

## PART ONE – The perception of CHANGING DEMOGRAPHICS

*The New York Times*

**The Morning**

August 13, 2021

### Text 1 -The 2020 census shows America is changing. We're looking at how.

#### A changing country

The United States population is getting more diverse, according to new data from the 2020 census that offers a once-in-a-decade look at the makeup of America.

Over the past 10 years, people who identified as Hispanic, Asian or more than one race accounted for larger shares of the population, the data shows. Diversity is rising in almost every county. The overall U.S. population, though, grew at the slowest rate in nearly a century.

William Frey, a demographer at the Brookings Institution, described the data as “a pivotal moment for the country.”

“We have people of color who are younger and growing more rapidly,” he told The Times’s [Sabrina Tavernise](#) and [Robert Gebeloff](#). “They are helping to propel us further into a century where diversity is going to be the signature of our demography.”

Here are some takeaways from the new data.

#### New demographics

The share of people who identify as white has been declining since the 1960s, when the U.S. opened up more widely to immigrants from outside Europe. But over the past decade, the total number of white people fell for the first time.

The total population has grown at a drastically slower rate over the past decade. As David Leonhardt [has explained](#) in this newsletter, slower population growth can expand economic opportunities for women. But it also reflects American society’s failure to support families.

The growth that did occur since 2010 — an increase of about 23 million people — was made up entirely of people who identified as Hispanic, Asian, Black or more than one race.

The multiracial category, added to the census only 20 years ago, is the fastest-growing group in the U.S. That could account for some of the decline of the white population, social scientists say; people of more than one race who previously chose white on the census form can now answer more accurately.

#### Fast-growing cities

The fastest-growing big city in the country is Phoenix, which surpassed Philadelphia as the fifth largest. Immigration, a tech boom and middle-class Californians seeking affordable housing all contributed to Phoenix’s growth, The Times’s [Jack Healy explains](#).

The change in Phoenix reflects a trend: All 10 of the largest U.S. cities saw their populations rise in the past decade. Three big cities in Texas — Houston, San Antonio and Dallas — outpaced the national average.

[New York City](#) also grew by nearly 8 percent, defying predictions that its population was on the decline. The city now accounts for nearly 44 percent of the state’s total population.

The metro area that grew fastest since the last census, though, was not a major city; it was [The Villages](#), America’s largest retirement community, located outside Orlando, Fla.

#### Political consequences

The new census data will launch an intense scramble to redraw districts for the House of Representatives, which states do once per decade. Legislatures control redistricting in most states and can draw gerrymandered congressional maps that advantage their party, which will help determine who will win control of the House in next year's midterm elections.

The data was less favorable to Republicans than some experts expected, The Times's Nate Cohn writes. Rural areas and white people's share of the population shrank, while traditionally Democratic cities and increasingly Democratic suburbs grew.

But Republican-controlled legislatures will still get to redraw 187 maps, compared to Democrats' 84. "The parties do not compete on a level playing field," our colleague Nick Corasaniti, who covers politics, told us. "While it is still very early to fully grasp the impact" of the new data, "it is perhaps most important to remember who will be drawing the maps."

### See also

<https://www.brookings.edu/research/americas-racial-diversity-in-six-maps/>

<https://www.nytimes.com/interactive/2021/08/12/us/2020-census-race-ethnicity.html>

<https://www.nytimes.com/2021/08/12/us/us-census-population-growth-diversity.html>

## Text 2 - What the 'Majority Minority' Shift Really Means for America

### GUEST ESSAY

*The New York Times*, Aug. 24, 2021

<https://www.nytimes.com/2021/08/24/opinion/us-census-majority-minority.html>

**By Justin Gest**

*Dr. Gest is a political scientist who studies and writes about immigration, nativism and demographic change.*

In 2015, the Census Bureau published a report projecting that by 2044, the United States' white majority would become merely a white plurality: immigration and fertility trends would lead to America's ethnic and racial minorities outnumbering its white population.

Since then, for a certain subset of Americans, each annual release by the bureau — neutral, nonpartisan researchers who produce deliberately staid reports — has become a sort of countdown to the white apocalypse. Worse, we now talk about cross-racial fertility rates Darwinistically, as if the census were monitoring a population of elephant seals in competition for a rookery.

In a country whose history has been shaped by the boundaries among racial groups, this projected demographic shift is undoubtedly important. Given the racialized nature of our political parties, it also has electoral consequences. However, if we are to overcome the division that defined our past, we must stop reinforcing the salience of those boundaries in the future.

I am not arguing that the Census Bureau should stop collecting this valuable data, à la France's farcical attempt to be secular and race blind. Rather, I am arguing that we should place far less stock in the importance of the results to the future of our country. There is no future in which white people disappear from America, but there is also no future in which the understanding of whiteness stays the same.

The truth is, just as populations in the United States ebb and flow, the salience of racial and ethnic identities emerges and disappears. From 1845 to 1854, an influx of Irish people arrived on the East Coast that outnumbered immigrants from all other countries since 1776 combined. The resulting backlash created a wave of support for the xenophobic Know Nothing movement and its nativist American Party. Today, of course, being Irish is a social boundary mostly reduced to the front of Urban Outfitters T-shirts.

Our history shows that America's demographic boundaries evolve with the country's composition. No group goes extinct or disappears; it just gets absorbed into new ways that people define community and feel belonging.

Around the turn of the 20th century, American leaders began to recognize the accumulating effects of immigration and civil rights. After the arrival of millions of Irish, the 15th Amendment enfranchised millions of African American men in 1870. And in subsequent decades, the United States admitted millions of Italians, Jews and other ethnicities, with their foreign languages, religions and complexions. There was a gradual realization that the Anglo-Protestant orientation of whiteness was unlikely to sustain a dominant majority indefinitely.

Soon to win the White House, Theodore Roosevelt found these developments alarming. With much of the "competition between the races reducing itself to the warfare of the cradle," he wrote in 1894, "no race has any chance to win a great place unless it consists of good breeders as well as of good fighters."

But by the time America's initial "majority minority" milestone would have been reached, whiteness had been reinterpreted to incorporate the Irish, Italians, Jews and Slavs, such that the milestone was effectively postponed. The country broadened the definition of white people enough to maintain power over African Americans and Asian people (and later Hispanics).

It is possible that we are now in the process of similarly altering our conception of whiteness again. Many Hispanics identify as white, and marriages between Hispanics and non-Hispanic whites make up more than 40 percent of recent interracial marriages. That may be enough to artificially postpone America's majority minority milestone again and reassure the millions of "white" Americans who feel threatened by the increasing status and power of today's ethnic minorities.

Stoking fears of white decline reinforces the myth that this whiteness always included all who now identify with it — as if the Irish had never been demonized, as if Italians had never endured discrimination, as if Jews had never been excluded. Through a historical lens, being white in America today is like belonging to a once-exclusive social club that had to loosen its membership criteria to stay afloat.

Because of the status white people retain in American society, a degree of privilege and belonging still awaits those who can claim it. People who identify as white hold disproportionate power and resources today, and this pernicious reality seems unlikely to change even if white people do become a 49 percent plurality in about two decades. And there is precious little evidence of real solidarity among America's diverse minority ethnic groups. So a 51 percent pan-minority share is unlikely to yield any new majority status without a new pan-ethnic sense of community.

Despite his susceptibility to eugenics and racial theories of supremacy, Roosevelt also offers us a way forward. His American nationalism was defiantly civic — rather than only ethnic or racial — in nature.

In his narrative histories published from 1885 to 1894, Roosevelt argued that as European immigrants were assimilated, their heritages were being absorbed into the American body, fusing Americans into a single people forged in the "crucible" of the frontier. The acts of claiming and developing land and defending it against the forces of nature all constituted rites of passage that transformed foreigners into Americans.

In Roosevelt's understanding, Americans were born through no document; they were made by their encounters with the wilderness and their cultivation of strength, individualism and democratic community — their commitment to a set of principles. For him, the new ethnicities admitted into the United States were not entitled to their American identity; it was to be earned.

There is no frontier anymore, but the grind of modern capitalism is just as stern a forge for fashioning American identity. In counting the American people, the Census Bureau may distinguish between Black, white, Asian and Hispanic, but it indiscriminately recognizes them all as fellow Americans — as people who count and therefore must be counted.

And even if the Census Bureau's categories reinforce the racial boundaries that too often divide American society, these categories are also starting to show signs of their mutability. Underreported, the number of

mixed-race Americans increased nearly threefold in the past decade alone; 80 percent of intermarriages in the United States today unite non-Hispanic white partners with members of an ethnic or a racial minority.

Older generations may still be focused on century-old divisions, but younger Americans are starting to blur them. Future Americans will identify with new communities. May they be as broad and inclusive as possible.

<https://www.tandfonline.com/doi/full/10.1080/1369183X.2020.1774113>

### Text 3 - Survey: Elite-Imposed Migration Is Transforming National Politics



[NEIL MUNRO](#)

**Breitbart News**, 1 Nov 2021 (Extracts)

Many Democrats want to see American society transformed by migration and diversity, according to a survey by the left-leaning Public Religion Research Institute (PRRI) ▲.

“More than six in ten Democrats (64%), mostly agree that they prefer the U.S. to be made up of people from all over the world” — instead of from American families and communities, said the survey, titled “Competing Visions of America: An Evolving Identity or a Culture Under Attack? Findings from the 2021 American Values Survey.”

The late-September survey asked 2,508 Americans about various aspects of immigration and diversity. The results showed that Democrats are becoming increasingly radical but also that more Republicans are openly opposing their planned demographic replacement — and that Latinos increasingly dislike imposed diversity.

For example, more Republicans are resisting the nation’s open-door policy, according to the poll:

Republicans (28%) are less likely to have positive views of immigrants today than they were in 2018 (34%) and in 2011 (39%), and have grown more likely to believe that immigrants threaten American values (71% today, 65% in 2018, and 55% in 2011).

“Two-thirds of Republicans (65%) say instead that immigrants are a burden because they take jobs, housing, and health care,” the report said.

But the survey also reported that “more than eight in ten Democrats (82%) say that immigrants strengthen the country because of their hard work and talents.”

PRRI president Robert Jones spotlighted the huge shift in American politics since the 1950s-era.

Back then, domestic politics were dominated by left vs. rights arguments over how to distribute the huge profits generated by the nation’s huge manufacturing economy.

Those class-and-wages politics continue, but they get little attention from the establishment media since the bipartisan establishment doubled immigration in 1990. That doubling helped to stagnate wages, supercharge the

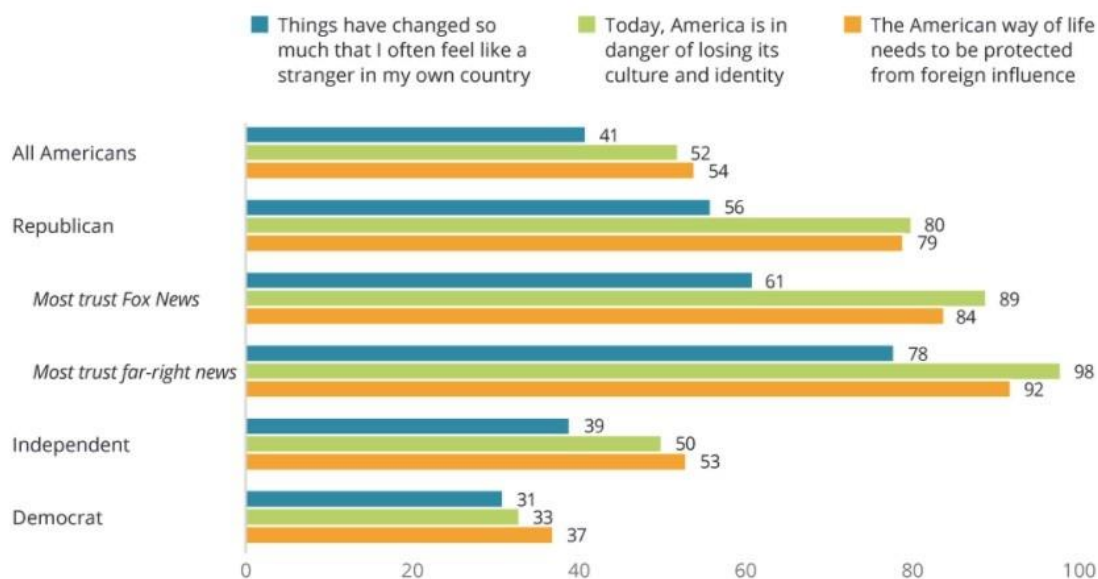
stock market, and also shifted media coverage onto the “diversity” disputes that are used to break up the social norms developed by Americans to help share civic and economic wealth.

“Increasingly, this what American elections have been about — less about particular policies and more about who we are ..., [and] ‘Are we kind of an evolving identity or are we a culture that’s been under attack?’” Jones said in a press briefing on November 1: “What we’re struggling over, I think in the bigger debates in the country, is “What is America about? Was there a golden age right for America?” and we’re seeing this very different vision among Democrats and Republicans.

Democrats have moved left on immigration and diversity since 2012, largely because they followed their Democratic leaders, who have increasingly championed the claim that the United States is a diversifying “Nation of Immigrants,” not of Americans. This stance has also prompted Democrats to revive racial demands so they can argue that Americans’ culture must be transformed by migrants and diversity. (...)

**FIGURE 1.7 Perceptions of Cultural Change in the U.S. as a Threat, by Party Affiliation**

Percent who agree:



Source: PRRI 2021 American Values Survey.

But the survey shows that Latino voters are increasingly skeptical about additional immigration, in part, because their wages are cut and their housing costs are increased: “Hispanic Americans are less likely to believe that newcomers strengthen American society today (62%) than they were in 2018 (72%) but remain similar to 2011 levels (64%).”



## Text 4 - How the "great replacement" theory went from Charlottesville to the GOP mainstream

*The racist delusion that whites are being "replaced" has gone from the far-right fringe to the halls of Congress*

By [JON SKOLNIK](#), SALON, SEPTEMBER 29, 2021



*Several hundred white nationalists and white supremacists carrying torches marched in a parade through the University of Virginia campus, chanting "White lives matter! You will not replace us! and Jews will not replace us!" (Evelyn Hockstein/For The Washington Post via Getty Images)*

A growing number of Republican pundits and politicians are entertaining or outright embracing the "great replacement" theory — a once-fringe white nationalist worldview that in recent years has crept into mainstream political discourse.

This theory, apparently first popularized in 2012 in a self-published book by the eccentric French novelist and diarist [Renaud Camus](#), proposes that a cabal of liberals or global elites is attempting to "replace" the white European populace with nonwhite or non-European minorities. This idea had very little traction in America until recently, at least outside the fringes of the far right. But over the past few years, some prominent conservatives who are not overtly white supremacist have begun to embrace this notion publicly, claiming that their political opponents are enacting pro-immigration policies in order to diminish the electoral power of white voters.

In 2017, the term and the idea were abruptly thrust into the national spotlight when hundreds of neo-Nazis, white supremacists and far-right activists gathered in Charlottesville, Virginia, to protest their perceived disenfranchisement, chanting slogans like "Jews will not replace us." That "Unite the Right" rally, which erupted into violence that led to the death of one leftist counter-protester as well as many injuries, made clear that racialized white grievance was now a feature of the political landscape.

In the years following, various Republicans have supported various versions of the "great replacement" theory, including Florida state Sen. [Dennis Baxley](#), former U.S. Rep. [Steve King](#) of Iowa and Maine Republican vice chair [Nick Isgro](#), all of whom suggested that supporters of legal abortion were deliberately causing a decline in the birth rate among white Americans.

At least three mass shootings have apparently been inspired by the "great replacement" idea: The Tree of Life synagogue killings in Pittsburgh in 2018, the mosque shootings in Christchurch, New Zealand in March 2019, and the El Paso Walmart massacre in August 2019.

After those atrocities, the theory appeared to recede from the national discourse — but not forever. Fox News primetime star Tucker Carlson brought it back with a vengeance, saying on the air this April that the Democratic Party was "trying to replace the current electorate" with "new people, more obedient voters from the Third World." There have been calls ever since from progressive and antiracist groups for Carlson's firing — but his fans and followers loved it.

Over the past few months, several prominent Republicans have begun to deploy "great replacement" rhetoric, invoking vague fears about whites being supplanted by ethnic minorities, or even by naming the theory openly.

Last week, Rep. Matt Gaetz, the embattled Florida Republican who has reportedly been under federal investigation for months, tweeted that Carlson was "CORRECT about Replacement Theory as he explains what is happening to America," even taking a moment to describe the Anti-Defamation League as "a racist organization." Rep. Brian Babin, R-Texas, made nearly the same claims in a Newsmax interview, saying that Democrats "want to replace the American electorate with a Third World electorate that will be on welfare."

Some Republicans have been at least a bit subtler, alluding to concerns around an influx of minorities changing the cultural fabric of the nation.

Rep. Elise Stefanik, R-N.Y., who recently replaced Rep. Liz Cheney as chair of the House Republican Conference, warned her voters in an ad blitz two weeks ago that Democrats were planning "a PERMANENT ELECTION INSURRECTION" by expanding pathways to citizenship.

In early September, Texas Lt. Gov. Dan Patrick reiterated these concerns to Fox News host Laura Ingraham, warning of a "silent revolution by the Democrat Party and Joe Biden to take over the country." Citing Biden's alleged plan to loosen borders and admit more immigrants, Patrick said that if "every one of them has two or three children, you're talking about millions and millions and millions of new voters." (...)

It also seems possible, and perhaps likely, that belief in the possibility of a "great replacement" theory is widespread among Donald Trump's supporters and the Republican base. According to a survey conducted by political scientist Robert Pape, a majority of those who participated in the Jan. 6 Capitol riot, as the New York Times reports, were "awash in fears that the rights of minorities and immigrants were crowding out the rights of white people in American politics and culture."

## Text 5 - It Was a Terrifying Census for White Nationalists

*The New York Times*, Aug. 15, 2021

**By Charles M. Blow** Opinion Columnist

For some of us, the census data released on Thursday was fascinating. For others, it was, I would presume, downright frightening.

Much of what we have seen in recent years — the rise of Donald Trump, xenophobia and racist efforts to enshrine or at least extend white power by packing the courts and suppressing minority votes — has been rooted in a fear of political, cultural and economic displacement.

The white power acolytes saw this train approaching from a distance — the browning of America, the shrinking of the white population and the explosion of the nonwhite — and they did everything they could to head it off.

They tried to clamp down on immigration, both unlawful and lawful. They waged a propaganda war against abortion, and they lobbied for "traditional family values" in the hopes of persuading more white women to have more babies. They orchestrated a system of mass incarceration that siphoned millions of young, marriage-age men, disproportionately Black and Hispanic, out of the free population.

They refused to pass gun control laws as gun violence disproportionately ravaged Black communities.

Republican governors, mostly in Southern states, even refused to expand Medicaid under Obamacare. As the Kaiser Family Foundation points out, "Medicaid is the largest source of insurance coverage for people with H.I.V., estimated to cover 42 percent" of the adult population with H.I.V., "compared to just 13 percent of the adult population overall." It adds that Medicaid

beneficiaries with H.I.V. are more likely to be male, Black and dually eligible for Medicare. So H.I.V. continues to rage in the South, even though we now have treatments that prevent the transmission of the virus.

On every level, in every way, these forces, whether wittingly or not, worked to prevent the nonwhite population from growing. And yet it did.

As The New York Times reported:

Hispanics accounted for about half the country's growth over the past decade, up by about 23 percent. The Asian population grew faster than expected — up by about 36 percent, a rise that made up nearly a fifth of the country's total. Nearly one in four Americans now identifies as either Hispanic or Asian. The Black population grew by 6 percent, an increase that represented about a tenth of the country's growth. Americans who identified as non-Hispanic and more than one race rose the fastest, jumping to 13.5 million from 6 million.

Meanwhile, the white population, in absolute numbers, declined for the first time in the history of the country.

This data is dreadful for white supremacists. As Kathleen Belew, an assistant professor of U.S. history at the University of Chicago, told me by phone, "These people experience this kind of shift as an apocalyptic threat."

Population size determines, to some degree, the power you wield. The only option left to white supremacists at this point is to find ways to help white people maintain their grip on power even as they become a minority in the population, and the best way

to do that is to deny as many minorities as possible access to that power.

We are now seeing a shocking, blatant attempt at voter suppression across the country. I believe that this is just the start of something, not the end — that efforts to disenfranchise minority voters will grow only more brazen as the white power movement becomes more desperate.

We are likely to see this trend in full swing as the redistricting process gets underway. As Nate Cohn wrote in The Times, the fact that much of the population growth over the past 10 years occurred in the Sun Belt, where the G.O.P. controls redistricting, gives Republicans, who are overwhelmingly white, "yet another chance to preserve their political power in the face of unfavorable demographic trends."

It's particularly important to note that the changes in the nonwhite population will be not uniform but concentrated in particular states. Black people are continuing a reverse migration to the South and threatening to alter the political landscape there. Hispanics account for more and more of the voting-age population in key swing states across the Southwest.

As the nonwhite population grows in these states, so does their political power. In response, many of these are the states now trying to suppress nonwhite votes. This is why the Democratic-controlled Senate's inability and unwillingness to alter the filibuster to pass voter protection is so maddening. Republicans' voter suppression is an all-out attempt to shore up white power and diminish nonwhite power, and the Senate has been letting them do it.

The passage of power is not a polite and gentle affair like passing the salt at a dinner table. People with power fight — sometimes to the end — to maintain it. There's going to be a shift, but not without strife.

## See Also

<https://video.foxnews.com/v/6273789608001#sp=show-clips>



## PART TWO – Voter suppression- White Mitority Rule

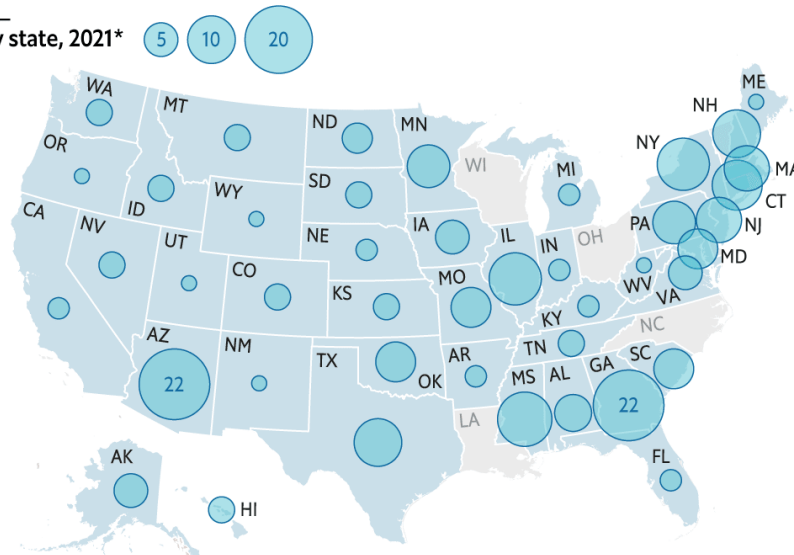
### Daily chart - Republicans introduce a torrent of new laws to restrict voting

There are nearly seven times as many such proposals in state legislatures as there were a year ago

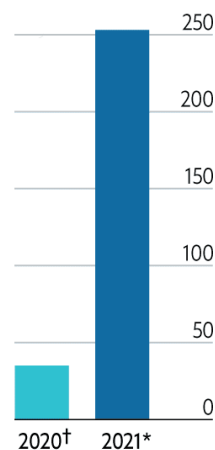
#### Don't get out the vote

Bills introduced to restrict voting access

By state, 2021\*



By year



\*At Feb 19th †At Feb 3rd

Source: Brennan Center for Justice

The Economist, Feb 24th 2021

### Text 6 -The voting wars continue, with a speech from Biden and chaos in Texas.

The Morning Newsletter, **New York Times**, July 13, 2021

By David Leonhardt and Ian Prasad Philbrick

#### The fight over the franchise

With President Biden set to give a speech on voting rights in Philadelphia today and the Texas Legislature engulfed in chaos over a Republican effort to change election rules, we want to update you on the latest developments on the issue. We'll break down the major themes in the new state laws that Republicans are passing, as well as the responses from Democrats. The short version: Democratic leaders have no evident way to stop the Republican-backed laws — but the effect of those laws remains somewhat uncertain.

#### First, the news

In his Philadelphia speech, Biden will call efforts to limit ballot access “authoritarian and anti-American,” the White House said.

Some Democrats hope that presidential attention will persuade Congress to pass a voting-rights bill that outlaws the new Republican voting rules. But that’s unlikely. Congressional Republicans are almost uniformly opposed to ambitious voting-rights bills. And some Senate Democrats, including Joe Manchin, seem unwilling to change the filibuster, which would almost certainly be necessary to pass a bill.

So why is Biden giving a speech? In part, it helps him avoid criticism from progressive Democrats that he is ignoring the subject, as Michael Shear, a White House correspondent for The Times, told us.

But Biden also appears to be genuinely concerned about the issue, and the use of the presidential bully pulpit is one of the few options available to him. Over the long term, high-profile attention may increase the chances of federal legislation, Michael said.

In Texas, Democratic legislators fled the state yesterday to deny the Republican-controlled Legislature the quorum it needs to pass a restrictive voting bill. The move is likely only to delay the bill, not stop it from becoming law.

## **The G.O.P. laws**

In 17 states, Republican lawmakers have recently enacted laws limiting ballot access, according to the Brennan Center for Justice. Texas could become the 18th.

Republican officials have justified these new laws by saying that they want to crack down on voter fraud. But voter fraud is not a widespread problem, studies have found. Some of the very few cases have involved Republicans trying to vote more than once.

The substance of the laws makes their true intent clear: They are generally meant to help Republicans win more elections.

### **Increase partisan control**

So far, at least 14 states have enacted laws that give partisan officials more control over election oversight — potentially allowing those politicians to overturn an election result, as Donald Trump urged state-level Republicans to do last year.

In Georgia, a Republican-controlled commission now has the power to remove local election officials, and has already removed some. Arkansas has empowered a state board to “take over and conduct elections” in a county if the G.O.P.-dominated legislature deems it is necessary. Arizona Republicans took away the Democratic secretary of state’s authority over election lawsuits and gave it to the Republican attorney general.

It’s not hard to imagine how Republican legislators could use some of these new rules to disqualify enough ballots to flip the result of a very close election — like, say, last year’s presidential election in Arizona or Georgia. The election-administration provisions, *The Times*’s Nate Cohn has written, are “the most insidious and serious threat to democracy” in the new bills.

### **Making voting harder**

Many Republican politicians believe that they are less likely to win elections when voter turnout is high and have passed laws that generally make voting more difficult.

Some of the new laws restrict early voting: Iowa, for example, has shortened the early-voting period to 20 days from 29 and reduced poll hours on Election Day. Other states have made it harder to vote by mail: Florida has reduced the hours for ballot drop-off boxes and will also require voters to request a new mail ballot for each election.

Notably, some of the provisions are targeted at areas and groups that lean Democratic — like Black, Latino and younger voters. Georgia has lowered the number of drop boxes allowed for the metropolitan Atlanta area to an estimated 23 from 94 — while increasing drop boxes in some other parts of the state. Texas Republicans hope to ban drive-through voting and other measures that Harris County, a Democratic stronghold, adopted last year. Montana has ruled that student IDs are no longer a sufficient form of voter identification.

### **And the impact?**

That’s not so easy to figure out. The laws certainly have the potential to accomplish their goal of reducing Democratic turnout more than Republican turnout. In closely divided states like Arizona, Florida or Georgia — or in a swing congressional district — even a small effect could determine an election.

But recent Republican efforts to hold down Democratic turnout stretch back to the Obama presidency, and so far they seem to have failed. “The Republican intent behind restrictive election laws may be nefarious, but the impact to date has been negligible,” Bill Scher wrote yesterday in *RealClearPolitics*. The restrictions evidently have not been big enough to keep people from voting, thanks in part to Democratic get-out-the-vote efforts.

The Republicans’ latest restrictions — and the ones that may follow, as in Texas — are more significant, however, and that creates uncertainty about their effect.

“Our democracy works best when we believe that everybody should have free, fair and accessible elections,” Myrna Pérez, a longtime elections expert, told us (before Biden nominated her to a federal judgeship). “And while it may turn out that their self-interested anti-voter efforts may backfire, make no mistake: Our democracy is worse just because they tried.”

The Supreme Court has taken a different view. Its Republican-appointed majority has repeatedly ruled that states have the right to restrict voting access.

## Text 7 - Aux Etats-Unis, offensive républicaine pour limiter l'exercice du vote des minorités

*Plus de 250 projets de loi ont été déposés dans les législatures dirigées par les républicains, à commencer par la Géorgie, Etat-clé qui a basculé du côté démocrate en 2020.*

Par Gilles Paris (Washington, correspondant), Le Monde, 29 mars 2021

Depuis le 25 mars, distribuer de l'eau ou de la nourriture aux personnes qui patientent parfois de longues heures pour pouvoir voter est un crime dans l'Etat de Géorgie. Cette mesure, stigmatisée par le président des Etats-Unis lors de sa première conférence de presse, le même jour, est l'illustration baroque d'une offensive massive. Depuis la victoire de Joe Biden, en novembre 2020, le Parti républicain s'est en effet lancé dans un effort sans guère de précédent pour durcir les conditions de vote.

Plus de 250 projets de loi en ce sens ont été déposés ou sont en cours d'examen dans les législatures des Etats dirigées par le Grand Old Party. Officiellement, ces projets visent à restaurer la confiance des électeurs dans les élections. Plus concrètement, ils pourraient compliquer le vote des minorités qui est majoritairement en faveur du Parti démocrate. Une étude publiée en 2020 du Brennan Center for Justice, une organisation de défense des droits, a montré que les électeurs hispanophones et afro-américains attendent en moyenne 46 % et 45 % plus que des électeurs blancs, faute d'un nombre adéquat de bureaux de vote là où ils sont concentrés.

Le cas de la Géorgie est emblématique de la bataille en cours, livrée sur deux fronts, politique et judiciaire. Cet Etat a en effet été au cœur de la théorie du complot développée par Donald Trump pour tenter de retourner le verdict des urnes. Sa défaite, suivie de la perte de deux sièges de sénateurs, en janvier, explique l'adoption d'un arsenal restrictif qui a pour objectif notamment de limiter au maximum le vote par correspondance. Il se double du transfert du contrôle des élections du secrétaire d'Etat de Géorgie au parti politique majoritaire dans cet Etat, soit le Parti républicain.

### **Théorie du complot**

Donald Trump s'en est bruyamment réjoui dans un communiqué. « *Ils ont retenu la leçon de la parodie de*

*l'élection présidentielle de 2020, qui ne pourra jamais se reproduire. Dommage que ces changements n'aient pas pu être faits plus tôt !* », s'est exclamé l'ancien président. « *Pas besoin d'en savoir plus pour comprendre qu'il s'agit de pratiques punitives pour empêcher les gens de voter* », s'est indigné son successeur, dénonçant des mesures contraires aux « *valeurs américaines* ». Joe Biden a également dénoncé une « *loi Jim Crow du XXI<sup>e</sup> siècle* » dans une allusion aux textes visant à limiter au maximum les droits constitutionnels des Noirs en vigueur jusqu'au mouvement des droits civiques, dans les années 1960. L'actuel secrétaire d'Etat, Brad Raffensperger, un républicain, avait suscité l'ire de Donald Trump pour avoir démenti méthodiquement ses accusations de fraude massive à l'origine, selon lui, de sa défaite. Depuis, l'ancien président s'est juré de faire battre M. Raffensperger, qui envisage d'être candidat à sa réélection. Une tentative de priver le secrétaire d'Etat de son pouvoir de supervision des élections est également en cours dans un autre bastion conservateur remporté par Joe Biden en novembre, l'Arizona.

Le Parti républicain est réputé de longue date pour ses tentatives de limiter l'exercice du droit de vote au nom de la lutte contre la fraude, mais l'offensive en cours frappe par son caractère méthodique, que souligne le rôle d'un cercle de réflexion conservateur, l'Heritage Foundation, ainsi que celui endossé par une avocate qui s'est tenue aux côtés de Donald Trump dans sa guérilla contre les résultats de la présidentielle de novembre, Cleta Mitchell. Cette dernière a conseillé le lobby des armes, la National Rifle Association, ainsi que l'ancien conseiller stratégique du président républicain, Steve Bannon, et a milité contre les restrictions visant à ralentir la progression du Covid-19.

Cet alignement du Parti républicain sur cette théorie du complot à l'origine de l'assaut conduit par certains sympathisants de l'ancien président contre le Congrès, le 6 janvier, est d'autant plus marquant que les élections générales de novembre 2020 n'ont pas été défavorables au Grand Old Party. Il a en effet glané de nombreux sièges à la Chambre des représentants. Des dizaines de revers devant les tribunaux ont par ailleurs réduit à néant les accusations de fraude.

### **Contestations devant les tribunaux**

Parallèlement à l'entreprise républicaine, les démocrates défendent, au Congrès, un projet de loi qui vise, au contraire, à faciliter la participation à la vie démocratique en étendant notamment le vote par correspondance, très prisé en 2020 du fait de la pandémie, ou bien en prônant l'inscription automatique sur les listes électorales. Déjà adopté par la Chambre des représentants, où les démocrates sont majoritaires, ce projet voit se dresser devant lui l'obstacle du Sénat. Sans le soutien de dix sénateurs républicains, une hypothèse pour l'instant totalement improbable, cette initiative est condamnée à l'échec.

La seule parade consisterait à supprimer ce seuil de 60 voix permettant de contourner l'obstruction parlementaire (*filibuster*). Les sénateurs démocrates sont cependant divisés face à cette perspective qui transformerait en profondeur le Sénat. Elle priverait en effet la minorité d'un pouvoir de nuisance initialement

conçu pour favoriser des compromis, qui sont cependant devenus de plus en plus rares compte tenu de l'extrême polarisation politique.

Le texte adopté par les républicains de Géorgie va désormais faire l'objet de contestations devant les tribunaux qui pourraient remonter jusqu'à la Cour suprême. Il ne s'agit pas d'un terrain favorable pour les défenseurs de procédures de vote simplifiées. La majorité conservatrice qui y siège est en effet à l'origine de l'affaiblissement du Voting Rights Act adopté en 1964 sous la pression du mouvement pour les droits civiques. Dans un arrêt rendu en 2013, elle a en effet supprimé le feu vert fédéral préalable pour les lois électorales adoptées dans les législatures d'Etat. Ce dernier avait été introduit, précisément, pour lutter contre les discriminations visant les minorités, à commencer par les Afro-Américains.

## The Long Read

### TEXT 8 Timeline: Voter suppression in the US from the Civil War to today

*Poll taxes continued into the 20th century.*

Terrance Smith, *ABC News*, 20 August 2020

<https://abcnews.go.com/Politics/timeline-voter-suppression-us-civil-war-today/story?id=72248473>

Voter suppression has been a part of the United States political scene since the nation's inception. From Jim Crow laws to the gutting of the Voting Rights Act of 1965, citizens of the United States, particularly communities of color, have been disenfranchised in blatant and subtle ways.

And now, with the 2020 election between President Donald Trump and former Vice President Joe Biden less than three months away, more of the electorate is considering mail-in voting amid the threat of COVID-19. Trump has tweeted repeatedly his criticism of mail-in voting, claiming it leads to election fraud -- criticism that some see as a form of voter suppression -- an accusation the Trump administration has denied.

However, voter suppression has been a tool historically used to deter Black Americans and other minorities from voting.

"It is important to acknowledge that it has always, or almost for the entire history of our country, been about race, that voter suppression has been inextricably intertwined with an attempt to stop first Black men, and since then other people of color from voting," Sean Morales-Doyle, deputy director of Voting Rights and Elections at the Brennan Center, told ABC News.

Below is a timeline of voter suppression in the United States from the post-Civil War era to the present day.

#### ❖ Aftermath of Civil War, felon disenfranchisement and Jim Crow laws

After the Civil War, three amendments -- the Thirteenth, Fourteenth, and Fifteenth Amendments, part of Congressional Reconstruction -- were passed, designed to ensure equality for African Americans in the South.

The 13th Amendment, ratified in 1865, abolished slavery and indentured servitude.

The 14th Amendment, ratified in 1868, gave African Americans "equal protection under the laws." However, it wasn't until the 15th Amendment, ratified in 1870, that states were prohibited from "from disenfranchising voters 'on account of race, color, or previous condition of servitude.'"

The 15th Amendment, however, did not provide automatic voting rights for African Americans. Congress did not provide enforcement for the 15th Amendment immediately. Tennessee was the last state to formally ratify the amendment in 1997. Voting rights were also denied for those convicted of crimes through felon disenfranchisement laws.

By 1870, 28 states had adopted a version of these laws prohibiting convicted felons the right to vote, according to the Journal of Criminal Law and Criminology, a peer-reviewed study published by the Northwestern University School of Law. Some states still enact these laws. According to the American Civil Liberties Union, only two states, Maine and Vermont, gives everyone the uninhibited right to vote. Three states currently disenfranchise felons from voting permanently: Iowa, Kentucky and Virginia.

Southern states also enforced rules commonly known as the Jim Crow laws, which mandated segregation in public places, particularly between white and Black Americans. Poll tax was one of the Jim Crow laws.

Poll taxes discouraged those who could not afford to pay from voting and were a prerequisite to register to vote in Jim Crow states. Poll taxes disproportionately affected Black voters -- a large population in the antebellum South.

Poll taxes continued into the 20th century. As of 1964, Alabama, Arkansas, Mississippi, Texas and Virginia clung to poll taxes, reported the New York Times in a Jan. 24, 1964 article.

Literacy tests were also implemented to stop those who were uneducated from participating in the voting process. Literacy tests were administered at the discretion of those in charge of voter registration and often discriminated against African Americans. Literary tests asked civics questions such as "In which document or writing is the Bill of Rights found?" or "Name two of the purposes of the U.S. Constitution" as found in a 1965 Alabama literacy test. African Americans who took part in these test were descendants of slaves who were not allowed to read or write in several states due to anti-literacy laws.

White men who could not pass the literacy tests were able to vote due to the "Grandfather Clause" allowing them to participate in voting if their grandfathers voted by 1867, according to NPR.

That grandfather clause was ruled unconstitutional in 1915. Poll taxes were abolished in 1964 with the 24th Amendment and literacy tests were outlawed under the Voting Rights Act of 1965.

### ❖ Women's suffrage and gerrymandering

Before the Voting Rights Act of 1965, the 19th Amendment was the first amendment that assured women in the United States the right to vote by stating "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex."

However, when ratified 100 years ago, the 19th Amendment did not guarantee Black women the right to vote.

According to National Geographic, "In fall 1920, many Black women showed up at the polls." In Kent County, Delaware, their numbers were "unusually large," according to Wilmington's News Journal, but officials turned away Black women who "failed to comply with the constitutional tests."

"Even though theoretically women, Black women for example, should have had the right to vote under the provision, as a practical matter, we know that that certainly was not the case and remains not a fully realized reality for many Black women, women of color in this country," Sophia Lin Lakin, deputy director of the Voting Rights Project for the ACLU, told ABC News.

"[As for gerrymandering,] I think that's very much tied into the story of voter suppression even though I think a lot of times people think of it as something a little bit different," Lakin said.

Gerrymandering is also considered to be another form of voter suppression as it is defined by Merriam-Webster as "to divide or arrange (a territorial unit) into election districts in a way that gives one political party an unfair advantage." Christina Greer, an associate professor of Political Science at Fordham University, said gerrymandering "ultimately does hinder people from the right to vote."

"[It] either dilutes their vote, or it makes it hyper-concentrated so it dilutes in other places. It's packing and cracking and you can use mathematical solutions to look at a state, and look at where people of color are, especially Black

people in a particular area distributed throughout the state," Greer said. "And you can make districts where you can either pack them all into one or two districts."

In some states like Maryland, according to the Brennan Center, after 2010 United States Census redistricting, "The Sixth District was overpopulated by about 17,414 people as Maryland started the 2010 redistricting cycle." Furthermore, "Democratic map drawers, rather than tweak the district at the edges to achieve the population parity that the Constitution requires, moved a total of 711,162 people into or out of the district ... more than 40 times the number needed to meet population equality requirements."

The Center for American Progress released a report earlier this summer which focused on how partisan gerrymandering has limited voting rights. In the Republican-controlled legislature in the state of Wisconsin, gerrymandering "shifted control of the state Assembly outright in 2018, from Democrats who won a majority of the statewide votes to Republicans who fell short of a majority. In the Senate, Democrats fell 1% short of a majority of the vote, likely because of aggressive voter suppression targeting communities that disproportionately support Democrats."

### ❖ Gutting of the Voting Rights Act

After the passing of the Voting Rights Act of 1965, there were several changes within the United States government to get more people registered to vote. Lowering the age to vote from 21 to 18 with the ratification of the 26th Amendment during the Vietnam War, allowed more men and women across the country to register to vote.

The National Voter Registration Act of 1993, commonly known as the "Motor Voter Act," was intended to offer more opportunities for voters to become registered by making the Department of Motor Vehicles, public assistance facilities and disabilities agencies places for people to register to vote.

However, the fight to get more people to vote and the progress after the Voting Rights Act came to a halt after the 2013 U.S. Supreme Court case, *Shelby County v. Holder*, changed the way the Voting Rights Act was implemented nationwide.

In a 5-4 decision, Section 4 of the Voting Rights Act was ruled unconstitutional by the Supreme Court.

According to the Department of Justice, "Section 4(a) of the Act established a formula to identify those areas and to provide for more stringent remedies where appropriate. The first of these targeted remedies was a five-year suspension of 'a test or device,' such as a literacy test as a prerequisite to register to vote."

The 2013 decision ruled that "the coverage formula set forth in Section 4(b) of the Act was unconstitutional, and as a consequence, no jurisdictions are now subject to the coverage formula in Section 4(b) or to Sections 4(f)(4) and 5 of Act. Accordingly, guidance information regarding termination of coverage under Section 4(a) of the Voting Rights Act (i.e., bailout) from certain of the Act's special provisions is no longer necessary."

Chief Justice John Roberts said the Voting Rights Act was based on the "decades-old data and eradicated practices ... such [literary] tests" and that they "have been banned nationwide for over 40 years."

While Jim Crow laws were banned nationwide because of the act, the floodgates were opened to allow states across the country to implement "massive dents" to the voting infrastructure in the United States, according to the Brennan Center.

Since 2010 before the decision, 25 states have put into place new requirements such as voter ID laws, closing polling places and cutbacks to early voting, as per the Brennan Center.

However, Texas and North Carolina faced challenges implementing these new laws.

In Texas, the state introduced a voter identification law to establish voter eligibility in its 2014 federal election, and while the move was ruled unconstitutional by U.S. District Judge Nelva Gonzales Ramos of Corpus Christi, the U.S. Supreme Court overruled the order, according to the Texas Tribune.

In North Carolina, elected officials eliminated same-day registration, scaled back the early voting period and also implemented a photo identification requirement, however a U.S. District Judge Loretta Biggs issued an order barring the photo identification requirement, reported ABC News' North Carolina affiliate, WTVD.



Today, activists look to make up ground lost throughout history and look to continue to fight voter suppression and restore the right to vote for those who have lost it.

In 2019, the U.S. House of Representatives passed a new bill restoring key sections of the Voting Rights Act, but it has yet to be brought to the floor in the U.S. Senate (In 2020, the bill was named the John Lewis Act, to honor the late civil rights champion).

Voter suppression has a long history in the United States, yet according to Morales-Doyle, there is reason to be optimistic about the future of voting.

"We are in the midst of what I think is a moment when American citizens and voters are really taking voting rights and the way democracy works seriously and putting it at the top of their list of issues that they care about," Morales-Doyle said. "That's really encouraging and I hope it means that we'll take more steps forward in the near future."

## **Text 9 - 1 in every 4 circuit court judges is now a Trump appointee**

***The Washington Post, Dec. 22, 2019***

After three years in office, President Trump has remade the federal judiciary, ensuring a conservative tilt for decades and cementing his legacy no matter the outcome of November's election.

Trump nominees make up 1 in 4 U.S. circuit court judges. Two of his picks sit on the Supreme Court. And this past week, as the House voted to impeach the president, the Republican-led Senate confirmed an additional 13 district court judges. In total, Trump has installed 187 judges to the federal bench.

Trump's mark on the judiciary is already having far-reaching effects on legislation and liberal priorities. Just last week, the 5th Circuit struck down a core provision of the Affordable Care Act. One of the two appellate judges who ruled against the landmark law was a Trump appointee.

The Supreme Court — where two of the nine justices are conservatives selected by Trump — could eventually hear that case.

The 13 circuit courts are the second most powerful in the nation, serving as a last stop for appeals on lower court rulings, unless the case is taken up by the Supreme Court. So far, Trump has appointed 50 judges to circuit court benches. Comparatively, by this point in President Obama's first term, he had confirmed 25. At the end of his eight years, he had appointed 55 circuit judges.

Trump's appointments have flipped three circuit courts to majority GOP-appointed judges, including the U.S. Court of Appeals for the 2nd Circuit in New York. The president has also selected younger conservatives for these lifetime appointments, ensuring his impact is felt for many years.

The executor of this aggressive push is Senate Majority Leader Mitch McConnell (R-Ky.), who is almost singularly focused on reshaping the federal judiciary, twice ramming through Senate rule changes to speed up confirmations over Democrats' objections.

"Leave no vacancy behind" is his mantra, McConnell has [stated publicly](#). With a 53-to-47 Senate majority, he has been able to fill openings at breakneck speed.

That philosophy did not seem to apply in 2016, when McConnell refused to allow Supreme Court nominee Merrick Garland, Obama's choice to replace the late justice Antonin Scalia, a confirmation hearing, let alone a vote. McConnell insisted on waiting until after the 2016 election, a gamble that paid off when Trump beat Democrat Hillary Clinton. Trump appointed conservative Justice Neil M. Gorsuch for that seat. McConnell has repeatedly described blocking Garland as one of his greatest achievements.

While Trump has wavered on some conservative policies during his tenure, he has reliably appointed judges in line with conservative ideology. "I've always heard, actually, that when you become President, the most — single most important thing you can do is federal judges," Trump [said at a White House event](#) in November celebrating his "federal judicial confirmation milestones." (...)

Trump has facetiously thanked Obama for leaving him so many judicial vacancies. “Now, President Obama was very nice to us. He gave us 142 empty positions. That’s never happened before,” Trump [said in the Oval Office on Thursday](#). “But, as you know, that’s said to be the most important thing that a President has.”

When Fox News host Sean Hannity made a similar remark while interviewing McConnell on his show recently, the majority leader made clear that Obama didn't leave those vacancies intentionally.

"I'll tell you why. I was in charge of what we did the last two years of the Obama administration," McConnell said, laughing. "I will give you full credit for that, and by the way, take a bow," Hannity responded.

In April, McConnell limited debate on Trump nominees from 30 hours to two hours, which has allowed him to push through judges at warp speed. Before that, McConnell did away with “blue slips,” which allowed senators to contest judicial nominees from their home states.

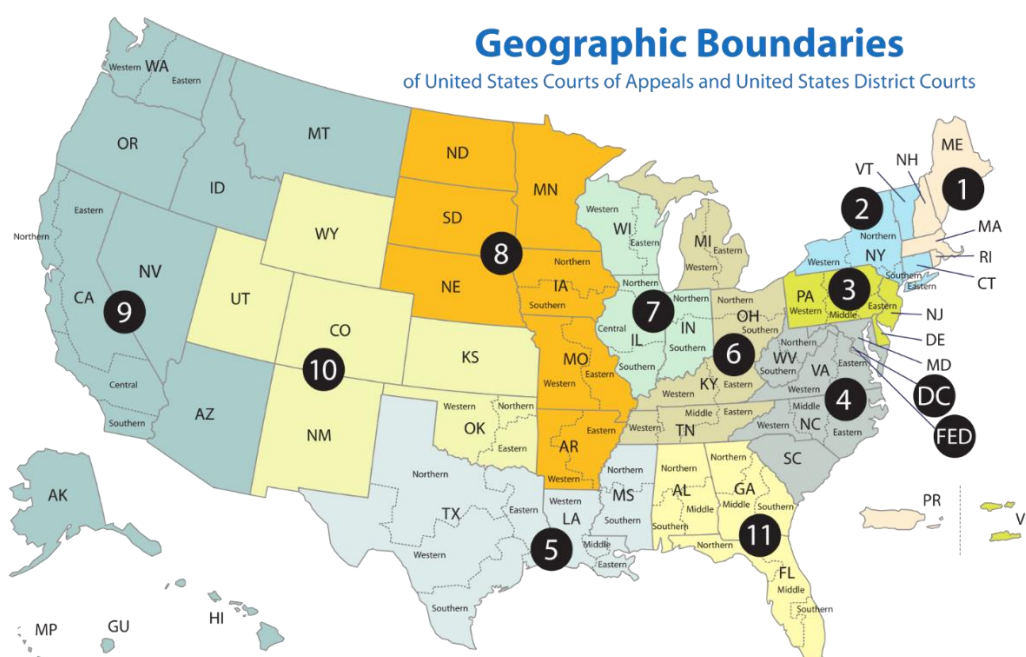
Republicans say Democrats started this trend when then-Majority Leader Harry M. Reid (D-Nev.) eliminated the filibuster for most nominees in 2013, a tool the minority party could use to block or delay a confirmation. When the Democrats lost the Senate in 2014, McConnell gained the power to stall Obama nominees, leaving Trump with plenty of vacancies.

The fast clip of judicial confirmations has no doubt shifted the courts rightward, said Russell Wheeler, a judicial branch expert at the Brookings Institution, calling it “a significant impact but not a revolutionary impact.” At least not yet. Two-thirds of the 50 circuit court judge slots filled with Trump appointees were previously held by other Republican-appointed judges.

There's also the potential for additional openings on the Supreme Court. Ruth Bader Ginsburg, appointed by President Bill Clinton in 1993, is 86 and has had health problems. Justice Stephen G. Breyer, another Clinton pick, is also over 80.

Chris Kang, chief counsel of Demand Justice, a group that supports liberal judicial nominees, wants Democrats to recognize just how high the stakes are for 2020. “Republicans have been using the courts to achieve policy priorities that they couldn’t achieve through the democratically elected legislative branch of government,” Kang said. “These federal judges serve for life; that’s a point we take for granted, but not a way a lot of Americans understand it. Trump’s imprint on this country will be felt for decades through his courts.”

Democrats have long been reluctant to talk about the courts in a political way, Kang said. But, with Republicans choosing judges with far-right ideologies, liberals can't "cling to romantic notions of our courts as impartial," he added. "That's not the reality and not how Republicans see it."



## PART THREE – The counter-reaction

### Text 12 - US House passes voting rights bill, restoring critical provision of landmark law

Bill that requires places with history of discrimination to be under federal supervision passes 219-212 – but could fail in the Senate

*Sam Levine* in New York, *The Guardian*, Wed 25 Aug 2021

The US House of Representatives has passed an update to the 1965 Voting Rights Act, restoring a critical provision of the landmark civil rights law that requires places with a history of voting discrimination to be under federal supervision.

The John Lewis Voting Rights Advancement Act passed 219-212 on a party-line vote.

The bill now faces an uncertain future in the US Senate, where it needs the support of 10 Republican senators to overcome the filibuster and pass. While Senator Joe Manchin, a key Democratic swing vote, supports the bill, just one Republican, Lisa Murkowski of Alaska, has indicated that she does.

The House passed a similar version of the legislation in 2019, gaining just one Republican vote, but it never passed the Senate, which was then under GOP control.

The legislation is one of two pillars of congressional Democrats' push to protect voting rights. It sets a 25-year look-back period for assessing voting rights in jurisdictions. If courts have documented at least 15 voting rights violations in a state over that period, the state will have to get any change in voting rules approved by the federal government before it goes into effect (if the violation is committed by the state as a whole only 10 violations are required to trigger federal oversight).

The updated formula comes eight years after the US supreme court said the formula in the law that determined which states were subject to pre-clearance was outdated and struck it down. Voting advocates have said that ruling, in a case called *Shelby County v Holder*, has offered states a green light to discriminate against Black voters.

“Old battles have indeed become new again. While literacy tests and poll taxes no longer exist, certain states and local jurisdictions have passed laws that are modern day barriers to voting,” Terri Sewell, an Alabama Democrat who represents Selma in Congress, said on the floor of the House on Tuesday.

The states that would have to get election changes approved are Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina and Texas, Peyton McCrary, a former justice department historian, testified earlier this month. Several large counties in the US, including Los Angeles county in California, Cook county in Illinois, Westchester county in New York, Cuyahoga county in Ohio, and Northampton county in Virginia could also be covered, according to McCrary.

The law also outlines several procedures that would be subject to federal pre-clearance everywhere in the country, including changes to voter ID laws, reductions in polling locations and changes in policies that determine who gets removed from the voter rolls.

Republicans decried the measure as unnecessary, saying it gives the federal government too much power to oversee elections.

“If you vote for this legislation, you are voting for a federal takeover of elections,” said congressman Rodney Davis, an Illinois Republican. “I hope my colleagues and the American people will see this bill for what it is, a partisan power-grab.”

During debate on the bill, Democrats scoffed at the notion that the bill was not needed. They noted it came as Republican lawmakers across the country have taken up hundreds of bills to enact voting restrictions. The House speaker, Nancy Pelosi, described it as “the worst voter suppression campaign in America since Jim Crow”.

While federal pre-clearance is the most touted portion of the bill, the legislation also includes several other new provisions to protect voting rights. It essentially undoes a supreme court decision from earlier this year

that makes it extremely difficult to bring challenges to voting laws under section 2 of the Voting Rights Act. It also strengthens protections under the Voting Rights Act for minority voters during the redistricting process.

The legislation would also address two issues that emerged in the unprecedented slew of litigation during the 2020 election. First, courts could not simply decline to strike down a law because an election is close – something that several courts did in 2020. Second, courts would have to offer an explanation for their reasoning in voting rights cases, a provision designed to take aim at the supreme court’s practice of not issuing explanations in emergency cases on its “shadow docket”.

Beyond the John Lewis bill, Democrats are also trying to pass **the For the People Act**, sweeping legislation that would outlaw severe partisan gerrymandering, set minimum requirements for early voting and require automatic, same-day and online voter registration, among other measures. Voting rights experts say both measures are needed to fully protect voting rights, though Democrats have not unveiled a plan to get either around the filibuster.

## Text 13 - Republicans Block a Second Voting Rights Bill in the Senate

*Democrats hope that a filibuster of a measure named for former Representative John Lewis of Georgia, the civil rights icon, will help build momentum for a change in Senate rules.*

**By Carl Hulse**

The New York Times, Nov. 3, 2021 Updated Nov. 4, 2021

WASHINGTON — Senate Republicans on Wednesday blocked legislation to restore parts of the landmark Voting Rights Act weakened by Supreme Court rulings, making it the second major voting bill to be derailed by a G.O.P. filibuster in the past two weeks.

Despite receiving majority support, **the John Lewis Voting Rights Advancement Act**, named for the civil rights activist and congressman who died last year, fell nine votes short of the 60 required to advance over Republican opposition.

In the aftermath of the defeat, Senate Democrats said they would intensify internal discussions about altering filibuster rules or making other changes to allow them to move forward on voting rights legislation despite deep resistance by Republicans, who have now thwarted four efforts to take up such measures.

“Just because Republicans will not join us doesn’t mean Democrats will stop fighting,” said Senator Chuck Schumer, Democrat of New York and the majority leader, after the vote. “We will continue to fight for voting rights and find an alternative path forward.” (...)

The measure blocked on Wednesday is aimed at reinvigorating voting protections against discrimination at the ballot box that have been struck down by the Supreme Court.

A major goal of the bill is to again require jurisdictions with a history of discrimination to win prior approval — or “preclearance” — from the Justice Department or federal courts in Washington before changing their voting rules. The Supreme Court invalidated that requirement in **its 2013 decision in Shelby County v. Holder**. The bill also seeks to bolster safeguards against discriminatory election practices that were limited this year by the court’s ruling in Brnovich v. Democratic National Committee.

“We wouldn’t be dealing with some of these terrible, draconian measures in Georgia right now if preclearance were on the books,” said Senator Raphael Warnock, a Democrat. He was referring to his home state, which has seen new voting restrictions imposed by Republicans after his victory in January and President Biden’s win in November. “And so, let’s get this done.”

Considered the crown jewel of civil rights legislation, the Voting Rights Act traditionally enjoyed broad bipartisan support after its enactment in 1965 and was renewed under a succession of Republican presidents, most recently in 2006 on a Senate vote of 98 to 0. But just one Republican senator, Lisa Murkowski of Alaska, joined all 50 Democrats in voting to open debate on a compromise measure that also has the support of Senator Joe Manchin III, Democrat of West Virginia, who helped negotiate the new version.

“Nothing is more fundamental than the right to vote,” Ms. Murkowski said Wednesday before the vote. She urged lawmakers to put aside differences to try to work on consensus legislation that would maintain public trust in the election process.

The John Lewis measure is distinct from an earlier voting rights measure, the Freedom to Vote Act, which Republicans have thrice thwarted through filibusters, most recently in October. That measure set new voting standards meant to counter Republican-led efforts around the country to impose voting restrictions that Democrats regard as efforts to limit voting in minority communities. No Republican supported bringing that measure to the floor.

“The Freedom to Vote Act puts the fire out in this 911 state of emergency in our democracy,” Mr. Warnock said. “The John Lewis Voting Rights Advancement Act is about building a fire station for future fires.”

Top Republicans, though, portray both measures as unnecessary and say they represent an effort by Democrats in Washington to set election parameters to their advantage. They argue that the Supreme Court eliminated only the parts of the Voting Rights Act that it considered outdated.

Senator John Cornyn, Republican of Texas, on Wednesday said there had been “huge improvements and advances made in minority voting strength.”

*There’s nothing, nothing to suggest, a sprawling federal takeover is necessary. Americans don’t need Attorney General Garland ruling over their states’ and their counties’ elections any more than they need congressional Democrats doing it themselves. So Mr. President, the Senate will reject this go nowhere bill today, like we rejected every other piece of fruit from the same poisonous tree.*

*Mitch McConnell*

Senator Mitch McConnell, the Kentucky Republican and minority leader, said that Democrats were trying to give Attorney General Merrick B. Garland pre-emptive authority over voting law changes that should be the purview of state and local governments.

Democrats were well aware that they were likely to again hit a Republican wall on voting rights. But part of their calculation has been to demonstrate to Mr. Manchin, who has been deeply involved in crafting both measures, that Republicans are determined to obstruct the bills, making a change in filibuster rules the only route to enacting the measures. Mr. Manchin has expressed deep reservations about tinkering with the filibuster, which he says fosters bipartisanship.

Top Democrats say they cannot stand by and let minority Republicans shelve measures that are fundamental to protecting the right to vote. Mr. Schumer said that by their opposition, Republicans were implicitly endorsing voter suppression efforts by those he called “the heirs to Jim Crow.” (...)

In his statement, Mr. Biden did not mention the filibuster, but suggested that voting rights had a special status and that protecting them was paramount. “The right to vote is sacred and constitutional,” he said. “It’s fundamental to all other rights. The soul of America is at stake.”

## More Links and resources

### >> More on voter suppression

#### **An overview of all the restrictive bills by the Brennan center**

<https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-february-2021>

#### **Three useful videos**

>The one providing the historical perspective:

[https://www.washingtonpost.com/video/opinions/opinion--voter-suppression-never-went-away-it-evolved/2020/08/13/6c1367ae-01f3-4cc0-8d66-8dc479d94d56\\_video.html](https://www.washingtonpost.com/video/opinions/opinion--voter-suppression-never-went-away-it-evolved/2020/08/13/6c1367ae-01f3-4cc0-8d66-8dc479d94d56_video.html)

>The one focusing more on the ongoing campaign “Black Voters Matter”

<https://abcn.ws/2YPbyux>

> The one on why Georgia has become “a kind of hotbed for voting rights questions”

<https://www.nytimes.com/video/us/elections/100000006810942/voter-suppression-georgia.html>

#### **A piece about Georgia from The Economist**

<https://www.economist.com/united-states/2020/10/03/why-do-voters-in-georgia-face-so-many-hurdles-to-voting>

#### **The Long Read (text above)**

<https://abcnews.go.com/Politics/timeline-voter-suppression-us-civil-war-today/story?id=72248473>

### >> **Two useful videos to understand what gerrymandering is:**

[https://www.youtube.com/watch?v=Fm9hi1QkLV0&ab\\_channel=HISTORY](https://www.youtube.com/watch?v=Fm9hi1QkLV0&ab_channel=HISTORY)

[https://www.washingtonpost.com/video/business/wonkblog/gerrymandering-explained/2016/04/21/e447f5c2-07fe-11e6-bfed-ef65dff5970d\\_video.html](https://www.washingtonpost.com/video/business/wonkblog/gerrymandering-explained/2016/04/21/e447f5c2-07fe-11e6-bfed-ef65dff5970d_video.html)

#### **A hot-from-the-press interactive from the New York Times on redistricting**

<https://www.nytimes.com/interactive/2021/11/07/us/politics/redistricting-maps-explained.html>

### >> **NPR program on Nomination of judges under Donal Trump’s presidency**

<https://www.npr.org/2020/07/02/886285772/trump-and-mcconnell-via-swath-of-judges-will-affect-u-s-law-for-decades>