

Lawsuit Filed to Halt Voter Suppression in the Runoff Senate Elections in Georgia

Outcome of the January 5 poll could depend on the turnout of African Americans

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After the third certification of the results of the presidential elections in the state of Georgia, efforts are underway to ensure equal access to the franchise leading up to the pivotal race to determine the composition of the United States Senate.

The administration of **President Donald Trump** along with its failed campaign organization has sought over the last month to overturn their defeats in several key states won by incoming **President-elect Joe Biden** and **Vice President-elect Kamala Harris**.

Georgia, a southern state with a sordid history of African enslavement and national oppression, voted by a margin of 12,000 against the Trump-Pence ticket. These developments came as a shock and disappointment to the right-wing which was relying on the Republican **Governor Brian Kemp** and **Secretary of State Brad Raffensperger** to reject and reverse the popular will of the electorate in favor of the administration.

Republican incumbent **Senators Kelly Loeffler** and **David Perdue** represent the hopes of their party since a victory by Democratic challengers **John Ossoff** and **Raphael Warnock** would shift the majority within the Senate, removing the current leadership of **Mitch McConnell** of Kentucky. Trump visited Georgia to campaign on behalf of the Republican candidates claiming once again the presidential elections were marred by fraud and that he is the rightful winner. The president has attacked both the Governor and Secretary of State of Georgia after they would not go along with his charges and mandate to interfere with the documented results.

Lawsuit Filed Against Disenfranchisement

In Georgia a lawsuit was filed during early December claiming that 200, 000 people have been purged from the voter's rolls. The legal action is seeking to avoid the circumstances which resulted in the ascendancy of Governor Kemp in 2018 when he was serving as Secretary of State.

Stacey Abrams, the former Democratic minority leader of the Georgia House of Representatives, was poised to become the first African American to hold the position of governor in the state. Although a protracted struggle was waged in the courts to redress the electoral irregularities, Kemp prevailed as the winner. (See [this](#))

Image on the right: Barbara Arnwine



Barbara Arnwine, of the Transformative Justice Coalition (TJC) and one of three litigants in the case, told Ms. Magazine that:

“Black Voters Matter et al. v. Raffensperger was filed in the United States District Court on Dec. 2. Black Voters Matter Fund, TJC and the Rainbow Push Coalition are the plaintiffs in the case suing Secretary of State of Georgia Brad Raffensperger in his official capacity for violations of the National Voters Registration Act.” (See [this](#))

The decision to remove so many people from the voter registration list, the plaintiffs contend, is a direct violation of a law which was passed nearly three decades ago. The rationale utilized by the Secretary of State Raffensperger is that those denied eligibility had not updated their addresses along with non-participation in the two most recent elections. The plaintiffs refute this position saying that the Secretary of State did not exercise the proper methodology in determining whether the voters were still qualified to cast their ballots on January 5 in the runoff senatorial election.

Arnwine emphasized in relationship to the eligibility of these members of the electorate saying:

“The National Voter Registration Act of 1993 is clear on this. There’s no way of misreading the statute: It says that if you’re going to remove somebody because you believe they put in a change of address, you’ve got to use a certified USPS licensee. Georgia didn’t. The tragedy of it is that since they were told about it, they’ve done nothing to restore these people’s right to vote. They knew this going into November, that they had wrongfully removed 70,000 people, and that they had violated the law in doing so, and they did nothing to restore those people. We couldn’t sue them then because the NVRA requires that we give the state 90 days’ notice. So, we had to run the full 90 days and unfortunately those 90 days ran beyond November the third, but fortunately they just ran in time for us to file for this January 5 runoff election.” (See [this](#))

Universal Suffrage, Self-Determination and the Need for an Independent Political Program

African Americans have historically been subjected to national oppression, institutional racism and economic exploitation, particularly in the former antebellum slavocracy in the South. After the conclusion of the Civil War, the question for the ruling interests in the U.S. was what would be the future status of the 4.5 million people of African descent.

Reconstruction efforts aimed at dismantling the plantation system and providing an avenue for “citizenship” to the formerly enslaved population became a serious point of contention on a national level. There were advances made during the late 1860s and 1870s with the support of the Radicals within the U.S. Congress to provide voting rights, land, education and due process to the African American people.

Nonetheless, the post-Civil War plantation economy still required the super-exploitation of Africans and even poor whites, in order to prevent the emergence of a genuinely democratic system in the U.S. After the elections of 1876 and the historic compromise over the outcome of the contest between Rutherford B. Hayes and Samuel Tilden, the federal government withdrew its support for Reconstruction. Over the proceeding decades of the 19th century, African Americans were systematically disenfranchised and placed in a social status quite similar, if not worst, than what existed during legalized slavery. (See [this](#))

The criminal justice apparatus was a tool to charge African Americans with various crimes so they could be further marginalized and incarcerated in order to work without wages as in a slave system, and even lynched. Between the 1880s and the 1960s, it is estimated that approximately 3,700 African Americans were murdered extra-judicially. Despite these atrocities, the federal government refused to pass anti-lynching legislation to hold the white racist mobs accountable for their crimes against humanity. (See [this](#))

Today, in the third decade of the 21st century, 2.5 million people remain jailed and imprisoned in the U.S. Over half of the people detained are African Americans, people of Latin American descent and working people in general. There are no rich people on death row. The death penalty is still in effect as evidenced by the scheduled federal executions of four African American men and one impoverished white woman as the Trump administration is slated to leave office on January 20. These events are taking place amid the pardoning of Trump loyalists, and possibly himself, for crimes committed while in office. (See [this](#) and [this](#))

African Americans and people of color communities must have the right to vote and equal protection under the law. The nationally oppressed should have the right to determine their own destiny from a political and economic perspective. There can be no democracy in the U.S. absent of the full participation of the most oppressed and exploited sections of the population.

The senatorial elections in Georgia represents a test for the U.S. political system. Irrespective of the outcome of January 5 elections, ultimately African Americans cannot achieve genuine equality and self-determination without a fundamental change in the structures of the racist capitalist system. The mobilizations by various organizations nationally must extend their scope to demand the destruction of institutional racism and the realization of the social liberation of all working class and exploited peoples in the U.S.

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