



THE FACTS OF RECONSTRUCTION

John R. Lynch
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John Roy Lynch (September 10, 1847 - November 2, 1939) was the first African-American Speaker of the House in Mississippi. He was also one of the first African-Americans elected to the U.S House of Representatives during Reconstruction, the period in United States history after the Civil War.

CHAPTER IX

WHAT CONSTITUTES "NEGRO DOMINATION"

It is claimed that in States, districts, and counties, in which the colored people are in the majority, the suppression of the colored vote is necessary to prevent "Negro Domination,"—to prevent the ascendancy of the blacks over the whites in the administration of the State and local governments.... And this brings us to a consideration of the question, What is meant by "Negro Domination?" The answer that the average reader would give to that question would be that it means the actual, physical domination of the blacks over the whites. But, according to a high Democratic authority, that would be an incorrect answer. The definition given by that authority I have every reason to believe is the correct one, the generally accepted one. The authority referred to is the late Associate Justice of the Supreme Court of the State of Mississippi, H.H. Chalmers, who, in an article in the North American Review about March, 1881, explained and defined what is meant or understood by the term "Negro Domination."

According to Judge Chalmers' definition, in order to constitute "Negro Domination" it does not necessarily follow that negroes must be elected to office, but that in all elections in which white men may be divided, if the negro vote should be sufficiently decisive to be potential in determining the result, the white man or men that would be elected through the aid of negro votes would represent "Negro Domination." In other words, we would have "Negro Domination" whenever the will of a majority of the whites would be defeated through the votes of colored men. *

*"Negro Domination" phobia is the motivation behind State Voter ID laws.

A Proclamation of the Green Party Black Caucus "Democratize the Electoral College"

February 2nd, 2012

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"The true measure of a Democracy is not in counting how many votes are cast, but in how many of those votes that are cast truly count" _ Gordon v. Cheney/Biden



George Henry White
Member of the U.S. House of Representatives
from North Carolina's 2nd district

White was elected to Congress in 1896. He was the last former slave to serve in Congress and by 1898 was the only African American in the House of Representatives.

At the turn of the last Century, Congressman George Henry White challenged the House to punish southern states for disfranchising blacks by calling for a reduction in their congressional delegations. White's appeal in 1899 that southern delegations to Congress ought to be limited to "the benefit of the votes that are allowed to be cast in their representation" initially fell on unsympathetic ears, despite his declaration, "It is a question that this House must deal with some time, sooner or later." Derived from Section 2 of the 14th Amendment, reduction legislation required Congress to penalize states that sought to disqualify eligible voters by subtracting the number of disfranchised voters from the population count used to determine the number of seats each state was allotted in the House. At the high tide of Radical Republican rule in the House, the chamber passed a measure after the 1870 Census that required Congress to enforce that provision. Section 6 of the Apportionment Act of February 2, 1872, provided a mandate that the number of representatives apportioned to any state to be proportionally reduced, if the right to vote is denied or abridged.

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Whereas, District Court Judge Henry H Kennedy Jr.(Jan. 4, 2011) in the matter of *Gordon et al v. Clerk, US House of Representatives* declared "*Mr. Gordon raises some weighty issues having to do with the consequences or results of an electoral system where a minority, a minority number of votes are not recognized, that is when there is a winner-take-all system.*" _ (<http://www.electors.us>).

Whereas, the Supreme Court ruled in *Fortson v. Dorsey* (1965) that at-large (Winner-take-all) voting always operates to “minimize or cancel out the voting strength of racial or political elements of the voting population”. At-large voting denies voters an equally effective vote and clearly operates to suppress the representation of minority groups, whether racial, economic, political, or otherwise.

Therefore, the GPBC declares that a primary cause for the political unresponsiveness of our Government to the welfare of the people at large is because of our at large system of "Winner-take-all" Politics. Accordingly the GPBC calls for this declaration to be made a signal priority by the national Green Party and Green Presidential candidates in media communications and in campaign materials for release to the public.

Therefore, the GPBC calls for the National GP in advocacy for green party progressive initiatives to place emphasis on the declaration that "winner-take-all" Politics is harmful to the public welfare and unconstitutional. The GPBC declares that the Fourteenth Amendment mandates proportional allocation of presidential electoral votes, or enforcement of the second section of the Fourteenth Amendment mandate for a reduction in the congressional delegations of states with voter id laws that deny or abridge the citizen's "right to vote" resulting in "minority vote dilution."

Therefore, the GPBC calls for the National GP to call upon progressive lawyers and Organizations to join with the Green Party's Malapportionment Penalty (MAP) initiative to "Democratize the Electoral College" by enforcement of "the right to vote" Reconstruction amendment (**Amend. XIV§2**) that mandates a state's proportional allocation of presidential electors based on the popular vote split or suffer a "Reduction of Representation" in the electoral college / members to congress (**2USC§6**) .

Therefore, the GPBC calls for the National GP to host at its National Convention in 2012 a keynote Civil War sesquicentennial commemorative address "The USCT Legacy of National Redemption and Democracy (How Black Civil War Veterans Reconstructed the Union and Established Democracy in America) " by Asa Gordon of the African American Civil War Memorial and Chair of the DCSGP Electoral College Task Force.

Resolved, the GPBC calls for the National Green Party to issue a complementary proclamation to promote the GP_ MAP initiative to "Democratize the Electoral College" and moves GP presidential candidates to: (1) in interviews to include a reference to the Green initiative to "Democratize the Electoral College", (2) include a reference to the MAP initiative in their press releases and information packets, and (3) include a reference and link at their web sites, as the Green party candidate response to states election laws and winner-take-all politics that effect "minority vote dilution" of minority groups, whether racial, economic, political, or by party affiliation.

GREEN PARTY BLACK CAUCUS

<http://www.gp.org/caucuses/black/index.php>

Winner-Take-All Systems

"Winner-take-all" is a term used to describe single member district and at large election systems that award seats to the highest vote getters without ensuring fair representation for minority groups. In the United States, these are typically single-member district schemes or at-large, block-voting systems. Under winner-take-all rules, a slim majority of voters can control 100% of seats, leaving everyone else effectively without representation. Winner-take-all systems are an anachronism in the modern world, as nearly every emerging democracy has rejected their use. They were introduced to America by the British during the colonial era, and are virtually unknown in other developed countries. Their failings lie at the root of many of our current political problems.

Gordon v. Cheney/Biden (1/28/2008-10), addressed Electoral College malapportionment (see Green Party press releases: <http://www.gp.org/press/pr-national.php?ID=275>). The current action *Gordon et al v. Clerk, US House of Representatives*, 1:11-cv-00003 (Jan. 3rd, 2011) addresses the malapportionment of Congress. _ <http://www.gp.org/press/pr-national.php?ID=412>.



COMMITTEE AT ODDS ON REAPPORTIONMENT

Three Reports on the Bill Submitted to the House.

One Calls for 357 Members, Another for 386—Third Deals with Disfranchisement in Southern States.

WASHINGTON, Dec. 20.—Representative Hopkins, (Rep., Ill.) Chairman of the Committee on Census, to-day filed in the House the majority report on the Reapportionment bill reported by his committee, fixing the membership of the House for the next decade at 357, and gave notice that he would call up the bill immediately after the holiday recess. Representative Burleigh (Rep., Me.) filed a minority report signed by six members, in favor of a House to be composed of 386 members, and Representative Crumpacker, (Rep., Ind.) who signed the Burleigh report, also submitted an independent report in favor of reducing the representation in the Southern States to the extent of the abridgement of the suffrage. His independent report favors a House to be composed of 374 members.

The independent report, of Mr. Crumpacker is a lengthy document, which goes exhaustively into the abridgement of the right of suffrage in the Southern States. In the beginning he quotes the Fourteenth Amendment to the Constitution, providing that when the right to vote is abridged, except for participation in rebellion or other crime, the representation shall be reduced in such States in proportion to the abridgement.

"Congress in this matter," Mr. Crumpacker says, "must take cognizance of current history and of facts disclosed by official records. There is not a member of either House of Congress who does not know to a moral certainty that by direct operation of law the States of Louisiana, Mississippi, North Carolina, and South Carolina have disfranchised sufficient number of citizens to deprive each of them of several Representatives they would otherwise be entitled to, to say nothing of the largely increased suppression of votes caused by unfair partisan administration of the laws.

"The question is, Will Congress make an apportionment of Representatives according to the plain requirements of the Constitution, or will it ignore those requirements and act according to its arbitrary will?"

Mr. Crumpacker adduces figures to show that in Louisiana 43.74 per cent. of the citizens are disfranchised. The representation should, therefore, he urges, be reduced from 7 to 4. In North Carolina, for the same reasons he figures that the representation should be reduced from 9 to 6; in Mississippi from 7 to 4, and in South Carolina from 6 to 4. The subterfuge resorted to in the South to evade the law, he says, marks the beginning of political demoralization and social decay. He then proceeds to a severe arraignment of the South in many localities of which "the trampling under foot of laws calculated to secure the exercise of political privileges to the negro has continued for so long that it is showing its vicious fruits in the prevalence of mob law."

He denounces the frequent resort to lynch law and its unspeakable horrors. "These atrocities," says he, "bespeak a deplorable condition of political morals. Their frequent occurrence is the legitimate result of a generation of disregard of election laws." The solution of the problem this condition presents, Mr. Crumpacker says, is one of the burning questions of the hour. It is above partisanship, it involves the very life of the Government. He says in conclusion: "The measure I propose carries no resentment toward any State, North or South. It is not designed for punishment, but it simply aims to place representation in the House upon its constitutional basis, and no State can justly complain if it be accorded its full rights. No compromise can be made with wrong."

The New York Times

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