

US Commission on Civil Rights charges "voter disenfranchisement... at heart" of Bush victory in Florida

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The US Commission on Civil Rights issued a preliminary report Friday that provided damning evidence of the systematic and intentional disenfranchisement of voters by Florida officials during the 2000 presidential election. The commission presented facts that lead inexorably to the conclusion that the state administration, headed by President Bush's brother, Governor Jeb Bush, made decisions on and before election day all but assuring that a high percentage of likely Democratic voters would either be blocked from voting, or prevented from having their votes counted.

Summing up the evidence collected to date by the commission, Chairwoman Mary Frances Berry said, "Voter disenfranchisement appears to be at the heart of the issue. It is not a question of a recount or even an accurate count, but more pointedly the issue is those whose exclusion from the right to vote amounted to a 'No Count.'"

The vote in Florida was pivotal to the outcome of the presidential election. Although Democratic candidate Al Gore won the popular vote nationally by a margin of nearly 600,000, Florida's 25 electoral votes determined the winner of the Electoral College vote, and therefore the presidency.

Throughout the five-week period following election day, when the result of the presidential election hung in the balance, the Bush camp committed all of its resources to preventing an accurate count of votes in Florida in order to maintain its official margin of a few hundred votes. In the end, the US Supreme Court intervened to override a state high court ruling and stop a manual recount of votes, thereby handing the election to Bush.

The US Commission on Civil Rights held two hearings, one in January in the state capital of Tallahassee, the other in February in Miami, where over 100 witnesses testified under oath. Among the witnesses were Governor Jeb Bush, Secretary of State Katherine Harris, Director of the Florida Division of Elections Clayton Roberts and other state and county officials. Also testifying was a representative of Database Technologies, the firm contracted by the state to

carry out an election-roll purge of alleged felons, as well as several voters who were either barred from voting or who had great difficulty doing so.

The commission found that prior to election day key state officials anticipated, on the basis of voter registration figures, that there would be an increase in voter turnout, but failed to ensure that precincts in all communities received adequate resources to cope with the greater influx of voters. These officials knew that thousands of first-time voters, especially in working class and minority neighborhoods, would be going to the polls.

The clear implication of Berry's statement is that state officials acted in such a way as to make it more, rather than less difficult for these voters—largely Democratic—to exercise the franchise. (Berry avoids naming the "key officials" to whom she alludes, but it is only logical to assume they include Republican operatives such as Katherine Harris and Governor Jeb Bush himself).

The commission notes that many African-Americans were unable to cast their ballots because they were assigned to polling sites that had insufficient manpower or other resources to confirm the eligibility status of all those seeking to vote.

Berry also cited old and defective election equipment found in poorer precincts, and said the unequal allocation of resources, including voting technology and procedures, resulted in a diminished opportunity for certain groups to have their votes counted. Too few poll workers were adequately trained and too few funds were committed to voter education activities, she said.

Berry came close to alleging criminal violations of federal voting rights laws, saying "evidence may ultimately support findings" that Florida officials violated these laws by knowingly using an inaccurate database to purge alleged felons from the state's roll of registered voters. Berry's report stated: "Non-felons were removed from voter registration rolls based upon unreliable information collected in

connection with sweeping, state-sponsored felony purge policies.” (Florida is one of a number of states in the US that bar people convicted of felonies from ever voting, even after they have served their prison terms or paid their fines.)

The testimony of Database Technologies executive George Bruder was particularly incriminating. In his February 16 appearance before the commission, Bruder testified that the state Division of Elections set the criteria for people to be included on the list of supposed felons. He said Florida election officials were warned their criteria for a database would lead to many inaccuracies, but the officials “wanted false positives on search parameters to cast as broad a net as possible.”

Other findings cited by the Commission include:

- * At least one police checkpoint was set up on election day near a polling station in a minority neighborhood, prompting voters to complain of police intimidation;

- * College students and others submitted voter registration applications on a timely basis, but in many instances these applications were not processed in time for the applicants to receive voter registration cards;

- * Many Jewish and elderly voters received defective and complicated ballots that may have produced “overvotes” and “undervotes;”

- * Some polling places were closed early and some polling places were moved without notice;

- * Many Haitian-American and Puerto Rican voters were not provided language assistance when required and requested;

- * Persons with disabilities faced accessibility difficulties at certain polling sites.

Under the Voting Rights Act of 1965, it is not necessary to prove deliberate or intentional discrimination against citizens, only that certain practices resulted in the disenfranchisement of those whom the statute is designed to protect. Practices, the commission noted, “are illegal when they have the effect of restricting opportunities for people of color, language minorities, persons with disabilities, and the elderly to participate fully in the political process and to elect candidates of their choice.”

In her conclusions, Chairwoman Berry was careful not to state explicitly that Jeb Bush, Harris or other Florida officials were guilty of violating voting rights. However, her preliminary report provides a picture of pervasive fraud, manipulation and intimidation, which can be explained rationally only as the outcome of a deliberate policy. Moreover, the ferocious effort of Republican officials, both nationally and in Florida, to block manual recounts after election day is consistent with a policy of suppressing votes on election day itself.

The commission plans to hold further hearings and issue

its official report the first week in June. Whatever its final conclusions, the facts already assembled confirm that the 2000 presidential election was decided on the basis of an assault on the principle of popular sovereignty, and that the Bush administration is the illegitimate product of a sweeping attack on the democratic right to vote.

Within the political establishment, there is no significant opposition to this attack on basic rights. Throughout the election crisis the Democrats concealed the extent of the conspiracy against democratic rights and sought to prevent any intervention by the masses of working people against the political coup that placed Bush in the White House. The Democrats have since bent over backwards to provide Bush with political legitimacy.

The news networks and print media have gone to extraordinary lengths to make the stolen election of 2000 a non-story. They have adopted a policy of self-censorship when it comes to news items casting light on the illegitimate pedigree of the Bush administration and the threat to democratic rights embodied in his government. Their treatment of the interim report of the US Commission on Civil Rights—an agency of the federal government—is a case in point.

Berry's politically explosive report was the lead story on CBS radio news at 11 AM Friday, shortly after the report was issued. That was apparently the first and last mention of the commission's interim findings by any national broadcast news outlet. CNN's Headline News, which purports to present the latest and most important news items every half-hour, made no mention of the commission report. None of the evening network television news broadcasts—neither NBC, nor CBS nor ABC—devoted so much as a sound bite to the commission report. This was obviously considered the type of news that is better kept from the general public.



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