote is central to any person in an allegedly democratic society. That's why I choose to vote. It is essential to

Corbis



the exercise of citizenship. For too long, women and African Americans were denied this assertion of citizenship. Withholding the franchise was the clearest message that the misogynistic, white supremacist powers-that-be could send to the people denied this right. The de facto prohibition of this right today serves the exact same purpose, but more covertly, and more insidiously.

It's like this: those that would reinstate another system of race-based apartheid, because of their unlimited wealth and privilege, have both the ideology and the means to launch a virtually unhindered campaign. There are an infinite number of means with which to orchestrate this attack, but by far the quickest and most advantageous way is through our electoral system.

Are we legitimizing the system when we vote? Maybe. Do we back off and withdraw from the gains for which people suffered and died? Absolutely not! We stay in, and we fight through. Even when we don't see the result. Even if they spin it to legitimize themselves. Because

we are going to challenge their legitimacy precisely by participating, and when participation proves to those who don't yet understand that we have no intention of ceding what power we do have, it is then that we take it to the streets.

---

*Yolanda Carrington is an activist and writer who lives in Raleigh, N.C.*

## ■ **The COINTELPRO Papers: Documents from the FBI's Secret Wars Against Dissent in the United States, Updated Edition**

By Ward Churchill and Jim Vander Wall, South End Press, 500 pp., \$22 (paper), \$40 (cloth)

On the 39th anniversary of Martin Luther King, Jr.'s "I have a Dream" speech on the National Mall, King's son, the president of the Southern Christian Leadership Conference, appealed to Attorney General John Ashcroft to remove former FBI Director J. Edgar Hoover's name from the FBI's headquarters building. "We feel that it is unjust that a man who really did some very notorious and negative things, that his name is on that building," King III had told reporters outside the Justice Department. "It's an insult. It's a disgrace."

I agreed with him at first. Any glorification of Hoover's name is an outrage. Yet he should be remembered – so that we never forget what he committed against communities of color and dissent in this country. We need to have his name emblazoned on the institution he helped create and direct. We need to remember that although Hoover has long since died, the FBI he created, the agency that conducted counterintelligence operations to destroy the left throughout the U.S., still rages on. What good can the removal of Hoover's name from a building do if the FBI itself still embraces Hoover's legacy?

Ward Churchill and Jim Vander Wall's newly updated history of these operations, known collectively as COINTELPRO, proves quite clearly that Hoover's

FBI did not die with him, but lives on.

Reading the book in the current climate highlights frightening similarities between the ruthless campaigns against dissent in the 1960s and events of this past year. What makes the USA Patriot Act's violations of the Constitution even scarier is that these violations have been continuously committed by the government over the past few decades. The "war on terror" is not an aberration. *The COINTELPRO Papers* reveals quite powerfully that the FBI is currently working in perfect allegiance to its nature.

Through examination of FBI documents, the authors show that "the Bureau was engaged from its earliest moments in precisely the same tactics of political repression [fabricating evidence, using provocateurs, intimidations, deportations, and outright assassinations and mass killings] which later marked the COINTELPRO era per se." The first formally designated COINTELPRO operation was directed against the Communist Party USA (CPUSA) and initiated on August 28, 1956. But FBI counterintelligence operations against the CPUSA predate those memos; in fact, the party had been targeted "for special attention" since the founding of the General Intelligence Division (GID), the FBI's precursor, in 1919. The GID took a lead role in carrying out the 1919 Palmer Raids – "a draconian sweep of the nation designed to crush all manner of progressive expression in the US, from anarchism and radical unionism to socialism and communism." Alleged "radical aliens" who had received no token due process in

the matter were deported to the USSR. "Secretary of labor William Wilson announced ... [that] mere membership in the CP would be considered sufficient grounds to warrant deportation of alien residents of the US, or bring about the denaturalization of those who had become citizens."

Just as COINTELPRO operations began before they were officially named as such, they continue, inside and outside the FBI, long after being officially stopped.

For instance: in the past year, under the USA Patriot Act and



Presidential executive orders, more than 1,200 "radical aliens" have been detained, some of them deported. The Attorney General (and the FBI) now have the power to detain any non-citizens indefinitely if there is "reason to believe [they] may further or facilitate acts of terrorism ... or any other activity that endangers the national security of the United States." The government needs only "reason to believe" that "aliens" may engage in crimes of violence, or may support organizations that have done so in the past. Non-citizens can be deported if they have ever provided material support for the lawful activities of terrorist organizations, even if the organization was not designated as a "terrorist" at the time the support was provided. There are no limits to what can be considered "support" of a terrorist organization; sending medical aid to a hospital run by an organization later classified as terrorist could be a deportable offense. This could lead to the deportation of individuals strictly on the grounds of their political beliefs. In many ways, the Palmer Raids continue.

*The COINTELPRO Papers* shows how the “terrorist” label is routinely applied on a racial and political basis, and is not necessarily based on the act itself. The FBI, for example, listed as a “terrorist incident” the 1985 arrest of nine “May 19th Communist Organization members” for trespassing during a sit-in at the ticket office of South African Airways in New York City. Other May 19th Organization activities presented by the FBI as “evidence of terrorism” include attending peaceful demonstrations, conducting an educational forum at Boston University, holding a nonviolent public rally in New York, publicly advocating solidarity with the Southwest African Peoples’ Organization, and having inter-organizational contact with CISPES (Committee in Solidarity with the People of El Salvador). And now we have not only the media-hyped threat of terror but also the creation of “domestic terrorists” by the USA PATRIOT Act, which is so vague as to possibly regard civil disobedience as an act of terror.

The FBI not only acts directly and openly in its own name, but also, as documented by *The COINTELPRO Papers*, cultivates close ties with police departments and right-wing organizations. In this way, the FBI has been complicit in violent attacks on popular (and unpopular) movements. As Churchill and Vander Wall put it: “Horrific ‘events’ like the MOVE and Davidian massacres should ... be considered exemplary actions, exclamation points punctuating a broader and grindingly consistent syntax of social discourse, best illustrated perhaps by the fates bestowed upon people like Rodney King, Betty Jean Aborn, and Amadou Diallo, intended to impress upon the populace the rigor with which it is obliged to

comply with even the most arbitrary requirements of order. No one, anywhere, at any time, or for any reason, is allowed to opt out, no matter how partially or transiently. The ‘free people’ of the United States are free only to do exactly what they are told, exhibiting an unquestioning and instantaneous obedience to anyone endowed with a badge.”

In addition to exhibiting the FBI’s atrocities, *The COINTELPRO Papers* powerfully and succinctly reminds us of the links between law enforcement agencies and the prison system in campaigns against popular movements. As Churchill and Vander Wall reveal, the “use of the prison system for purposes of political neutralization appears to have become the preferred mode for the FBI and associated police agencies by the end of the 1980s.” At present, the U.S. has a “greater proportion of its population incarcerated than any western industrialized country. [And] both federal and state policymakers have lately made no secret of their intention to double the number of available prison beds during the coming decade.” As the authors ask, are we the Land of the Free or the Land of the Imprisoned?

**T**he FBI continued its COINTELPRO-style operations “even at the moment such methods were being roundly condemned by the Senate Select Committee on Intelligence Activities.” So what sorts of dubious activities are going on now, when Congress is either supportive or relatively silent about Ashcroft’s plans? As Churchill and Vander Wall ask: “If we may ascertain that COINTELPRO remained alive and well years after it was supposed to have died, we may assume it lives on today. And that, to be sure, is a danger to the lives and liberties of everyone.”

If the FBI could fabricate

evidence, threaten and harass witnesses, influence judges, and then even confess that they do not know who committed the crime for which American Indian Movement (AIM) leader Leonard Peltier is being held, and Peltier can still be held in prison – then who will be next? Who else has been similarly treated, without the publicity? The courts have “left Peltier in the midst of a double-life sentence for ‘crimes’ both it and the trial prosecutor acknowledged had never been proven rather than delve more deeply into the illegal FBI activities attending his case.”

Churchill and Vander Wall give us additional cause to worry. If governmental agencies can fabricate evidence in domestic cases, then isn’t it natural that the same system that spreads such destructive lies would also thrive on lies in foreign policy? Wouldn’t the same powers also fabricate evidence and create “facts” against countries – as they have done domestically against individuals and movements – to support their campaign for further military and economic control over other peoples’ resources? As the people of Iraq face the threat of a U.S. military invasion and occupation, allegedly over the “threat” of “alleged weapons of mass destruction,” we must become all the more vigilant for the facts and the truth.

*The COINTELPRO Papers* proves to some of us and reminds the rest of us that the FBI was established to maintain the status quo. From the start, the FBI has targeted popular movements for change – from the New Left of the 1960s to the Puerto Rican independence movement, from the Communists to the Black Panthers, from Marcus Garvey to AIM. Who will be next? Who among us has already been targeted by the FBI?

– Rania Masri



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BY MELISSA SIEBERT AND CHRIS KROMM

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