

Return of 'Three-Fifths' of a Person

Exclusive: Stung by back-to-back defeats to Barack Obama, the Republican Party is undertaking a national strategy to devalue the votes of blacks and other minorities, a partial revival of the infamous clause in the U.S. Constitution rating African-American slaves as "Three-Fifths" of a person, says Robert Parry.

By Robert Parry

Richmond, Virginia, the capital of the Old Confederacy, is a fitting place for the neo-Confederates who now control the Republican Party to reinstate a version of the slave-era provision counting African-Americans as "Three-Fifths" of a person for the purpose of representation.

This revival of the infamous "Three-Fifths" clause of the U.S. Constitution is part of a Republican scheme to give lesser value to the votes of African-Americans and other minorities who tend to cluster in cities than to the votes of whites in rural, more GOP-friendly areas. The goal is to give future Republican presidential candidates a thumb-on-the-scale advantage in seeking the White House, as well as to assure continued Republican control of the House of Representatives.

The scheme is a direct Republican response to the emergence of Barack Obama's coalition, which pulled together the votes of African-Americans, Hispanics, Asian-Americans and young urban whites (who are more comfortable with a multicultural future for the United States).

The racist and right-wing white males, who now dominate the Republican Party, have seemingly concluded that they can only continue to dominate American politics if they can devalue the votes of Americans who are inside this Obama coalition. If the Republican schemes prevail, those votes may well be worth even less than three-fifths of the vote of a rural white.

The initial phase of this Republican plan was to aggressively gerrymander congressional districts in states under GOP control to concentrate minority voters in a few districts while creating safe GOP majorities in most of the remaining districts. That strategy allowed Republicans to retain control of the U.S. House of Representatives in 2012 despite losing the nationwide popular vote by more than one million ballots.

Now, in several states that voted for President Obama, Republican-controlled state legislatures are changing how electoral votes for President will be allocated in the future, by basing them on who wins the gerrymandered

congressional districts rather than the current system of giving all the electors to the statewide winner.

That way, even if a GOP presidential candidate loses a state decisively, he might still snake away with the majority of electors by carrying most of the Republican-tilted congressional districts. However, in other Republican-controlled states that voted for Mitt Romney, the GOP is leaving the old winner-take-all system in place.

Thus, the effect of this electoral chicanery is to systematically reduce the value of votes cast by African-Americans and other minorities (as well as urban white youth). In many cases, the value of their effective representation would be reduced to the three-fifths level or even less.

An Infamous Compromise

The Three-Fifths Compromise was included in Article I, Section 2 of the Constitution counting African-American slaves as three-fifths of a person for the purpose of representation in Congress. The infamous provision was rescinded by constitutional amendments that ended slavery after the Civil War, ironically pushed by the Republican Party.

Of course, today's Republican Party doesn't call its anti-democratic strategy a rebirth of the "Three-Fifths" clause. But party leaders are remarkably blunt about their intent to make the U.S. election of a President less democratic and giving a special advantage to GOP candidates.

Republican National Committee Chairman Reince Priebus has endorsed the strategy, calling it a plan that "a lot of states that have been consistently blue (i.e. voting Democratic in presidential elections) that are fully controlled red (by Republican state governments) ought to be looking at." Such states include elector-rich Virginia, Michigan, Pennsylvania and Ohio, important battleground states where off-year elections thrust Republicans into control of the governorships and state legislatures though they all went for President Obama in 2008 and 2012.

In Virginia, state Sen. Charles W. Carrico Sr., the sponsor of the bill to alter how presidential electors are apportioned, said his intent was to give smaller communities a stronger voice. "The last election, constituents were concerned that it didn't matter what they did, that more densely populated areas were going to outvote them," he said.

While presenting this argument in a color-neutral way, Carrico was, in effect, saying that rural whites should have their votes count more than the votes of urban African-Americans, Hispanics, Asian-Americans and young whites comfortable

in a racially integrated society.

In the United States, rural areas already have a disproportionate say in national affairs because the U.S. Constitution gives each state, regardless of population, two seats in the Senate and presidential electors reflect each state's total seats in Congress, i.e. the numbers in the House of Representatives and the Senate. In addition, the District of Columbia with a large African-American population is denied voting representation in Congress (although D.C. is granted three presidential electors).

However, Republicans are fearful that the nation's demographic changes, which were highlighted by President Obama's two victories, could doom the party to a long-term minority status. Or the GOP might have to dramatically change its right-wing policies, which have alienated minorities since the days of Richard Nixon and his "Southern Strategy," which used racial code words to appeal to pro-segregationist Southern whites.

The GOP also has taken strong anti-immigration stands, with its last presidential nominee Mitt Romney advocating an approach that would make life so miserable for undocumented immigrants that they would "self-deport."

Yet, rather than undertake the painful internal process of returning the Republican Party to its traditions of racial tolerance, the GOP appears to have opted for a strategy that would "double-down" on its rural white "base" by over-weighting those votes and undervaluing the votes of minorities and city-dwellers.

Confederate Statues

While this scheme is playing out in several GOP-controlled states, the movement is advancing fastest in Richmond, a city proud of its boulevard of giant statues honoring Confederate "heroes." Inside the Virginia Statehouse, a large statue of Gen. Robert E. Lee stands in the center of the old House of Representatives as if he has just arrived to give instructions to the chamber.

But this Republican assault on "one person, one vote" is not about the past but the present and the future. The real-life effect of Virginia's new "Three-Fifths (or less)" clause is demonstrated by the fact that if the proposed system were in effect last November, Obama would have won the state but received only four of the state's 13 electoral votes.

State Sen. Donald A. McEachin, a Democrat, denounced the Republican bill as "absolutely a partisan bill aimed at defying the will of the voters, giving Republican presidential candidates most of Virginia's electoral votes, regardless of who carries the state."

Across the country, Republican politicians also have been trying to suppress the minority vote through voter ID laws that tend to disenfranchise urban dwellers and the poor and by reducing voting times with the result of creating long lines at city precincts and forcing many voters to stand in lines for hours.

The bitter irony of today's Republican Party leading the fight to devalue the concept of equal citizenship was that the original Republican Party led the fight to grant full citizenship to African-Americans in the 1860s. The GOP, however, has since evolved via Nixon's Southern Strategy into a national political organization determined to minimize, if not neutralize, the influence of blacks and other minorities.

Investigative reporter Robert Parry broke many of the Iran-Contra stories for The Associated Press and Newsweek in the 1980s. You can buy his new book, *America's Stolen Narrative*, either in [print here](#) or as an e-book (from [Amazon](#) and [barnesandnoble.com](#)).

Capital Insiders Help Amgen

President Obama gave a ringing defense of progressive government and the good it can do for the nation and the people. But a little-noticed addition to the fiscal-cliff bill was a reminder of how politics can work to the advantage of corporate special interests, say Bill Moyers and Michael Winship.

By Bill Moyers and Michael Winship

The inauguration of a president is one of those spectacles of democracy that can make us remember we're part of something big and enduring. So for a few hours this past Monday the pomp and circumstance inspired us to think that government of, by, and for the people really is just that, despite the predatory threats that stalk it.

But the mood didn't last. Every now and then, as the cameras panned upward, the Capitol dome towering over the ceremony was a reminder of something the good feeling of the moment couldn't erase. It's the journalist's curse to have a good time spoiled by the reality beyond the pageantry. Just a couple of days before the inaugural festivities, *The New York Times* published some [superb investigative reporting](#) by the team of Eric Lipton and Kevin Sack, and their revelations were hard to forget, even at a time of celebration.

The story told us of a pharmaceutical giant called Amgen and three senators so

close to it they might be entries on its balance sheet: Republican Minority Leader **Mitch McConnell**, Democratic Senator **Max Baucus**, chair of the Senate Finance Committee, and that powerful committee's ranking Republican, **Orrin Hatch**. A trio of perpetrators who treat the United States Treasury as if it were a cash-and-carry annex of corporate America.

The *Times* story described how Amgen got a huge hidden gift from unnamed members of Congress and their staffers. They slipped an eleventh hour loophole into the New Year's Eve deal that kept the government from going over the fiscal cliff. When the sun rose in the morning, there it was, a richly embroidered loophole for Amgen that will cost taxpayers a cool half a billion dollars.

Amgen is the world's largest biotechnology firm, a drug maker that sells a variety of medications. The little clause secretly sneaked into the fiscal cliff bill gives the company two more years of relief from Medicare cost controls for certain drugs used by patients who are on kidney dialysis, including a pill called Sensipar, manufactured by Amgen.

The provision didn't mention Amgen by name, but according to reporters Lipton and Sack, the news that it had been tucked into the fiscal cliff deal "was so welcome, that the company's chief executive quickly relayed it to investment analysts." Tipping them off, it would seem, to a jackpot in the making.

Amgen has 74 lobbyists on its team in Washington and lobbied hard for that loophole, currying favor with friends at the White House and on Capitol Hill. The *Times* reporters traced its "deep financial and political ties" to Baucus, McConnell and Hatch, "who hold heavy sway over Medicare payment policy."

All three have received hefty campaign donations from the company whose bottom line mysteriously just got padded at taxpayer expense. Since 2007, Amgen employees and its political action committee have contributed nearly \$68,000 to Senator Baucus, \$73,000 to Senator McConnell's campaigns, and \$59,000 to Senator Hatch.

And lo and behold, among those 74 Amgen lobbyists are the former chief of staff to Senator Baucus and the former chief of staff to Senator McConnell. You get the picture: Two guys nurtured at public expense, paid as public servants, disappear through the gold-plated revolving door of Congress and presto, return as money changers in the temple of crony capitalism.

Inside to welcome them is a current top aide to Senator Hatch, one who helped weave this lucrative loophole. He used to work as a health policy analyst for, you guessed it, Amgen.

So the trail winds deeper into the sordid swamp beneath that great Capitol dome,

a sinkhole where shame has all but disappeared. As reporters Lipton and Sack remind us, just weeks before this backroom betrayal of the public interest by elected officials and the mercenaries they have mentored, Amgen pleaded guilty to fraud. Look it up: fraud means trickery, cheating and duplicity. Amgen agreed to pay \$762 million in criminal and civil penalties; the company had been caught illegally marketing another one of its drugs.

The fact that their puppet master had been the subject of fines and a massive federal investigation mattered not to its servile pawns in the Senate, where pomp and circumstance are but masks for the brute power of money.

Peter Welch, Vermont's Democratic congressman, has just introduced bipartisan legislation to repeal the half billion-dollar giveaway to Amgen. Its co-sponsors include Republican Richard Hanna of New York and Democrats Jim Cooper of Tennessee and Bruce Braley of Iowa.

The Amgen deal "confirms the American public's worst suspicions of how Congress operates," Representative Welch told us this week. "As the nation's economy teetered on the edge of a Congressional-created fiscal cliff, lobbyists for a private, for-profit company seized an opportunity to feed at the public trough. It's no wonder cockroaches and root canals are more popular than Congress."

In his inaugural address, Barack Obama said the commitments we make to each other through Medicare, Medicaid, and Social Security don't make us a nation of takers. But the actions of Amgen and its cronies under the dome on Capitol Hill show who the real takers are, not those who look to government for support in old age and hard times but the ones at the top whose avarice and lust for profit compel them to take as much as they can from that government at the expense of everyone else.

Bill Moyers is managing editor and Michael Winship, senior writing fellow at the think tank Demos, is senior writer of the weekly public affairs program, Moyers & Company, airing on public television. Check local airtimes or comment at www.BillMoyers.com.
