

Elections 2000

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The most striking fact about the November 2000 elections is that they were a statistical tie (for Congress as well, virtually). The most interesting question is what this shows, if anything, about the state of functioning democracy. For many commentators, the fact that the presidency “is hinging on a few hundred votes” reveals the extraordinary health and vigor of American democracy (former State Department spokesperson James Rubin). An alternative interpretation is that it confirms the conclusion that there was no election in any sense that takes the concept of democracy seriously.

Under what conditions would we expect 100 million votes to divide 50–50, with variations that fall well within expected margins of error of 1–2 percent? There is a very simple model that would yield such expectations: people were voting at random. If tens of millions of votes were cast for X vs. Y as president of Mars, such results would be expected. To the extent that the simplest model is valid, the elections did not take place.

Of course, more complex models can be constructed, and we know that the simplest one is not strictly valid. Voting blocs can be identified, and sometimes the reasons for choices can be discerned. It’s understandable that financial services should overwhelmingly support Bush, whose announced plans included huge gifts of public resources to the industry and even more commitment than his opponent to the demolition of quasi-democratic institutions (Social Security in particular). And it is no surprise that affluent white voters favored Bush while union members, Latinos, and African-Americans strongly opposed him (“supported Gore,” in conventional terminology).

But blocs are not always easy to explain in terms of interest-based voting, and it is well to remember that voting is often consciously against interest. For example, in 1984 Reagan ran as a “real conservative,” winning what was called a “landslide victory” (with under 30 percent of the electoral vote); a large majority of voters opposed his legislative program, and 4 percent of his supporters identified themselves as “real conservatives.” Such outcomes are not too surprising when over 80 percent of the population feels that the government is “run for the benefit of the few and the special interests, not the people,” up from about half in earlier years. When similar numbers feel that the economic system is “inherently unfair” and working people have too little say, and that “there is too much power concentrated in the hands of large companies for the good of the nation.” Under such circumstances, people may tend to vote (if at all) on grounds that are irrelevant to policy choices over which they feel they have little influence. Such tendencies are

strengthened by intense media/advertising concentration on style, personality, and other irrelevancies (in the presidential debates, will Bush remember where Canada is?; will Gore remind people of some unpleasant know-it-all in 4th grade?).

Public opinion studies lend further credibility to the simplest model. Harvard's Vanishing Voter Project has been monitoring attitudes through the presidential campaign. Its director, Thomas Patterson, reports that "Americans' feeling of powerlessness has reached an alarming high," with 53 percent responding "only a little" or "none" to the question: "How much influence do you think people like you have on what government does?" The previous peak, 30 years ago, was 41 percent. During the campaign, over 60 percent of regular voters regarded politics in America as "generally pretty disgusting." In each weekly survey, more people found the campaign boring than exciting, by a margin of 48 percent to 28 percent in the final week. Three-fourths of the population regarded the whole process as largely a game played by large contributors (overwhelmingly corporations), party leaders, and the PR industry, which crafted candidates to say "almost anything to get themselves elected," so that one could believe little that they said even when their stand on issues was intelligible. On almost all issues, citizens could not identify the stands of the candidates—not because they are stupid or not trying.

It is, then, not unreasonable to suppose that the simplest model is a pretty fair first approximation to the truth about the election, and that the country is being driven even more than before towards the condition described by former President Alfonso Lopez Michalson of Colombia, referring to his own country: a political system of power sharing by parties that are "two horses with the same owner." Furthermore, that seems to be general popular understanding.

On the side, perhaps the similarities help us understand Clinton's great admiration and praise for Colombian democracy, and for the grotesque social and economic system kept in place by violence. The fact that after a decade in which Colombia was the leading recipient of U.S. arms and military training in the hemisphere—and the leading human rights violator, in conformity with a well-established correlation—it attained first place worldwide in 1999, with a huge further increase now in progress (Israel-Egypt are a separate category).

When an election is a largely meaningless statistical tie, and a victor has to be selected somehow, the rational procedure would be some arbitrary choice; say, flipping a coin. But that is unacceptable. It is necessary to invest the process of selecting our leader with appropriate majesty, an effort conducted for five weeks of intense elite dedication to the task, with limited success, it appears.

The five weeks of passionate effort were not a complete waste. They did contribute to exposing racist bias in practices in Florida and elsewhere—which probably have a considerable element of class bias, concealed by the standard refusal in U.S. commentary to admit that class structure exists, and the race-class correlations.

There was also at least some slight attention to a numerically far more significant factor than the ugly harassment of black voters and electoral chicanery: disenfranchisement through incarceration. The day after the election, Human Rights Watch issued a (barely- noted) study reporting that the "decisive" element in the Florida election was the exclusion of 31 percent of African-American men, either in prison or among the more than 400,000 "ex-offenders" permanently disenfranchised. HRW estimates that "more than 200,000 potential black voters [were] excluded from the polls." Since they overwhelmingly vote Democratic, that "decisively" changed the outcome. The numbers overwhelm those debated in the intense scrutiny over marginal technical issues (dimpled chads, etc.). The same was true of other swing states. In seven states, HRW

reported, “one in four black men is permanently barred” from voting; “almost every state in the U.S. denies prisoners the right to vote” and “fourteen states bar criminal offenders from voting even after they have finished their sentences,” permanently disenfranchising “over one million ex-offenders.” These are African- American and Latino out of any relation to proportion of the population, or even to what is called “crime.”

“More than 13 percent of black men (some 1.4 million nationwide) are disenfranchised for many years, sometimes for life, a result of felony convictions, many for passing the same drugs that Al Gore smoked and George W. snorted in years gone by,” University of New Mexico Law Professor Tim Canova writes. The few reports in the mainstream U.S. press noted that the political implications are highly significant, drawing votes away from Democratic candidates. The numbers are large. In Alabama and Florida, over 6 percent of potential voters were excluded because of felony records; “for blacks in Alabama, the rate is 12.4 percent and in Florida 13.8 percent”; “In five other states—Iowa, Mississippi, New Mexico, Virginia and Wyoming—felony disenfranchisement laws affected one in four black men” (*NY Times*, November 3, citing human rights and academic studies).

The academic researchers, sociologists Jeff Manza (Northwestern) and Christopher Uggen (Minnesota), conclude that “were it not for disenfranchised felons, the Democrats would still have control of the U.S. Senate.” “If the Bush-Gore election turns out to be as close as the Kennedy-Nixon election, and Bush squeaks through, we may be able to attribute that to felon disenfranchisement.” Re-examining close Senate elections since 1978, they conclude further that “the felon vote could have reversed Republican victories in Virginia, Texas, Georgia, Kentucky, Florida and Wyoming, and prevented the Republican takeover” (*Los Angeles Times*, September 8).

Citing the same studies, the Santa Fe *New Mexican* (November 19) pointed out that 5.5 percent of potential voters in New Mexico—where the election was also a statistical tie—were disenfranchised by felony convictions. “As many as 45 percent of black males in the state can’t vote—the highest ratio in the country,” though the total figures are not as dramatic as Florida. Figures were not available for Hispanics, who constitute 60 percent of the state’s prisoners (and about 40 percent of the estimated population), but the conclusions are expected to be comparable. “Neither party seems interested in addressing the issue, Manza said. Republicans feel they have little to gain because these voters are thought to be overwhelmingly Democratic. And, he added, ‘Democrats are sufficiently concerned about not appearing to be weak on crime that I’m sure they would not be jumping up and down on this.’”

The last comment directs attention to a critically important matter, discussed prominently abroad (see Duncan Campbell, *Guardian*, Nov. 14; Serge Halimi and Looc Wacquant, *Le Monde diplomatique*, December 2000; also Earl Ofari Hutchinson, *Christian Science Monitor*, December 14). For the past eight years, Clinton and Gore disenfranchised a major voting bloc that would have easily swung the election to Gore. During their tenure in office, the prison population swelled from 1.4 to 2 million, removing an enormous number of potential Democratic voters from the lists, thanks to the harsh sentencing laws. Clinton-Gore were particularly devoted to draconian Reagan-Bush laws, Hutchinson points out. The core of these practices is drug laws that have little to do with drugs but a lot to do with social control: removing superfluous people and frightening the rest. When the latest phase of the “war on drugs” was designed in the 1980s, it was recognized at once that “we are choosing to have an intense crime problem concentrated among minorities” (Daniel Patrick Moynihan, one of the few Senators who paid attention to social statistics). “The war’s planners knew exactly what they were doing,” criminologist Michael

Tonry wrote, reviewing the racist and class-based procedures that run through the system from arrest to sentencing—and that continue a long and disgraceful tradition (see Randall Shelden, *Controlling the Dangerous Classes: A Critical Introduction to the History of Criminal Justice*).

Twenty years ago, the U.S. was similar to other industrial countries in rate of incarceration. By now, it is off the spectrum, the world's leader among countries that have meaningful statistics. The escalation was unrelated to crime rates, which were not unlike other industrial countries then and have remained stable or declined. But they are a natural component of the domestic programs instituted from the late Carter years, a variant of the "neoliberal reforms" that have had a devastating effect in much of the third world. These "reforms" have been accompanied by a notable deterioration in conventional measures of "economic health" worldwide, but have had a much more dramatic impact on standard social indicators: measures of "quality of life." In the U.S., these tracked economic growth until the "reforms" were instituted, and have declined since, now to about the level of 40 years ago, in what the Fordham University research institute that has done the major studies of the topic calls a "social recession" (Marc and Marque-Luisa Miringoff, *The Social Health of the Nation*; see Paul Street, *Z Magazine*, November 2000). Economic rewards are highly concentrated, and much of the population becomes superfluous for profit and power.

Marginalization of the superfluous population takes many forms. Some of these were the topic of a recent *Business Week* cover story entitled "Why Service Stinks" (October 23). It reviewed refinements in implementing the 80–20 rule taught in business schools: 20 percent of your customers provide 80 percent of the profits, and you may be better off without the rest. The "new consumer apartheid" relies on modern information technology (in large measure a gift from an unwitting public) to allow corporations to provide grand services to profitable customers, and to deliberately offer skimpy services to the rest, whose inquiries or complaints can be safely ignored. The experience is familiar, and carries severe costs—how great when distributed over a large population, we don't know, because they are not included among the highly ideological measures of economic performance. Incarceration might be regarded as an extreme version, for the least worthy.

Incarceration has other functions. It is a form of interference in labor markets, removing working-age males, increasingly women as well, from the labor force. Calculating real unemployment when this labor force is included, the authors of an informative academic study find the U.S. to be well within the European range, contrary to conventional claims (Bruce Western and Katherine Beckett, *American Journal of Sociology*, January 1999; also *Prison Legal News*, October 2000). They conclude that what is at issue is not labor market interference, but the kind that is chosen: job training, unemployment insurance, and so on, on the social democratic model; or throwing superfluous people into jail.

In pursuing these policies, the U.S. has separated itself from other industrial countries. Europe abandoned voting restrictions for criminals decades ago; in 1999, the Constitutional Court of South Africa gave inmates the right to vote, saying that the "vote of each and every citizen is a badge of dignity and personhood." Prior to the "neoliberal reforms" and their "drug war" concomitant, the U.S. was heading in the same direction, the *National Law Journal* (October 30) comments: "The American Bar Association Standards on Civil Disabilities of a Convicted Person, approved in 1980, state flatly that '[persons] convicted of any offense should not be deprived of the right to vote' and that laws subjecting convicts to collateral civil disabilities 'should be repealed'."

Without continuing, the Clinton-Gore programs of disenfranchising their own voters should be understood as a natural component of their overall socioeconomic conceptions. The elections themselves illustrate the related conception of the political system of two horses with the same corporate owner. None of this is new. There is no “golden age” that has been lost, and this is not the first period of concentrated attack on democracy and human rights. Insofar as the November 2000 elections are worth discussing, they should, I think, be seen primarily from these perspectives.

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