
Interview: Cedric Muhammad

Gore Was Not Fighting For Black Voters in Florida

Cedric Muhammad, the publisher of BlackElectorate.com, has written extensively in recent weeks about the disenfranchisement of Black voters in Florida, and how Al Gore's legal team deliberately left issues pertaining to Black voters out of his legal arguments. Muhammad was interviewed by EIR's Edward Spannaus on Dec. 19. Spannaus began by asking Muhammed how he and his publication had gotten involved in the Florida situation.

Muhammad: Our initial interest in Florida grew out of the enormous Black turnout that was produced from Black opinion leaders, radio personalities, talk show hosts, and civil rights organizations primarily, with the NAACP being on the point. We were impressed; we saw Black turnout jump from 527,000 votes in 1996, all the way to 952,000, which I believe is a 65% increase, which is just phenomenal. . . .

Then, as the whole controversy over the votes being counted, or not being counted, escalated, we were interested in trying to determine what exactly happened, and was it a problem of illiteracy — which we do know is a problem in the Black community — or was it a problem of voter fraud? We had heard incidents of Blacks being prevented from arriving at polling facilities, being held in line. We got word of cars being searched, and stopped on the roads by Florida state troopers. . . .

So, we looked at it from all those angles. But what we decided, and what we were able to interpret, was that there were several arguments taking place simultaneously. There was a civil rights argument taking place, where people were not even allowed to vote; people were prevented from voting. Then there were people who voted, who were intimidated, had their civil rights and voting rights violated, right on the spot.

Then there was the issue of the felons. . . . As far as we know, we were the very first media outlet that spoke of the numerical reality, that Al Gore would have won, if the Clinton-Gore administration had not been as aggressive as it was, in locking up primarily Black, non-violent drug offenders. There's a tremendous disenfranchisement of Blacks due to felony laws, which have produced the result of one out of every three Black men not being able to vote in Florida.

So, we looked at it from those angles. Then, we took it to the legal realm, which is where Gore and Bush themselves — what arguments they were making, in their legal cases before Florida courts, and eventually the U.S. Supreme Court. And that's where we honed in eventually, where we followed the Gore argument, and found it to be rather inconsistent with his publicly stated position that he "wanted every vote counted," and that he would "fight for you."

Well, we immediately were able to pick up, that Al Gore was not fighting for Black voters in particular, that he wasn't buttressing or supporting the efforts of Black civil rights leaders to have their argument on the civil rights front to be addressed by the Reno Justice Department. So, Black civil rights leaders — from what we understand from members of the Black Caucus — they went to Al Gore, the campaign, and they went to Janet Reno, and got no response to their complaints. And furthermore, they didn't even get Al Gore's support in their efforts to get Janet Reno's attention to the civil rights violations. We heard this specifically from several members of the Congressional Black Caucus. That's one issue.

Then, we began to realize that Al Gore's selection of counties for recounts, was rather selective. He ended up only having, I believe, three counties that he was pursuing a recount in. . . .

We were struck by the fact that other counties weren't involved in it; particularly Duval County was left out. Duval County caught our attention because there were 27,000 votes that were actually made; these were not 27,000 people that were prevented from coming to the polling booth. These are 27,000 people who voted; their votes were subsequently disqualified, and they were disqualified in a manner that pointed to some kind of deception going on with the local Republican election official, who misrepresented, or concealed, the actual number of disqualified votes.

EIR: How so? Can you explain that?

Muhammad: The Northeast Florida Gore person, the representative of the Gore campaign in that part of Florida, was told by the Duval County election supervisor, who was a Republican, that only 300-400 votes had been disqualified.

This was, I believe, a day or two after the election. It wasn't until Nov. 10 at 11 p.m., when Rep. Corrine Brown of Florida, a member of the Congressional Black Caucus, learned from the other Democrats, that the number was 27,000. So, that's significant, because there was a 72-hour period in which to file complaints if one was looking for a recount. And so, that, right there, put the Democrats out of the box.

But we do know, that that local Democratic representative—I believe the chairperson of the Gore campaign in that part of Florida—that they immediately informed the Democratic Party and the DNC. Gore lawyers were informed; Democratic Party lawyers were informed. So we know, for a fact, that as of Nov. 10, the Gore campaign and the Democratic Party, were aware of what happened in Duval County. Now, the 27,000 disqualified votes break down into 22,000 overvotes, and a little over 5,000 undervotes. Which is very interesting, because if the Gore campaign was going to rest its hat on the undervotes, you would figure: Why wouldn't they take into account 5,000 undervotes in Duval County? Which is more, I believe, than what they found in Palm Beach. So, that's significant.

EIR: You believe that they deliberately ignored this?

Muhammad: We were told, by members of the Congressional Black Caucus, that the Gore campaign deliberately picked which battles they wanted to fight. And that this is not a battle they wanted to fight.

Now, we don't have any specific on-the-record comment or explanation from the Gore campaign, as to why they did not include Duval County and several other Black counties in their recount effort. But we do know that members of the Congressional Black Caucus who spoke to the campaign, were told that the only help they would receive from the Gore campaign would be helping them to file their own private lawsuits. So, we know for a fact, that Rep. Corrine Brown's lawsuit with Rev. Jesse Jackson, which is against Duval County for the issue we've just described—we know that Democratic Party lawyers, and the Gore campaign lawyers, helped to prepare that case. They assisted in that. They are very knowledgeable about what happened in Duval County, and deliberately chose *not* to include it.

Now, we were told also, by a Black Caucus member, that the concern of the Gore campaign was not just a legal appeal, was also a public appeal. And they did not want to take a racially sensitive argument before the court of public opinion, and that was one of the reasons why they did not include Duval County. . . .

So, there was concern, particularly among southern Democrats, that that was not the best strategy to embark upon, if middle-of-the-road, moderate voters were to be won over, and if this would eventually come down to a showdown, who could get the other one to concede first.

The Gore campaign realized that keeping a favorable rating in the public opinion polls would be important. So, they—as they always do, coming from the “New Democratic” philosophy—they interpret that as not standing alongside Jesse Jackson, not championing civil rights or Black-related issues.

EIR: This is consistent with the whole push from Dick Morris, the so-called “triangulation,” to orient toward suburbanites, and to leave the old core constituencies of the Democratic Party aside.

Muhammad: Yes, since 1984, or actually, since Bob Strauss was the chairman of the Democratic Party in the '70s—he's really the father of that philosophy. But we do know, that in 1984, with the birth of the Democratic Leadership Council, that spirit and point-of-view became institutionalized within the Democratic Party, and two of the founding members of the Democratic Leadership Council were the Democratic Party Presidential and Vice-Presidential candidates, Al Gore and Joe Lieberman. And of course, President Clinton was one of the first members as well; he actually was the president of the organization, prior to becoming President of the United States. . . .

As you know, that Lyndon Johnson feared that he may have given the South to the Republican Party when he signed Voting Rights Act. There's always been this fear inside the Democratic Party that they would lose their southern base, by leaning too far in the direction of civil rights and Black-related issues. . . .

That typifies, or really is the genesis, of what ends up being an Al Gore legal strategy which leaves Black concerns out.

EIR: You've indicated that this came from members of the Congressional Black Caucus. . . .

Muhammad: Yes, and civil rights organizations. . . . We talked to two or three national civil rights organizations, and they told us the same thing.

EIR: And so they're very much aware of Gore's racist approach. . . ?

Muhammad: They are fully aware of what happened. They, privately, have whined and complained; but publicly, they have decided to run interference for Gore, because who do they point the finger at? They point the finger at Janet Reno. By pointing the finger at Janet Reno, you take the argument out of what happened in the Florida courts, and the U.S. Supreme Court, and you make it one that is more of a long-term fight—which is important—but, if your complaint is that Gore lost the election in the Supreme Court, then you should devote an equal amount of energy, to why Al Gore didn't include this issue that you championed the most, in his legal argument. So, by bringing up Janet Reno, that takes it out of the realms of the court.

And we see that that is deliberate. There is no way in the world that we believe that Reverend Jackson, or any of the prominent Black leaders, were ignorant of what they were doing, when they decide to ostracize, or legitimately criticize, Janet Reno, but when they withheld criticism from Al Gore on issues like Duval County. That's very important.

EIR: And Jackson, of course, has made no criticism of Gore on this.

Muhammad: What he has done, is to say: "This isn't about Al Gore." I've seen several quotes from Reverend Jackson where he says: "This isn't about Al Gore," but he has not pointedly asked Al Gore to address these issues. I think Jesse, Jr. was a little more pointed in his criticism, but his father didn't go in that direction.

EIR: You've also argued and written, that Gore's failure to take this issue up—particularly this issue of the overvote—hurt him, maybe fatally, in the Supreme Court and in his court cases.

Muhammad: Yes, we wrote about that *before* oral argument took place in the Supreme Court, because we just saw the sheer numbers. We just did basic mathematics, and we saw that if Duval County alone was included in Gore's argument, he would have potentially at least 5,000 undervotes. Let me put it to you this way: The majority of that 27,000 occurred in Black precincts. Now, it is important to know that Duval County is a Republican county, and that George Bush carried that county by, I believe, 40,000 votes.

But we do know, that the 27,000 disqualified votes were in predominately Black districts. So, there was no fear there, of having those 27,000 disqualified votes showing up as Republican votes. I don't think that that's a legitimate concern.

Basic mathematics would lead you to conclude, that if Gore was looking to accumulate votes, he could have found a lot in Duval County, that would have been in the Democratic column.

In the Florida Supreme Court, one of the dissenting judges [Wells] mentioned the overvote; and then, when the Florida Supreme Court just arbitrarily decides to extend its undervote recount to the whole state, that's when eyebrows were raised. If you can arbitrarily, or unilaterally, just say who you want recounted, and who you don't want recounted, why didn't overvotes figure into the Florida Supreme Court's decision?

And the conservative [U.S.] Supreme Court picked right up on that, in oral argument. And we followed that. . . . Justice Rehnquist brought it up, and I believe he was followed by Justice Kennedy, and then Justice Breyer. They all questioned Boies on the point of why wouldn't overvotes be considered, and furthermore, if the standard in Florida is just the simple intent of the voter, if the legal vote is the intent of the voter, as well as the actual vote that's easy to visibly see from the ballot, then on what basis is there to say, that the intent of any overvote can't be interpreted. And they really jammed Boies

on that point.

And Boies' attitude toward the whole affair was just indifferent. He really demonstrated the attitude the Sunday before, on "Meet the Press" with Tim Russert. Tim Russert asked him, three different times, about overvotes, and Boies said: Because the machine registers the overvote, it's not the same category as the undervote.

And that's what you see in the Gore argument. You see them making the machine the litmus test of what a legitimate or illegitimate vote is. And that's something that shouldn't be lost on Black voters, particularly those 27,000 that had their votes disqualified.

EIR: Do you see any distinction between an overvote and an undervote?

Muhammad: None. I really don't. We've talked about this at *BlackElectorate.com*, over and over again. We've discussed this with numerous lawyers, and we're not satisfied that there's any significant difference between an overvote and an undervote—if you're going to say that you're looking to judge the intent of the voter. I don't see any superiority in an undervote, over an overvote, when it comes to trying to ascertain, or divine, voter intent.

EIR: As you know, we've issued a call for a Congressional investigation, a special Congressional Commission to be formed to look into, particularly, the fraud that disenfranchised voters in Florida. There are also, I understand, some lawsuits still continuing in Florida. Where do you see this going from here?

Muhammad: It could go either way. The American political establishment is very good at absorbing revolutions. I'm already seeing that all the tell-tale signs that the political establishment in both parties is prepared to absorb and water down the legitimate aspirations and concerns of the American voters, Blacks included, over what happened in this election. And what we'll end up with, is a variety of pieces of legislation introduced in this upcoming Congress, that will advertise and style themselves as remedies for what happened in Florida. And I imagine that there'll be so much legislation thrown out there, that it will be like spaghetti on the wall, and whatever sticks, sticks, but, in the final analysis, voters will be thoroughly confused as to what they should do, in responding and addressing what happened in Florida.

I also think that there will be schisms and divisions in both parties, on what the top priorities are. Already, you're seeing, among Black leadership, a difference of opinion on whether to pursue civil rights violations, voting rights violations, or some people still want recounts.

Unfortunately, I see a lot of confusion. But I do think, that taking this issue, and putting it before Congress, is the best of all the possible solutions, because I do think that the legislative branch is the appropriate forum with which to produce electoral reform.