

## ‘Campaigns against “Blackness”’: Criminality, Incivility, and Election to Executive Office

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### Abstract

‘Campaigns against “Blackness”’ focuses on the 2008 Democratic presidential primary waged by Barack Obama and the 2006 Massachusetts gubernatorial race run by Deval Patrick. It explores racial bias expressed against and by African-American males seeking high office. In these campaigns, the convergence of racial uplift and multicultural democracy manifests in mandates against blackness represented as criminality and political incivility. Historically, US anti-black animus forged tropes of ‘criminality’ and ‘incivility’ that demonized blacks as unsuitable for full citizenship. Today, the new black candidates successfully deflect these tropes, in part, by redeploying them against non-elites, and anti-racist discourse and activism.

### Keywords

Barack Obama, Hillary Clinton, Deval Patrick, Ben LaGuer, Kerry Healey

### Introduction: The New Black Candidate

*You are not to be so blinded by patriotism that you can't face reality.*

Malcolm X<sup>1</sup>

As US global hegemony falters, and economic debacles and failed military policies multiply, Americans witness the rise of successful black male candidates seeking high office. That the diminishment of US prestige and power transpires with the ‘blackening’ of American electoral leadership suggests difficult challenges in facing critiques of racial division and exclusion. Election campaigns that promise to restore legitimacy to the practice and perception of US imperial dominance illustrate how viable candidates – regardless of their experiential or ideological multiculturalism<sup>2</sup> – avow a mono-culturalism that embraces

Judeo-Christian individualism and capitalism; unsustainable consumerism; under-regulated corporate finance – prior to the global recession; and the validation of what President Dwight D. Eisenhower labeled the ‘military-industrial complex’, now expanded to include the ‘prison-industrial complex’.

As electoral competitors invoke ‘American idealism’ to disavow the nuanced realities of US abuses of power, they reinvigorate the disciplinary narratives of anti-black racism. Perhaps this partly explains why, despite unprecedented racial obfuscation in public discourse, within a nation that historically vilified them as the greatest threat to white racial purity and mastery, black men increasingly are considered worthy of national or state executive office. Despite the prominence of Bush Secretary of State Condoleezza Rice, and Obama advisors (first lady) Michelle Obama, (cabinet appointee) Valerie Jarrett, and (UN representative) Susan Rice, males continue to dominate the public presence of black politicians. Perhaps only the dismal failure of George W. Bush’s policies – in May 2008, the President had an approval rating of about 28% – could have brought the nation to a trajectory so seemingly distant from – yet nonetheless evocative of – its old terrors and traumas shaped by racist fear and desire. Perhaps, the collective memory and resentment of being manipulated by racist stereotypes – such as filicidal Susan Smith’s false accusations about a black man abducting her white infants – have helped to create a more discerning voter. More likely, generations of civil and human rights activism have placed the USA on the path towards inclusive democracy; however, election cycles continue to reinvigorate racial biases for electoral gains.<sup>3</sup>

Cultural diversity and educational progress do not necessarily lead political campaigns to undervalue the role of racism in swaying the electorate. As their appeal broadens to attract and embrace ‘all’ Americans, some black candidates press the reset button for the collective racial psyche. As the antithesis to and for the ‘every American’, criminalized blacks remain specters haunting the American dream. In order to ‘protect and serve’, or at least garner the votes of the valorized mainstream, successful black politicians would have to vanquish such spirits that potentially overshadow their candidacies.

In the unspoken racial contract on the campaign trail, valiant whites receive absolution from charges of racism by voting black. Voting against their historical domination of electoral politics as a racial bloc, they absolve themselves as progressives – and are absolved by their candidates – of the social stigma of the ‘cracker’ (a pejorative affectionately used in 1988 by George W. Bush to introduce his father’s campaign strategist, Lee Atwater, at a Republican event – apparently, racial conservatives feel a lesser need for absolution) (see *Frontline*, PBS 2008).

Consequently, and conveniently, a mutually beneficial relationship between the new black political class and the white electorate asserts itself as an anti-racist phenomenon. The candidate and his campaign staff, or cabinet-in-waiting, establish themselves as the ‘good’ black people worthy of mainstream America’s trust, partly or particularly because they are not accountable to an impoverished black mass decimated by white supremacy and capitalism. Supporters valorize themselves as the ‘good’ white people because they will vote for the ‘good’ black people unaccountable to oppressed blacks.

Of course political content and programmatic intent register in the forms of debates, position papers, and proposed and pending legislation focusing on jobs, health care, renewable energy, unpopular wars. However, the unspoken racial transaction remains key in overcoming white racial polarization in the voting booth. Through electoral politics, both the new black political class and the mainstream white voter can shed past racial stigma and elevate their social status as pragmatic politicians and citizens who have moved beyond old antagonisms. In fact, in their electoral opposition to 'bad' whites – i.e. those, particularly the less well educated, who will not vote for black candidates – affluent whites redefine 'racial purity': the good white is colorblind. In repudiating as divisive blacks who challenge the skewing of material and moral wealth towards whites, black elites redefine racial authenticity: the good black expresses no racial solidarity. In addition, non-voting among racially stigmatized groups generally is often perceived as political immaturity rather than as political choice, as reflective of apathy rather than analysis. Still, amid the emergent affinity/identity politics of the new black candidate and the new white voter, hierarchies persist.

The American franchise stands on shifting standards tethered to racial domination. A black political presence or absence as a power bloc is commonly perceived as destabilizing or debasing American civic culture. For example, voting-*while*-black elicits racial profiling at the polls. Yet, whites voting *black* manifests as an anti-racist act. Non-blacks who vote for blacks are seen as relinquishing narrow self-interest for the greater good. Yet, blacks who vote for other blacks can be portrayed as pursuing racial solidarity and power based on insecurity, ethnic pride or narcissism, and narrow self-interest. Same candidate preference, distinct racially constructed populations, different attributions of political ethics and civic virtue. From the conventional perspective, voting white is so normative that blacks, Latinos, Asians, native Americans and Middle Easterners who do so are not seen as 'transcending' racial divisions; whereas whites who do so became the focus of National Public Radio reports during the 2008 presidential campaigns.

Race is wedded to class politics. A product of ivy-league universities, no matter how humble his origins, the new black candidate reflects new social stratifications in which class privilege and racial etiquette, in the form of an uncompromised civility towards the mainstream, trump demands for 'speaking truth to power'. Now, both black conservatives and pragmatic black liberals shoulder the burden of chastising those without institutional power: progressive radicals, the alienated, 'too-black' ideologues or culturalists demanding anti-racist accountability from the mainstream majority and its chosen political class.

In shifting class and racial identities, blackness remains fixed as negation (of civil society, of prosperity, of law and order, and of patriotism). Thus on the campaign trail, it is to be avoided or disciplined, or in the case of the candidate's persona, transcended. Under white supremacy, only non-whites collectively struggle with the 'brand' of the criminal or uncivil; hence only they collectively possess the trait of defective citizenry. Barack Obama's June 2008 Father's Day speech provides an illustration (see CNN Politics.com 2008). The candidate addressed the black congregation of Chicago's Apostolic Church of God, focusing on the anti-familial 'deadbeat dad', generally portrayed in society as a black phenomenon.

Obama could have broadened the scope of his political sermon to gently reprimand white fathers at a historically white congregation. In addition to alienating white voters, this option would have led to a missed opportunity for the candidate to sharply distinguish himself from other black fathers, including his own Kenyan father. Admonishing white families, he would not have been able to demonstrate that the new black candidate represents the mainstream through its shared disdain for subaltern culture. The vulnerability of the autobiographical narrative of the absent father is real. So too is political gain through the reification of racial caricatures.

### **Running for Office: Sexism and Racism in Multicultural America**

Running for office, white women and black men – stereotyped as the most disconcerting member of the American political body – bring a new level of spectacle and scrutiny to elections. The 2008 Democratic presidential primary contests between Senators Barack Obama and Hillary Clinton, and the 2006 Massachusetts gubernatorial race between Democrat Deval Patrick and Republican Lt. Governor Kerry Healey illustrate not only the resilience of racist constructions embedded in notions of black criminality and incivility but the unstable political stature of white women in pursuit of executive office.

When black men compete with and defeat white women for access to offices historically reserved for white men, some imagine that white racism is also defeated while others maintain that sexism is re-inscribed.<sup>4</sup> A structural feature of US politics, sexism worked against both Clinton and Healey. However, white racism worked for them. In their respective losses to black candidates, Clinton and Healey, as white women, were ‘disciplined’ by the majority of voters – not just by the black voters they were willing and able to alienate in their pursuit of dissipating white votes. Substantial numbers of whites abandoned both racist fears promoted through campaign rhetoric and the ‘establishment’ politics of women ‘insiders’ who were prominent officials.<sup>5</sup>

In the two campaigns discussed here, Clinton and Healey as mainstream standard bearers, or ‘masculinized’ white female candidates, attempted to demonstrate their leadership capabilities by presenting themselves as the ‘tougher’ candidates regarding criminality and the breakdown of security and social order. As the heirs-apparent to their male mentors, respectively President Bill Clinton and 2008 presidential candidate in the GOP primaries, former Massachusetts Governor Mitt Romney, Clinton and Healey disparaged their black male opponents for being unqualified interlopers (‘affirmative action babies’) possessing limited executive office experience, and as ‘soft’ on threats to US domestic and national security. Race and gender intersect within the candidates’ ‘security’ narratives to target those bodies constructed as political outsiders – low-income blacks, immigrants, Muslims.

Despite the prevalence of corporate corruption, the candidates in the 2006 and 2008 elections for executive office did not campaign against white-collar crime, criminality or malfeasance by public officials. Political speeches and campaign websites did not present institutional anti-social behavior such as profiteering by private contractors, disseminating

false information on Iraqi weapons of mass destruction to start a war, authorizing illegal wiretaps of US citizens, torturing detainees as pervasive and anti-democratic features of state policies. Linking Republican presidential candidate John McCain to the Bush Administration, Democrats portrayed these as aberrations stemming from the incumbent president, not as emanating from ills entrenched in the state bureaucracy.

A descriptor such as *pathological* is usually reserved to generalize blackness and poverty. None of the campaigns acknowledged racism and economic opportunism and exploitation to be a pervasive anti-democratic tendency in US domestic and foreign policies. The white female candidates did not because they could benefit from the racial-bias of white voters they did not wish to alienate; the black candidates did not for fear of being perceived as disloyal 'whiners' – a pejorative that resonated with the attacks on affirmative action – and alienating white mainstream voters. Marketing themselves as agents for social change, all of the candidates avoided confrontations with the religious, class, and ethnic chauvinism of the American media and electorate. The campaigns located threats in stigmatized dark bodies – bodies that few politicians wished to champion – bodies rarely understood to be citizen and voter.<sup>6</sup>

Responding to accusations by their female opponents of being 'weak', 'feminized' black male candidates worked to demonstrate that they too were 'tough on crime' and incivility garbed in some form of blackness and/or radical politics. The end result was the distancing by both parties from difficult discussions concerning unpopular causes and human rights abuses, and the verbal disciplining of those who attempted to raise the taboo issue of US fostered injustices at home and abroad.

Historically, whites would never embrace on ballot a black man over a white woman. Yet, in 2006 and 2008, they joined overwhelming numbers of multiracial voters to do so. This sign of democratic progress holds internal contradictions concerning gender and race. The campaigns reflected racial-sexual politics that pitted white men seeking 'progressive change' through black male surrogates against white men seeking the continuance of their legacies through their female representatives' ascent to executive office. In both the Obama and Patrick campaigns, did white male elites supporting the black Harvard alums repudiate their symbolic heroic roles of protectors of white females from black males? Voters likely rejected the symbolic white woman sullied by her fall from pedestal-anchored icon into an ambitious, unscrupulous politician.

Rather than pawns in the 2006 and 2008 elections, black men and women running for office minimized or erased their specificities and desires in order to foster the generic party politician. Despite the text on their campaign websites, each camp understood that to publicly embrace anti-racism – if you were black – or feminism – if you were female – would be to step into an ideological bog that hampers the ability to garner votes. (Discussions of heterosexism were generally reduced to marriage/civil union as a civil rights issue; none of the major party candidates supported the right to marry for gay/lesbian/transgendered citizens.)

Loyalists to party machines, Healey and Clinton were neither damsels in distress nor reformers. The women became hybrid fem-masculines, surrogates for 'old school' male

dominance that had nurtured their ascent into institutional power. Willing to publicly decry the sexism of their black male opponents, such candidates found it best to keep private any insights into the white patriarchal institutions within which they – and their opposition – operated. Their own ambivalence to ideological feminism would likely prove a political liability, either confusing women voters who identified with them as feminist role models or alienating men who identified with them as champions of white ‘rights’ (under white supremacy).

The women candidates’ political capital derived from their direct and intimate, in some cases familial, associations with structures dominated by influential white men. As insiders with financial and political connections superior to those of their black male rivals, they derided upstarts who would become usurpers. Elite white women, appended to the policies of elite white men, played hardball politics in ‘scorched earth’ campaigns in which race would be an unacknowledged but key strategy. White female warriors have questionable racial and feminine value when attacking black males whose campaigns are run by elite white males. Racial value is measured by one’s ability and willingness to service the needs of one’s racial group; when that group politically or ideologically splinters, the need and value of that service diminishes. Feminine value is determined by one’s ability to fulfill the desire or need of masculine culture to have a distinct and flattering contrast. That value is difficult to maintain once one begins to perform publicly and combatively as ‘one of the guys’. As she enters patriarchal political theatres, the white female’s worth as feminine icon to be championed plummets. The catch 22 is that this icon is hardly characterized as competent for executive office. The racial divide further complicates this scenario. Historically, whites never extended the attribution of female vulnerability worthy of male protection to blacks. To do so would legitimize the prosecution of white males, from slave masters to senators, for their abuse of black females. Today, the caricature of emasculating, aberrational black females (depicted in ‘The Moynihan Report’) morphs onto white female politicians who as pugilists attempted to discipline and vanquish their black male opponents. In the course of their campaigns, they became increasingly viewed and portrayed with contempt. What became perceived as their excesses in racist rhetoric and their excessive political ambitions fueled public ridicule of their candidacies and character.

Despite the recycling of old alienations and the emergence of novel estrangements, both the Obama/Clinton and Patrick/Healey campaigns represented something new in American politics: the possibility of either the first white woman or the first black man to be elected to executive offices for centuries exclusively held only by white men. Along with these historic ‘firsts’, both campaigns reconfigured racial and gender politics to echo familiar narratives. (Of course, the inability of black women, such as former presidential contenders Congresswomen Shirley Chisholm and Cynthia McKinney and Senator Carole Moseley Braun, to mount viable campaigns for executive office warrants scrutiny.)

## Obama/Clinton 2008

*Remember who we are as Democrats. We are the party of Jefferson and Jackson, of Roosevelt and Kennedy.*

Barack Obama following his May 2008 North Carolina victory over Hillary Clinton

It should be evident that the above presidents invoked by candidate Barack Obama were either hostile to or indifferent towards blacks. To various degrees, all accommodated white supremacy. Andrew Jackson and Thomas Jefferson were prominent slaveholders; Jefferson – the first president to introduce a black family into the White House – was particularly virulent in his racism. Franklin Delano Roosevelt had to be prodded by his wife Eleanor, and John F Kennedy by his brother Robert, before each President would authorize legislation to destabilize American apartheid. Responding to candidate Obama's 2008 exhortation to remember, we might ask: 'Exactly who are *we* as Democrats in this lineage?' On the campaign trail, amid calls for unity, it is tedious, painstaking and divisive to address racial-economic stratification with specific policies to redress past and present injustices. Often candidates in pursuit of executive office, choose the path of least resistance.

The first major stumble on the road to the White House occurred for Barack Obama in April 2008 when the issue of race or racism became, for most whites, a confrontation with an unacceptable and uncivil blackness: Obama's former pastor, Reverend Jeremiah Wright. The candidate delivered his 'A More Perfect Union' address in Philadelphia's Constitutional Hall in response to media fixation on spliced and decontextualized sound bites of Wright's sermons from previous years. Captured on tape, Wright's denunciations of US domestic and foreign policies – most controversial were the accusations of US biological warfare against blacks and statements that 9/11 was a response to US terrorism abroad – looped the national airways. Soon after, sound bites from Obama's 'A More Perfect Union' dominated *YouTube* (the generational and educational divisions in the electorate shaped preferred informational technologies). 'A More Perfect Union' seemed to briefly bury the issue of 'racial divisions' – specifically black rage against ongoing racial injustice – and reassure Main Street, or at least its more stable and prosperous property owners, that the candidate was loyal to them.

However, weeks before the 23 April Pennsylvania primary, Obama's closed-session statements at a California meeting (publicized by a blogger) about 'bitter' whites who 'cling to guns and religion' and will not vote for 'others' diminished the candidate's populist appeal among whites, particularly lower-middle and working class voters. Clinton won the Pennsylvania primary by nearly 10 points (she had polled a 20-point lead prior to her fabricated accounts of war-time heroism dodging bullets on a tarmac in Bosnia under sniper fire). On 13 May she would win West Virginia – a predominately white and working class state – by a landslide 40 points, with a Kentucky victory later that month. Both states featured higher percentages of under-educated and impoverished white voters than the national norm.

Obama's supposed gaffe about bitter whites presumably led to Clinton's rise in the polls (as the media would spin it); yet it is unclear if this demographic of lower-income, less formally educated whites, who aligned with Clinton in Ohio prior to 'Bittergate', would have voted for Obama in any case. Nonetheless, the candidate's 'misspeak' had increased resonance in light of non-candidate Wright's 'incivility'. In sharp contrast to Reverend Martin Luther King Jr – for whom all three presidential contenders, Obama, Clinton, and Republican Senator John McCain, claimed an affinity – Wright's political sermonizing suggested the style and substance of Malcolm X.<sup>7</sup> His 'chickens coming home to roost' reference to 9/11 – without attribution to Malcolm X's infamous pronouncement following the assassination of President Kennedy – sharply contrasted with King's rhetorical style as emulated by Obama – at least the March on Washington 'I Have a Dream' King, prior to his reflections on the post-march bombing of the Birmingham Church which killed four black girls. Obama's speeches ignored King's last sermons in opposition to US militarism and imperialism. Understandably so from a politician's point of view: *The New York Times* had condemned Reverend King for stating that God would 'break' this mighty empire given its militarist and racist transgressions.<sup>8</sup>

Few viewed Wright, a former US Marine and medical attendant to President Lyndon Johnson, as offering a radical analysis about structural repression. Many citizens disparaged Wright's anger and 'paranoia' in citing US state-sponsored violence and suggesting that these policies produced the 11 September 2001 terrorists.<sup>9</sup> Widespread ridicule and condemnation of Wright failed to reference Fort Benning, Georgia's 'School of the Americas' training of Central American death squads, the Iran-Contra scandal, Central Intelligence Agency covert operations supporting terrorist counter-revolutionaries in Southern Africa and Latin America, and violations of the Bolin Amendment. Complicated realities disappear in amnesic campaign discourse and media reporting disappeared from public view realities that would have framed Wright's castigations.

Wright resurrected 'black rage' (widely read as anti-white incivility) on 28 April at the National Press Club when he criticized Obama as a 'politician who would say anything to get elected'. (Obama's June speech before Jewish leaders advocating an undivided Jerusalem would provide some legitimacy to this accusation.)<sup>10</sup> Wright's televised appearance, largely categorized and dismissed as a self-aggrandizing 'performance', seemed to indicate that Clinton would win the nomination. However, after formally denouncing Wright, Obama progressed towards his party's nomination.

He did not escape the criticisms of independent black journalists though. In its 30 April/5 May 2008 *Black Agenda Report (BAR)* Executive Editor Glen Ford observed in 'Obama's Race Neutral Strategy Unravels of Its Own Contradictions' that:

For people like Rev. Jeremiah Wright, mass Black incarceration and slavery are seamlessly linked, part of the continuity of racial oppression in the US. Most African Americans see the world the way Rev. Wright does – that's why he's among the top five rated preacher-speakers in Black America. This Black American world view, excruciatingly aware of the nation's origins in genocide and slavery, is wholly incompatible with the American mythology championed by Barack Obama.<sup>11</sup>



Race neutrality is the dominant template in American mainstream discourse. As 'neutral' and hence 'objective', one would not debate how racism or white supremacy shaped federal and state government responses to the Army Corps of Engineers' faulty levies that allowed post-hurricane flooding. One would simply deny the realities as racially fashioned phenomena. Concerning New Orleans, far more than whites, blacks view the abandonment of the impoverished, the 'shoot-to-kill' edicts for survivors, the dispersal of populations with no right to return, gentrification speculation accompanied by the demolition of public housing as racist or 'racial'. As did Bush cabinet appointees Condoleezza Rice and Colin Powell in 2005 – Barack Obama denied that state behavior was racist towards black survivors of broken/breached levees. Thus, Obama's campaign speech mirrored that of rival McCain, who criticized a Bush bureaucracy that could 'not get bottled water to babies'. 'Race-neutral' language is presidential language. The Obama campaign website under the heading 'Katrina' criticizes the Bush Administration's 'unconscionable ineptitude'. Generally, anti-racist discourse, as political discourse, is perceived as 'uncivil' when directed at the government or the mainstream voter. Although the Bush administration had lost credibility following FEMA's mismanagement of and the administration's early indifference to the humanitarian crisis, major party campaigns found it imprudent to publicly scrutinize or theorize on the role of race in the government's lack of accountability to citizens.

Anti-racist speech sometimes proves useful in electoral strategies, although narratives are increasingly complex. Consider the Sean Bell tragedy. Following the 16 April Pennsylvania debate, a New York City judge issued the verdict in the killing of Sean Bell, an African American, by black and white off-duty police officers. In November 2006, police fired 50 shots at Bell, while he was seated behind the wheel of his car and in the company of friends who had attended his bachelor party at an after-hours club. The unarmed black men were allegedly trying to flee armed unidentified police after a verbal dispute in the club. The judge acquitted all NYPD officers of all charges. Campaigning in Indiana weeks before the 6 May primary (he would win North Carolina by a significant margin and lose Indiana to Clinton by less than two percentage points), Obama responded to a reporter's query about the verdict. The media widely circulated the following statement: 'We're a nation of laws, so we respect the verdict that came down. Resorting to violence to express displeasure over a verdict is something that is completely unacceptable and is counterproductive.' There were few reports that New Yorkers planned to respond to the acquittal with violence; although boycotts and non-violent demonstrations were anticipated.

The full text of Obama's comments is more nuanced than the sound bite that sounded purely disciplinary:

Well, look, obviously there was a tragedy in New York. I said at the time, without benefit of all the facts before me, that it looked like a possible case of excessive force. The judge has made his ruling, and we're a nation of laws, so we respect the verdict that come down. The most important thing for people who are concerned about that shooting is to figure out how do we come together and assure those kinds of tragedies don't happen again. Resorting to violence to express displeasure over a verdict is something that is completely unacceptable and counterproductive.

The abbreviated text that appeared in the press was strongly criticized by *BAR* and other progressive black publications for both its rhetorical preemptive strike against ‘rioters’ and civil unrest that never materialized, and its absence of a condemnation of violence by state employees. Critics claimed that Obama’s ‘law and order’ statement was addressed to black New Yorkers but delivered to a white audience.<sup>12</sup> The press immediately juxtaposed the Illinois Senator’s brief comments with the more thoughtful and politically astute written statement released by New York Senator Clinton:

This tragedy has deeply saddened New Yorkers – and all Americans. My thoughts are with Nicole and her children and the rest of Sean’s family during this difficult time. The court has given its verdict, and now we await the conclusion of a Department of Justice civil rights investigation. We must also embrace this opportunity to take steps – in our communities, in our law enforcement agencies, and in our government – to make sure this does not happen again.

Clinton’s language of condolence, enumeration of a legal process – court decrees, further investigation, possible appeals – channel potential frustration and possible civil disobedience into law-abiding behavior without chastising the outraged or grieving. The use of the possessive plural ‘our’, which also encompasses the perpetrators of police brutality, creates a unifying whole in which dissenting voices portraying the police as ‘our enemies in blue’ are neutralized. Clinton more skillfully met the same phenomenon of anti-black state violence by articulating it as reprehensible while solidifying (black) obedience to state power as ‘law and order’.

The issue of political violence within the nation would become central in the debates. During the 2008 presidential campaigns, incivility and criminality migrated from the black to the white body during the CBS-sponsored 16 April Democratic primary debate between Obama and Clinton. ABC news anchor and former Clinton White House staffer George Stephanopoulos, after raising the issue of Obama’s ties to Jeremiah Wright, questioned the candidate about domestic terrorism via his association with Bill Ayers. Hailing from one of the most privileged sectors of white America, Ayers had been active in the Students for a Democratic Society before joining the Weather Underground in the early 1970s. While running for the Illinois State Assembly, Obama had attended a fundraiser at the Ayers home; he had also in the past served on an educational board with Ayers, a professor at the University of Illinois-Chicago; his wife Bernadine Dohrn, another former Weather Underground leader, is a law professor at Northwestern University. Political and racial strife and controversy are familiar to Chicago. Massive anti-war demonstrations at the 1968 Democratic National Convention (DNC), led by uncivil whites such as Abbie Hoffman, were violently suppressed by Mayor Richard Daley’s police. The following year, Black Panther Party leaders Fred Hampton and Mark Clark were assassinated by a multi-racial FBI-Chicago Police Department detail in a pre-dawn December raid.

Taking a cue from debate moderators, Hilary Clinton stressed the connection between Obama and terrorists. Obama responded that President Clinton had given clemency to

several members of the Weathermen who, unlike Ayers, were convicted and imprisoned for crimes. In fact, in January 2001, on his last day in office, Bill Clinton granted a pardon to his younger brother (a convicted drug dealer) and clemency to Puerto Rican independence militarists as well as Linda Evans and Susan Rosenberg, two white women incarcerated for their support of anti-racist, anti-imperialist organizations. Clinton's leniency encompassed white and Latino political prisoners, as well as wealthy white criminals such as Marc Rich whose family funded millions into Bill Clinton's foundation initiatives; yet the former 'black' president offered no forgiveness to black political prisoners.

The primary debate and ensuing media sound bites offered little context for the era of social unrest represented by Ayers. Few commentaries, with the exception of independent journalist Amy Goodman's 'Democracy Now!', investigated the reasons for radical resistance to state violence or the government's continued warfare against political dissidents. The focus on the disaffected, affluent white rebel Bill Ayers obscured activism and state repression against non-elite political actors.<sup>13</sup> The attention given to Ayers ignored the murderous aspects of the FBI's counterintelligence program and CIA-engineered warfare, and resistance to that terror. As Obama distanced from Ayers, the opportunities for national discussions and debates to place state violence and terrorism into a historical context and analytical framework receded.

Later during the general election, McCain would echo Hillary Clinton. As had Clinton with Democrats, McCain resonated with most voters as the stronger 'law and order' candidate when compared to Barack Obama. Recycling Clinton's rhetoric during the primaries, McCain entered into the controversy: 'He [Obama] became friends with Ayers and spent time with him while the guy was unrepentant over his activities as a member of a terrorist organization, the Weathermen. Does he condemn them? Would he condemn someone who says they're unrepentant and wished that they had bombed more?' In fact, Barack Obama did condemn Ayers and Weather Underground actions as reprehensible; he did so while remaining silent about human rights violations embedded in US policies. His campaign reminded voters that the candidate was eight years old when the Weathermen engaged in violent acts to end the US war in Viet Nam. The Obama campaign did not counter its critics with the information that Ayers's comments expressing a lack of remorse were taped months prior to promote his memoir but the book review was published on 11 September 2001. Nor did the campaign attempt to contextualize Ayers's statements about violent dissent.

Ayers had provided a context that could have been evaluated and debated before being condemned. He had stated that some 2000 Vietnamese were dying a day – the war would leave more than 55,000 Americans and 2,000,000 Vietnamese dead – and that he wished he could have done more to stop it, including bombings. Weathermen were quick to cite that only their members had died from their bombs. A botched bomb making attempt that demolished a brownstone in New York City's West Village killed three members of the organization which may suggest that careful planning might not have been the only reason for the low number of Weather casualties.

Understandably, Obama effectively distanced himself from Bill Ayers and Jeremiah Wright in order to win the Democratic primary and later the national election. Both men,

in very different ways and within radically different structures, denounced racist militarism as terrorism. The Weather Underground and the prophetic wing of the black church, respectively, condemned state violence abroad and at home. Mainstream citizenry would, of course, choose the nation over its radical, activist critics. Obama would, of course, side with mainstream voters.

In election cycles, a narrative that develops context in order to highlight deadly and illegal US policies is often viewed as a distraction and a liability. The dominant topics in conventional campaigns are the economy, 'bread-and-butter' issues, and national security. Playing 'catch up', Obama spokesmen's pointed rebuttals to critics recognized no political logic for progressive or radical or revolutionary acts against state violence; only legislative acts, the agency of the political class, had currency. Without the appearance of state violence in our discourse, the presence of resistance becomes viewed as irrational. Political agency disciplined by revolutionary struggle is perceived as criminality, or political and social insanity. Thus, only the politician is understood as the rational harbinger of 'change'; and the conventional wisdom remains that she or he need only say what they will do for us – once we have elected them into executive office.

### Patrick/Healey 2006

*Sometimes I wonder if we get so discouraged that we cannot even imagine what a whole, functioning, peaceful national community could be like. But just imagine:*

*Imagine a nation where young people find love and companionship in a neighborhood instead of a gang ... Imagine a nation that addresses the causes of crime and violence, instead of just warehousing offenders so they come out more dangerous than they were when they went in ...*

*Imagine a nation at peace, vigilant but without fear, whose position as a force for good in the world is restored ... This election is not just about who we want but about who we are. I want a president who understands that. That's why I am with Barack Obama.*

Massachusetts Governor Deval Patrick

'Superdelegate' Deval Patrick proved a key Obama advisor during the primaries. Patrick's hard fought 2006 electoral ordeal provides insightful instruction into campaign racial mandates. Both Harvard Law graduates mirror each other in political trajectories, language, and reform agendas. Likely Governor Patrick's experiences of racial and sexual dynamics in his 2006 race proved useful to his presidential counterpart. In the 2006 Massachusetts gubernatorial campaign, the Republican candidate, Lt. Governor Kerry Healey, made convicted rapist Ben LaGuer's name notorious in Massachusetts, linking it to that of Democrat Deval Patrick.

Patrick's past support for fair-trial advocacy for the prisoner seemed a perfect opportunity for his opponents to recycle the Republicans' 1988 Willie Horton strategy to secure the presidency for George H.W. Bush. Devised by Republican National Committee leader

Lee Atwater to portray Democratic Massachusetts Governor Michael Dukakis as 'soft on crime' and indifferent to (interracial) rape of (white) women, the Horton strategy centered on the case of a black convicted murderer who brutally assaulted a white couple, raping the woman while on a prison work furlough in Massachusetts.

Racially driven negative campaigning, which some attributed to Karl Rove, a Lee Atwater mentee, invigorated the incumbent Lt. Governor's campaign. Even when competing candidates are white, public fears remain filtered through a racial lens. For example, Bush's 1988 use of black convicted rapist Willie Horton in campaign commercials against Dukakis – Atwater infamously stated that he would make Willie Horton Dukakis's running mate – was followed in 1992 by Arkansas Governor Bill Clinton's use of black convicts as photographic/visual opportunities to demonstrate his anti-crime credentials qualifying him to displace a sitting president – one who had famously broken his campaign promise to not raise taxes.<sup>14</sup>

The resurrection of Willie Horton in the form of Ben LaGuer became a fatal, strategic error for Republicans in Massachusetts in 2006 though. Perhaps having witnessed first hand their governor's defeat by the Bush campaign's smear tactics (which included circulating false rumors that the governor's wife, Kitty Dukakis, had burned the American flag while participating in radical student protests in the 1960s), Massachusetts voters were too jaded for similar racist strategies nearly two decades later. Consequently, when Healey attempted to depict Patrick as a sympathizer of rapists – in fact, as coming himself from a family of rapists – she derailed her campaign.

Journalist Eric Goldscheider notes the complexities and contradictions surrounding Ben LaGuer's 1983 arrest, trial and conviction, focusing on inconsistencies in the prosecution's case that rarely circulated in the media.<sup>15</sup> The 59-year-old working class white survivor (she died in 1999 from causes unrelated to the assault) had been institutionalized over an extended period for mental illness. No witnesses, confession, or credible material evidence were introduced in the 1983 trial that convicted LaGuer; nor was the survivor's mental and emotional health raised for consideration by jurors among whom racial slurs against LaGuer were circulated. Only police and the victim's coached testimony linked LaGuer to the assault for nearly 20 years. In 2002, disputed DNA results, which Patrick helped to pay for, would provide the only physical evidence indicating LaGuer's guilt. Those results would later be put into controversy given the charges of contaminated and tampered with evidence.

Incarcerated for decades, as a young black rapist of a middle-aged white woman, LaGuer nonetheless managed to mobilize an array of influential male supporters. James C. Rehnquist, the son of the late chief justice, is his current attorney. Elie Wiesel, William Styron, Henry Louis Gates Jr, Noam Chomsky, and John Silber have all supported LaGuer at some time over the years. While imprisoned, he earned a bachelor's degree with honors from Boston University and a prestigious Pen Award. Understandably civil rights attorney Deval Patrick would find LaGuer's case compelling and join such a distinguished group of fair trial supporters. Under political pressure to win an election, gubernatorial candidate Patrick though would pronounce LaGuer 'guilty as charged'. Yet the chronicle of events researched by Goldschieder and others suggests that Patrick's pronouncement was opportunistic. A brief summation of the politicization of the case during the 2006 election follows.

In 1983, a young police officer, Dean Mazzarella, arrived at the scene of the crime in Leominster, Massachusetts, and later accompanied the victim in the ambulance to the hospital. On 28 September 2006, Leominster Mayor Dean Mazzarella informed the media that he believed that if elected governor Deval Patrick would grant Ben LaGuer preferential treatment. Repeatedly through the media and talk radio, Mayor Mazzarella attacked LaGuer and Deval Patrick's past support for a review of the LaGuer case. Talk radio descriptions of the victim's brutalization steadily fed the animus against candidate Patrick, who had initially and erroneously informed the media that he had offered no tangible support to LaGuer.

When Mazzarella demanded a meeting with Patrick, the candidate complied. (Later as governor, Patrick appointed Mazzarella to a special commission on Massachusetts towns and cities.) When the victim's daughter, Elizabeth, and her husband Robert Barry demanded an official apology, Patrick called to offer his sympathy for the pain caused by the recent publicity. Robert Barry publicly rebuked him for not having a stronger disavowal of LaGuer. Afterwards, Barry invited television crews into their home to continue his denunciations of Patrick. Later, at a press conference with Elizabeth Barry suffering from Lou Gehring's disease and confined in a wheelchair, the Barrys endorsed Kerry Healey. Although Patrick responded to the negative publicity by stating that 'justice has been served' in the LaGuer case, that was not enough to quiet the opposition's and the media or public fixation on the prisoner and his former fair trial advocate.

While Patrick was attacked for his past support for LaGuer, Healey was heralded as the champion of the rights of victims – visually rendered as lower middle or working class whites afflicted by black predators. Neither campaign addressed the reality of blacks victimized by racial bias in the criminal justice system. The National Association for the Advancement of Colored People (NAACP) attorney and Clinton appointee for civil rights was very familiar with racial and class bias in the judicial system; yet Patrick did not challenge assertions that discussions or critiques of racial bias in sentencing and prosecution were either irrelevant or an apologia for black criminality.

When the *Boston Globe* published Deval Patrick's 1998 letter, written on behalf of LaGuer's petition for parole and resubmitted at a 2000 hearing, media revealed that the Democratic candidate had written a \$5000 check in support of LaGuer's quest for DNA testing. Patrick had earlier denied providing funds. For most, that DNA testing, with allegedly contaminated samples, confirmed LaGuer's role in the assault. The Patrick gubernatorial campaign appeared to unravel under the weight of condemnation surrounding this case.

Other infomercials decrying Patrick's affinity for criminals were aired. The Healey campaign unveiled a television advertisement chastising Patrick, who while working as a NAACP attorney, had successfully represented a white Floridian on death row for killing a police officer, reducing his sentence to life in prison. That ad misfired though as Massachusetts attorneys and the Massachusetts Bar roundly condemned Healey – who is not an attorney – for the 'guilt by association' attack.

Unlike Hillary Clinton, Healey had not polled well among white women. Perceiving the political vulnerability of her opponent, she devised a new attack ad. In it, she revived

the black rapist trope that Ida B. Wells had campaigned against in 1892, and that the Bush campaign had refurbished in 1988. Through radio and television outlets augmented by talk radio, Patrick was portrayed as indifferent to rape. Unlike the smear campaigns against Democratic contenders in 1988, Patrick's race forced him into a close proximity with the stereotyped sexual predator that Dukakis would never have. The white governor-presidential candidate wields a representational distance from the black convict that eludes a black candidate. Just in case the voters were not clear about Patrick's vulnerability by association, Healey campaign volunteers organized a pseudo-vigilante group, the self-proclaimed 'Inmates for Deval'.

After running the ad that focused on Patrick's misleading statements about his relationship with LaGuer, the Healey campaign pulled ahead of Patrick among white male voters. Yet she continued to trail among white women. Seeking to close that gender gap, the Republicans released an advertisement that inadvertently destroyed her campaign. The advertisement used Patrick's statement made before 2006 that LaGuer 'is eloquent and he is thoughtful' in a television commercial in which a nervous woman walks through a dimly lit parking garage with the voice over, 'Have you ever heard a woman compliment a rapist? Deval Patrick – he should be ashamed, not governor.'

The ad was released simultaneously with a *Boston Herald* article that Patrick had helped shield his brother-in-law from registering as a sex offender when he moved to Massachusetts. The marital rape of Patrick's sister took place 20 years earlier; the couple had sought counseling and reunited; the case was allegedly sealed. Until the *Boston Herald* report, their children were unaware that their father had been briefly incarcerated for raping their mother. Patrick immediately held a press conference to passionately denounce the Healey campaign tactics as 'pathetic': 'This is the politics of Kerry Healey and it disgusts me and it has to stop.'<sup>16</sup>

During the following weeks, the majority of polled voters expressed a negative view of the Lt. Governor. On election day in 2006, Deval Patrick became the first black governor of the State of Massachusetts and the second in the nation.<sup>17</sup> Later the senior campaign advisor to Barack Obama, Governor Deval Patrick would state: 'Senator Obama and I are longtime friends and allies. We often share ideas about politics, policy and language.'<sup>18</sup> Those shared ideas, language and alliances would entail how to differentiate the new black candidate from criminalized blackness and how to distance from critiques of anti-black racism that could produce a white backlash.

## Conclusion: Election Cycles and Racial Mandates

Election cycles are continuous. Somewhere, someplace, some district attorney, city council member, mayor, private citizen or public official is seeking office. Those candidates who position themselves as 'law and order' advocates may also find that they have signed onto campaigns against racially fashioned criminality and incivility. The majority of the over 2,000,000 incarcerated Americans (one in 100 adults – the highest incarceration rate in the world) are black or brown; most are imprisoned for non-violent drug offenses

although the majority of economic and drug offenses are committed by whites. The most economically and politically disenfranchised sectors are those most in need of – and the least likely to receive – protection and assistance. The socially, economically, and politically dispossessed are stigmatized by race. Driving or flying, shopping or voting while black or brown reflect the heightened surveillance and policing of bodies within the discriminatory practices of US democracy. Our political campaigns for executive office do not depart from this template of anti-black animus.

Americans have the opportunity to demand that political campaigns confront criminality and incivility as they factually appear, not within racial stereotypes but in society without prosecutions biased by race and class, and within government abuses of civil and human rights and corporate finance betrayals of public trust.<sup>19</sup> American citizens may also choose to confront black candidates that exploit racial phobias. Seeking a ‘more perfect union’ as informed and enlightened citizenry requires challenges to racial repression coded as ‘law and order’ mandates. Voters may yet demand a greater democracy. That they would do so independent of campaigns to resist racist and genocidal logic seems an unlikely American prospect.<sup>20</sup>

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## Notes

- 1 Quoted in the May 2008 Warfield CAAAS, Jester Hall display tribute to Sean Bell, killed by New York police.
- 2 For discussions of ‘multicultural white supremacy’ see: Sexton (2008) and Rodríguez (2007).
- 3 Repudiations of white supremacy in popular culture and academia also increased the new black candidates’ appeal. With its largely affluent, white female viewers, *The Oprah Winfrey Show* commanded such clout that 2000 presidential rivals George W. Bush and Al Gore appeared on the show to solicit votes. Winfrey was an early and active supporter of Barack Obama who strengthened his presidential candidacy with appearances on Jon Stewart’s *The Daily Show*, Stephen Colbert’s *The Colbert Report*, and *Saturday Night Live*. These comedy shows playfully satirized him while ridiculing conservative racial bias, magnetizing youth toward the Democratic nominee. For decades, critical studies and Africana studies have influenced campus and popular culture as the college-educated became less comfortable with blatant racism and race-based voting, biases apparently or allegedly more firmly rooted among poorer, under-educated ‘Hillary Democrats’ and conservative Republicans.
- 4 In a 7 May 2008 *Lehrer Newshour* segment on ‘race and the media’, Keith Woods, Dean of the Faculty of the Pointer Institute School of Journalism in Florida, and Kathleen Hall Jameson, University of Pennsylvania’s Anaheim School of Journalism, analyzed the primary campaigns.



Woods argued that in most reporting of the 2008 Democratic primaries the labels themselves corrupted analysis as phrases such as 'lunch bucket Democrats, soccer moms and Nascar dads' became euphemisms for whites, and the discourse about 'Latinos, Asians, native Americans virtually disappeared'. According to Woods, racial reductionism assumed an unsophisticated electorate where white working class voters who do not vote for Obama are 'bigots' and blacks who do are 'mindless sheep'. See the online *Lehrer Newshour* (2008). Stating that Obama and Clinton were running to be president, not respectively the 'first' African American or woman president, Jameson noted voting divisions by race, geography (rural vs urban), age, and gender. Dismissing media jargon, she maintained that campaign coverage use of terms such as 'post-racial' or media claims that the Wright controversy 'burst the "post-racial moment"' enabled people to talk freely about race and class, 'something we know nothing about'.

- 5 In both elections, the media extensively explored the issues of 'race' and 'gender'. It did not, however, extensively address the construction of criminality and incivility as forms of 'blackness' designated for discipline, and how such punitive constructions might affect the gendered conflicts between the candidates. That the male candidates were able to sufficiently shake off racist stereotypes surrounding their personal character in order to defeat their white female opponents does not necessarily indicate the demise of narratives marrying blackness to criminality, sexual deviancy, and social incivility. Gender struggles also take place within racially charged arenas regardless of which sex seeks high office (an exception to this would be transgendered candidates).
- 6 One notable exception is Bush Secretary of State Colin Powell's post-primary endorsement of Barack Obama. Powell criticized the Republican Party for inaccurately portraying the candidate as Muslim, stating that GOP attacks were insulting to Muslim Americans. Powell maintained that any Muslim American boy should be able to grow up dreaming of becoming president of the USA. This condemnation of bigotry, from a conservative military careerist, would logically also apply to Hillary Clinton's rhetoric questioning Obama's Christianity, and Obama's distancing from Muslim Americans and Palestinian human rights. For the Colin Powell interview, see *Meet the Press* (2008).
- 7 With the admonishment that 'those people loved their President', Nation of Islam leader Elijah Muhammad, in part to remove a powerful rival, censored Malcolm X, and within a year expelled him from the Nation of Islam. Kennedy Administration foreign policy forays included: the Bay of Pigs, assassination attempts against Fidel Castro, the destabilization of elected democracies in Latin America, the expansion of the US military in Viet Nam, and CIA involvement in the assassination of freedom fighter and the first elected leader of the Republic of the Congo, Patrice Lumumba.
- 8 Martin Luther King Jr's 'Why I am Opposed to the War in Vietnam' was delivered at New York's Riverside Church on 30 April 1967. See Pacifica Radio/UC Berkeley (2008) for a complete transcript.
- 9 The following more complete excerpt from Wright was rarely disseminated to the general public: 'Based on this Tuskegee experiment and based on what has happened to Africans in this country, I believe our government is capable of doing anything. In fact ... what Saddam Hussein had in terms of biological warfare was a non-question, because all we had to do was check the sales records. We sold him those biological weapons that he was using against his own people. So any time a government can put together biological warfare to kill people, and then get angry when those people use what we sold them, yes, I believe we are capable [of engineering AIDS].' Wright also denounced the war and occupation in Nicaragua as illegal and immoral, and past US support for the apartheid government in South Africa. Without the assertion of a connection between US policies and AIDS, prominent academics and intellectuals such as MIT professor emeritus Noam Chomsky have documented US support for state terrorism. When Obama denounced Wright – who declared that the media attacks on him were actually directed at the black church's prophetic role – he rejected a black radical tradition. The candidate astutely argued that this 'racial' 'non-issue' was

framed and fanned by the media to the disadvantage of discussions of the economy and the wars in Iraq and Afghanistan.

- 10 In 'Obama clarifies united J'lem comment', *Jerusalem Post* Washington correspondent Hilary Leila Krieger (2008) writes: "Jerusalem will remain the capital of Israel, and it must remain undivided", Obama declared Wednesday, to rousing applause from the 7000-plus attendees at the American Israel Public Affairs Committee policy conference. But a campaign adviser clarified Thursday that Obama believes 'Jerusalem is a final status issue, which means it has to be negotiated between the two parties' as part of 'an agreement that they both can live with.'" Krieger quotes Jewish conservatives' disappointment in the candidate's shifting position.
- 11 Ford continues: 'Obama is as quick as any smug corporate commentator to dismiss as the ravings of extremists and those who "prey on hate" the very idea that US imperialism is an historical and current fact. Chickens cannot possibly come home to roost in terroristic revenge as a response to American crimes against humanity, since 'good' nations by definition are incapable of such crimes' (Ford 2008).
- 12 *BAR* editor Ford dismissively described Iowa, which launched Obama's presidential career, as a state that is 98% white yet incarcerates blacks at 13 times the rate of whites. According to 'Blacks in Iowa Prison: Disproportionate Numbers, but Possible Solutions Questionable', which used statistics from the Sentencing Project, the 2007 rate of incarceration for blacks was '13.6 times that of whites'; blacks constitute '2.3% of Iowa's population but 25% of its prison population'. See Boone (2007).
- 13 In January 2007, the US government arrested former black Panther Party members on charges related to the 1971 killing of San Francisco police officer Sgt. John Young, and conspiracy for illegal acts committed between 1968 and 1973. The Attorney General's office reopened this 'cold case' file even though a California judge had dismissed charges against the defendants decades ago given that police had tortured several of the men in order to obtain confessions. See Committee for Defense of Human Rights (2008).
- 14 The 1996 Anti-terrorism and Effective Death Penalty Act and the 1994 Violent Crime Control and Law Enforcement Act signed by President Bill Clinton disproportionately affected impoverished communities. Both Democratic and Republican Administrations have garnered public support with prosecutions directed against racial minorities. See US House of Representatives (1994) and US Senate (1996).
- 15 Eric Goldscheider's 'LaGuer Reconsidered', *Valley Advocate*, 17 August 2006, provides the following detailed account of the case. Early state malfeasance seems to stem from the now deceased lead detective, Ronald Carignan, whose unorthodox procedures were later supported by the District Attorney. Ben LaGuer was arrested 15 July 1983. Without physical evidence or a confession, police decided the guilt of LaGuer, who shares the same race and ethnicity but not physical description of a man who may have been the perpetrator. LaGuer lived next door to the victim when the crime occurred, yet, another black Puerto Rican had also lived in the building and associated with the survivor; he had a history of mental illness and sexual assault but has to this date never been interviewed by detectives. The grand jury indictment was based on disinformation provided by Carignan who informed the grand jury that the crime had occurred in LaGuer's apartment; it in fact had occurred in the victim's apartment. The detective claimed that the victim was unable to appear at the hearing although she had already been released from the hospital. So, the detective became the sole spokesman for narrating the events of the crime. He stated that the victim identified LaGuer as her assailant to the police; although she later denied this she did identify LaGuer as her attacker during the trial. Carignan testified that he recovered only one partial fingerprint from the scene of a crime that took place over eight hours; yet, in November 2001, a report emerged showing that four full fingerprints were retrieved from the base of a telephone whose cord had been used to bind the victim's wrists. The prints did not belong to LaGuer and were subsequently lost

- (or destroyed) by the District Attorney's office. The detective, who kept the rape kit and items confiscated from LaGuer's apartment in his car trunk during his summer vacation, allegedly mixed underclothes he had taken from LaGuer's apartment with evidence collected at the crime scene. This compromised evidence would later be introduced at the 1989 trial to convict LaGuer. The same evidence was used in 2002 as 'reliable' samples for DNA testing which claimed to prove 'conclusively' LaGuer's guilt. For more analysis, see James (forthcoming).
- 16 Although Governor Deval Patrick would tell the public that Kerry Healey was better than the campaign she ran, members of the Harvard Theatre Review Board, for the first time in the organization's history, denied a solicited nominee and past supporter a place at their prestigious table, allegedly because of Healey's race-baiting gubernatorial campaign.
  - 17 Currently Deval Patrick is one of three black male governors since Reconstruction: the first was Virginia Governor Douglas Wilder, elected in 1990; the third is New York Governor David Patterson, elected in 2008.
  - 18 This quote appears in Keller (2008). The 'language' refers to borrowed lines that led to Hillary Clinton's 'change by Xerox' quip at the March 2008 primary debate with Barack Obama at the University of Texas, Austin. Critiquing both Governor Patrick and Senator Obama, Keller notes that 56% of the state's voters disapproved of the governor's performance. Keller makes no mention of the historic context: a black governor elected through his ability to distance from a radical (progressive or liberal) black base, and so appeal to the majority of voters; the defeat of racist manipulations as the electorate chose a liberal black male politician over a conservative white female politician; and the new black candidate's victory cemented by an imperturbable civility in the face of anti-black racism.
  - 19 Third Party candidate Ralph Nader and former Democratic presidential candidate Congressman Dennis Kucinich argued for state malfeasance as a punishable offense. In their marginalized campaigns, both called for the impeachments of President George W. Bush and Vice President Dick Cheney given their deception and lies concerning Iraqi weapons of mass destruction, and the mass deaths following the 2003 US invasion and occupation. In April 2008, the Supreme Court upheld Indiana's restrictive voter ID law – the most stringent in the nation – despite the absence of noticeable voter fraud in that state. These preemptive strikes against electoral crime adversely impact minorities and lower-income communities, those least likely to have state-issued photo identification cards, driver's licenses, passports. Potential criminality preemptively punished reflects racial campaigns. The Democratic National Committee's 2000 failure to vigorously contest voting irregularities in Florida – in which faulty felon lists and felon disenfranchisement helped guarantee a Republican victory (via the Supreme Court) – was followed in 2004 by its refusal to confront voter intimidation in Ohio. Thus the disenfranchisement of disproportionate numbers of working class and poor, black and brown citizens continued. See: Minority Staff, Special Investigations Division, US House of Representatives (2001) and Palast (2004).
  - 20 For a discussion of anti-black racism and genocide within Western democracy, see Costa Vargas (2008), and James (2009).

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