

A Push for States Rights Laws to Create a
New Articles of Confederation System of Government in America:
Eliminating the Middle-Class by Enacting Right to Work Laws and Voter I.D. Laws

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Abstract:

This case study seeks to discover if there is a relationship between underlying racism and a push for total governmental control by elected Tea Party officials and conservative Supreme Court Justices affecting the increase of sovereign states' rights laws which are being manifested through right-to-work laws and voter identification laws. The question that will be asked is: whether resentful southern conservatives and Tea Party Republicans are "waging a war with the Federal Government", unions and voters in an attempt to return the American Constitution to the Articles of Confederation by strengthening states' rights laws while weakening federal powers (Pilkingtoni, 2010). There seems to be a causal connection between repressed white racism since the passage of the Civil Rights Act of 1964, the election of an African American President and the emergence of Tea Party Republicans with a goal of strengthening states' rights laws to create a new Articles of Confederation type Government in America in all fifty states.

This paper looks at the methods used by the Tea Party and by conservative Supreme Court Justices to analyze problems. Extreme right-wing Justices and elected officials continually use the 'narrow view' of analysis which works better to justify the states' rights issues than looking at these same issues in the 'broad view'. The GOP's narrow view acts like 'blindness' on a horse which helps justify the defense of states' rights without looking at the consequences of what would result from the elimination of the federal government.

This project is my senior project for my bachelor's degree in Interdisciplinary Studies at California Polytechnic State University, San Luis Obispo, California.

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Introduction:

Since the election of President Obama and the emergence of the Tea Party movement there has been a concerted effort by businesses, multinational corporations and right-wing Tea Party Republicans to eliminate long fought for workers' rights laws and to enact voter suppression laws such as voter identification requirements. These actions are being taken to eliminate collective bargaining by labor unions and to suppress the vote of minorities, the elderly and students who tend to vote Democratic in elections. The question at the center of this case study is: Are resentful southern "Dixiecrats" and Tea Party Republicans waging a "war on the Federal Government" attempting to reinstate Articles of Confederation style states' rights (Pilkingtoni, 2010)? This question brings me to my research design in which I hypothesize that there is a causal connection between repressed white racism since the passage of the Civil Rights Act of 1964, the election of an African American President and the emergence of Tea Party Republicans with a goal of strengthening states' rights laws to create a new Articles of Confederation system of Government in America. I argue that these right-wing corporate leaders and Tea Party extremists intend to eliminate the middle-class by enacting union busting "right to work" laws, and disenfranchising voters with voter identification laws along with lowering taxes on corporations and the wealthy to form the new Articles of Confederation form of government in America.

These are important topics of study with the intent to shed light on political actions rapidly being taken by Tea Party conservatives which I believe will result in a lower standard of living for the mass-majority of American Citizens who have seen their wage stagnate over the last thirty years as the result of "trickledown economics".

Literature Review:

There are various schools of thought and viewpoints in support of and against strengthening states' rights in America today which will be examined in this treatise. I will look at four subcategories: (1) the new right-wing crusade for states' rights and total control of government, (2) racism toward minorities and the poor, (3) union-busting right to work laws and (4) voter suppression laws in various states across the country.

States' Rights Laws:

There is a push by right-wing conservatives and Tea Party Republicans to return the American Constitution to the Articles of Confederation form of government with emphasis of states' rights which is attempting to return absolute sovereignty to the states.

Many politicians at both the state and federal levels have in recent years have attempted to privatize the services of many governmental agencies. Congressman Paul Ryan has proposed to replace Medicare with state block grants to fund private insurance vouchers for seniors. This is one method to eliminate the federal Medicare program and replace it with private state programs. Ezra Klein looked at this in an article in The Washington Post titled *Why Rep. Paul Ryan's budget plan is so flawed* where he said the Congressional Budget Office "concluded that Ryan's privatization plan would actually add to Medicare's costs" (Klein, 2011).

Some states have even sold off government buildings and real estate. Take Arizona for example, According to Tim Murphy in his article *Arizona Wants to Buy Back State Capitol It Inexplicably Sold*, Arizona decided to sell off the state capitol in 2009. This was all done "on the grounds of austerity and small government" (Murphy, 2012).

To illustrate the purist states' right view, in an interview with Texas Governor Rick Perry by Kevin D. Williamson for the National Review titled *Rick Perry's Tenth Commandment*, Williamson tells what Perry's prescription would be to solve the problem with the big federal government. He says that Perry's "prescription [would be] a renewed emphasis on the states and a narrower interpretation of the enumerated powers of the national government" (Williamson, 2011, p. 31). Ian Milhiser argues against Perry and Tea Party Republicans that are "backing unconstitutional state laws purporting to "nullify"" federal laws. Milhiser thinks the right-wing is involved in "a much larger movement to effectively secede from the union one law at a time" (Milhiser, 2011, p. 6).

Agreeing with Milhiser, Herman Schwartz examines the new conservative right's crusade for states' rights with great clarity in his journal article *The Supreme Court's Federalism: Fig Leaf for Conservatives*. He states "Throughout American history, states' rights have been used as a cover to hide less respectable interests such as race, class, religion, power and money." Schwartz believes that the benefits espoused by states' rights advocates in reality are not beneficial and lend themselves to keeping disadvantaged people continually disadvantaged. This brings me to what I think is the true driver of the push for states' rights, racism and the desire for complete control of government by the right-wing.

Racism and Control of Government:

In the context of the current presidential campaign much of the suppressed racism in America has come to the center of the political discussion. According to Reverend Al Sharpton on his show Politics Nation on MSNBC regarding the current

political campaign says that Tea Party conservatives are using code words, like “food stamps President” to emphasize to their white base that our President is a scary “black man” (Sharpton, 2012). The term “food stamps anything” has been used since the 1990’s by the right-wing to tell white Republicans that African Americans are lazy and living off of welfare. Newt Gingrich in an interview with National Review Online quoted Dinesh D’Souza, of Forbes, and asked “What if [Obama] is so outside our comprehension, that only if you understand Kenyan, anti-colonial behavior, can you begin to piece together [his actions]?” (Costa, 2010). Gingrich was trying to scare the right-wing base.

The Tea Party strategy is well laid out in the article *The Southern Strategy Lives* in the Washington Monthly, by Steve Benen who poses the idea that currently the GOP are using the Southern Strategy that Nixon used to spread racially “divisive language” to scare white people thinking they will vote republican (Benen, 2010). David E. Campbell and Robert D. Putnam agree with Benen in their article *Crashing the Tea Party*. They ask “What do Tea Partiers have in common? They are overwhelmingly white, but even compared to other white Republicans, they had a low regard for immigrants and blacks long before Barack Obama was president, and they still do” (Putnam & Campbell, 2011, p. A23)

To illustrate how the states’ rights advocates or ‘tenthers’ as they are called, referring to the Tenth Amendment, use the states’ rights argument to push to return us to the “Jim Crow Laws” of the south, there is an article from the Center for American Progress by Ian Milhiser titled *What if the Tea Party Wins?* He recalls the appearance of Senator Rand Paul of Kentucky on The Rachel Maddow Show where he stated “I do

not support antidiscrimination laws that regulate private business” (Milhiser, 2011, p. 6). In this same vein of thinking is the mindset that is espoused by Fox News commentators, Rush Limbaugh, the Republican presidential candidates and letter writers like Franz M. Suhadolnik who is in support of states’ right. In his article *Civil War was fought over states' rights, not slavery*, in USA Today, he said that slavery was not the central cause of the Civil War but that “states' rights [were] the central cause, and that issue is front and center today” (Suhadolnik, 2010, p. 8a).

Leonard Pitts Jr. succinctly captures the continued rewriting of history to downplay racism in America in his article in the Sacramento Bee, *Banned book an example of this country's denial of an ugly past*, where he quotes Mississippi Governor Haley Barbour who “claimed integration in his state was “a very pleasant experience”” (Pitts, 2012, p. 11A). Pitts strongly counters Haley Barbour’s claim with actual facts about the struggle for civil rights in Mississippi.

I have old friends in San Bernardino County that I find it difficult to talk to about politics and the president anymore as they start to sound like the fanatical Genn Beck. Facts do not seem to matter to those people. This has been proven. According to Daniel Cassino and Peter Woolley, who did a study at Fairleigh Dickinson University titled *Some News Leaves People Knowing Less*, they showed in a quantitative report that people who watch Fox News know less about what is happening in the world than those who say they do not follow the news at all (Cassino & Woolley, 2011).

Upon examining right-wing rhetoric, Attorney Mike Papantonio of the *Ring of Fire* radio show and MSNBC contributor is correct when he said, “The Tea Party is starting to look like a spooky religious cult” (Papantonio, 2011). In Mary Bruce’s article *Franklin*

Graham Questions Obama's Christian Faith, at ABC News, Mary Bruce brings attention to preachers like Franklin Graham, son of Billy Graham, who are making racist innuendoes stating that he is not sure if the President is a Christian (Bruce, 2012).

The next two sections will show the relationship between states' rights and right to work laws and voting rights laws and I believe will shed light on the fact that there is underlying racism fueling these new laws that up until now were not needed. I want to emphasize that Tea Party members are not all racist but it is apparent that a fairly large percentage of their members are.

Right to Work Laws:

Right-wing Tea Party officials who got elected as governors in several states are rapidly assaulting workers' rights by passing anti-union laws at the state level. The fight began in earnest by newly elected governor of Wisconsin, Scott Walker, backed by the Koch Brothers and the American Legislative Exchange Council (ALEC); (Rogers & Dresser, 2011).

The American Enterprise Institute website has an article by Nick Schulz titled *Why US should cheer for Scott Walker* that was published in USA Today which supports Scott Walker's power play. Mr. Schulz crystalizes the Tea Party's goal quite well stating Wisconsin is the "central battleground in the fight over the outsized political role played by, and the enormous privileges enjoyed by, public employee unions" (Schulz, 2012, p. 1).

Arguing an opposing view to Schulz, Joe Hansen, International President of the United Food and Commercial Workers Union, disagrees with right to work laws. In his article *Daniels Wrong on 'Right to Work'*, in the Huffington Post, he tells about Indiana

Governor Mitch Daniels and how he and his “fellow Indiana Republicans are close to passing so-called “right-to-work” legislation” in Indiana (Hansen, 2012, p. 1).

He explains that “this legislation would make Indiana and its workers poorer. [He says] it is the ultimate transfer of wealth from the 99 percent to the 1 percent” (Hansen, 2012, p. 1).

Gordon Lafer, Associate Professor at the Labor Education and Research Center at the University of Oregon, in his article for the Economic Policy Institute, *Working Hard to make Indiana look bad: the tortured, uphill case for ‘right-to-work’*, supports Hansen’s claims bringing attention to: “The Chamber of Commerce report promoting an Indiana RTW law focuses on economic growth rates measured from the 1970s” (Lafer, 2012, p. 4). Mr. Lafer has some very good statistics and charts to present an educated accounting of how right-to-work laws affect workers and state economies.

Jack Nicas’s article in the Wall Street Journal, *Indiana Moves Closer to Right-to-Work Law*, points out that Governor Daniels opposed “a right-to-work law in Indiana in a 2006 speech to union members.” Nicas points out that “Mr. Daniels said he has changed his mind because “Indiana gets dealt out of hundreds of new job opportunities because we have no right-to-work law”” (Nicas, 2012). There are many scholars and journalists who agree with Nicas and Hansen in opposing right to work laws. Joel Rogers and Laura Dresser bring attention to ALEC’s role in enacting right to work laws. In their article *Business Domination Inc.*, in *The Nation*, they talk about “ALEC-inspired anti-labor laws” used by the right-wing and business to lower wages and benefits of workers (Rogers & Dresser, 2011, p. 19).

Voter Suppression Laws:

In addition to the right-wing politicians' efforts to weaken workers' rights they are simultaneously trying to suppress the vote for students, the elderly, racial minorities, and other disadvantaged groups. Hans A. Von Spakovsky, a former Justice Department official and member of the Federal Election Commission, and a senior legal fellow at the Heritage Foundation, in his article, *ID Laws Ensure Election Integrity* asks, "Why are states such as Texas and Kansas passing voter ID laws? Quite simply, to ensure the integrity of our election process" (Von Spakovsky, 2011). Jack Kelly agrees with Mr. Von Spakovsky in his article *Voter Fraud is Real*, in the Post-Gazette.com. Kelly states that "researchers at the universities of Delaware and Nebraska after examining election data from 2000 through 2006 concluded" that "concerns about voter identification laws affecting turnout are much ado about nothing (Kelly, 2011, p. 2).

Mr. Von Spakovsky data may be somewhat inaccurate. The actual statistics on voter fraud are published in Rolling Stone in an article by Ari Berman titled *The GOP War on Voting*, where he states from 2002 to 2007 there were "86 convictions for voter fraud" out of "300 million votes cast" which come to 0.00003 percent of voters participating in voter fraud (Berman, 2011, p. 2). Debbie Hines backs up Berman's statistics that the amount of voter fraud is negligible and does not merit the passage of voter I.D. laws in her article for the Huffington Post titled *New Republican Data Shows No Need For Voter ID Laws* (2011).

A strange voter fraud case was uncovered recently as reported in the LA Times, in an article titled *Indiana secretary of state convicted of voter fraud*. The Republican Secretary of State was convicted by "an Indiana jury [that] found the state's top

elections official, Charlie White, guilty of six of seven felony charges related to voter fraud” (Lopez, 2012). Lopez reports that the “Hamilton County jury convicted White of false registration, voting in another precinct, submitting a false ballot, theft and two counts of perjury” (Lopez, 2012).

The differing viewpoints presented above have brought me to the structure of my research design.

Research Design:

The method that will be employed in this paper is the explanatory case study to find out what the underlying motivations are for the Tea Party and right-wing conservatives for pushing for states’ rights. I intend to answer the question: Whether there is a causal connection between repressed white racism since the passage of the Civil Rights Act of 1964, the election of an African American President and the emergence of the Tea Party conservatives with a goal of strengthening states’ rights laws to create a new Articles of Confederation form of Government in America? The current round of attacks on the constitutional powers of the federal government by states’ rights advocates around the country will be examined by looking at what legal scholars, journalists, justices, economists and politicians have said or are saying on the states’ rights issues. This study will be an attempt to show that states’ rights laws are less about enhancing liberty for all and more about limiting liberty for the less advantaged Americans to benefit the ruling plutocracy in our society.

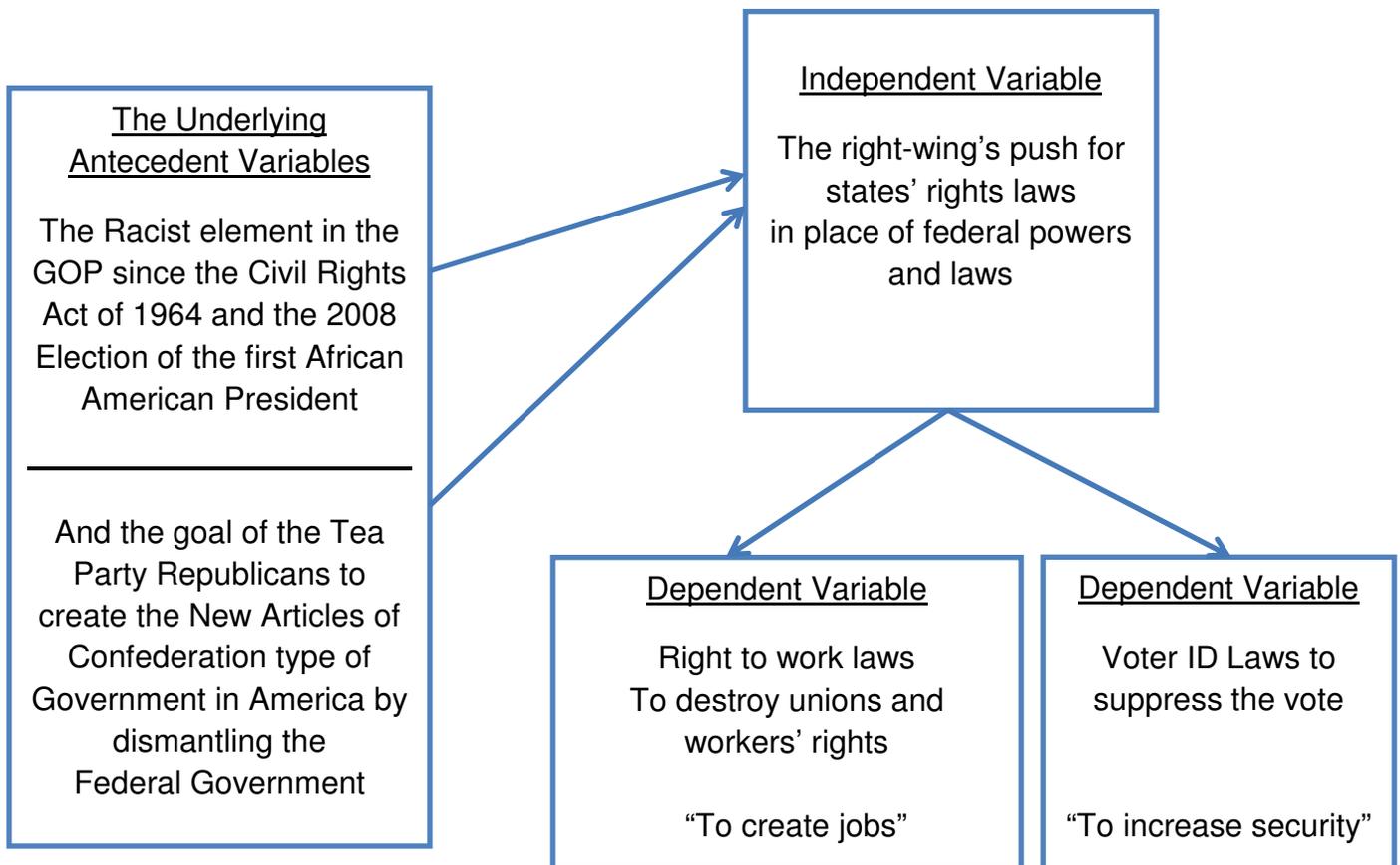
1. My starting point will be to compare two legal scholars Herman Schwartz who is against states’ rights and Nelson Lund who is for states right but thought there was

little chance for them to prevail. Herman Schwartz, Professor of law at Washington College of Law, American University, in his article, *The Supreme Court's Federalism: Fig Leaf for Conservatives* argues that conservative states' rights advocates are disingenuous in their advocacy of states' rights. He quotes nineteenth century Professor Nathan Dane who said "states' rights and state sovereignty are expressions coined for party purposes, often by minorities, who happen to be dissatisfied with measures of the general government," quoted in (Hyman, 1973, p. 12). Professor Schwartz shows in his writing how that "Is as true today as it was then" (Schwartz, 2001, p. 129). Nelson Lund, Patrick Henry Professor of Constitutional Law and the Second Amendment, George Mason University, in his article, *Fig Leaf Federalism and Tenth Amendment Exceptionalism*, said that currently "the Court's jurisprudence might be described as fig-leaf federalism... those limits [expressions] seem almost entirely symbolic in nature" (Lund, 2005, p. 17). But with the swing to the far right by Tea Party Republicans and the conservative Supreme Court Justices, Lund said regarding states' rights "Such a restoration would undoubtedly have to be preceded... by massive changes in public attitudes toward congressional power" in relation to State Powers (Lund, 2005, p. 24).

2. I will look at economic data on right-to-work laws to see if they benefit workers and states or not. Gordon Lafer, Associate Professor at the Labor Education and Research Center at the University of Oregon, in his article *Working Hard to make Indiana look bad: the tortured, uphill case for 'right-to-work'* has some very good statistics and charts to present an educated accounting of how right-to-work laws affect workers and state economies.

3. I will highlight the recent explosion in voter identification laws that have passed by researching articles for and against voter I.D. laws and how prevalent actual voter fraud is in America. I will look at what parties are pushing for voter I.D. laws and if these laws could be compared to poll tax laws similar to those types of laws in the Jim Crow South during the 1950's and 60's. I will also use anecdotal stories of my own experience throughout my life that highlight why these issues are of interest to me and why this discussion needs to be brought to the forefront of American dialogue today.

The following diagram visually lays out my research method as stated in the paragraph following.



4. Through examining the states' rights issues, right-to-work laws and voter I.D. laws I will show the relationship of these three variables and what underlying variables are in play in today's political maneuvering. The push by the right-wing for states' right laws is the **independent variable** which I believe is fueled by the **underlying antecedent variables** of (1) racism and (2) a push for total control of federal, state and local government. This has been at the root of the conservative cause for decades and the desire "to wage a war on the Federal Government" has gained steam by the right-wing since the election of President Obama (Pilkingtoni, 2010). The **independent variable** of states' rights gives rise to the two **dependent variables** of (1) right to work laws designed to destroy unions in America, and (2) the new voter suppression laws in the form of voter ID requirements that will greatly impact the ability of minorities, the elderly, students and the poor to cast their votes.

These are very complex issues and if the right-wing conservatives are effective in enacting these laws it could change the governmental structure of the United States of America and have a negative impact on all Americans for generations to come.

Analysis/Finding:

Since the election of President Obama and the emergence of the Tea Party movement there has been a concerted effort by business, multinational corporations and the right-wing Tea Party Republicans to eliminate long fought for workers' rights laws by passing right-to-work laws and enacting voter suppression laws such as voter identification requirements. The 2010 election resulted in Tea Party Republicans sweeping the House of Representatives and narrowing the divide in the Senate. There

were also ten Tea Party Republicans elected to governorships and they are the true drivers of the states' rights movement. The union-busting governors are people like Scott Walker of Wisconsin, John Kasich of Ohio, Rick Snyder of Michigan, Jan Brewer of Arizona and Chris Christie of New Jersey to name a few (Jaffe, 2011). Rick Snyder of Michigan has even gone so far as to appoint emergency managers to be sent to some of the states' poorest cities and basically nullify the powers of the elected city councils and the mayors in essence these emergency managers become the dictators of those municipalities. These cities being the poorest cities are where the minorities live. Governor Snyder's legislative actions do resemble a form of "Jim Crow Laws" (Jaffe, 2011).

These governors are passing bills to eliminate collective bargaining by labor unions and to suppress the vote of minorities, the elderly and students who tend to vote for the Democrats in elections. The question at the center of this debate is: Are resentful southern "Dixiecrats" and Tea Party Republicans waging a "war on the Federal Government", unions and voters in an attempt to return the American Constitution to the Articles of Confederation view of states' rights in an attempt to return absolute sovereignty to the states (Pilkingtoni, 2010)? These legislative actions are being taken in the South but also in northern states like Ohio, Wisconsin, Michigan, New Jersey and Indiana. This question brings me to my hypothesis that there is a causal connection between repressed white racism since the passage of the Civil Rights Act of 1964, the election of an African American President and the emergence of Tea Party Republicans with a goal of strengthening states' rights laws to create a new Articles of Confederation system of Government in America.

This is what is happening across the country and I intend to shed light on these oppressive legislative acts that violate Americans' civil rights, voting rights and workers' rights which would be extremely detrimental to our society. I will present accurate data to shine light on the benefits of a strong efficient federal government with equitable labor laws and voting rights laws, in comparison to the narrowly viewed data that creates misinformation to benefit the most advantaged citizens and corporations in America. This later data is created by right-wing think tanks and is intended to spread fear and rage throughout the white population by rewriting history to support the benefits of states' rights theory along with denying the true cause of the Civil War.

The Tea Party Republicans' true goal is to create a New Articles of Confederation system of government in America, to basically abandon our greatest invention, the United States Constitutional government – i.e. a strong federation of all the states into one central government – rather than the weak, bound to break apart, Articles of Confederation form of government that all the wisest men of the first thirteen colonies saw could not stand.

States' Rights Laws: The Independent Variable

Nelson Lund, a Patrick Henry Professor of Constitutional Law and the Second Amendment at George Mason University, in his pro states' rights article *Fig Leaf Federalism and Tenth Amendment Exceptionalism*, said that “the Court’s jurisprudence might be described as fig-leaf federalism.” He elaborates that “the Court has embraced the proposition that the principle of federalism necessarily entails *some* limits on the national government’s power, but those limits seems almost entirely symbolic in nature” (Lund, 2005, p. 17). Professor Lund wrote this article in 2005 and did not think there

would be much chance of real meaningful states' rights laws passing as he did not feel there was a majority consensus among American citizens to enact strong states' rights laws. Professor Lund would be surprised with where the country has come since the 2010 election with the swing to the far right by the Tea Party Republicans and the conservative Supreme Court Justices, making a revival of states' rights possible now.

The opposing theory to states' rights is the nationalist view examined by Herman Schwartz a Professor of law at Washington College of Law at American University, in his article *The Supreme Court's Federalism: Fig Leaf for Conservatives*, where he argues that conservative states' rights advocates are disingenuous in their advocacy of states' rights. He quotes nineteenth century Professor Nathan Dane who said "states' rights and state sovereignty are expressions coined for party purposes, often by minorities, who happen to be dissatisfied with measures of the general government, quoted in (Hyman, 1973, p. 12)". Professor Schwartz shows in his writing how that "is as true today as it was then" (Schwartz, 2001, p. 129).

Professor Schwartz, in 2001, thought there was a great divide in our country between nationalists and states' rights advocates. He says that "The great social divide... is between races and classes, and regardless of the surface content of the federalism debates, it is the race and class interests that determine the outcome of the federal-state power conflict" (Schwartz, 2001, p. 120). Even though Mr. Schwartz's article was written before the Roberts Court he clearly elaborates on how over the last thirty years "the Supreme Court's conservative majority, composed entirely of Reagan-Bush Appointees, is using allegiance to states' rights as a fig leaf to disguise its efforts

to promote the Reagan-Bush campaign to undermine the civil rights revolution and the New Deal” (Schwartz, 2001, p. 120).

Professor Schwartz brings attention to the fact that when Ronald Reagan was sworn in in 1981 as president; his first task was to start tilting “the balance [of power] back toward the wealthier classes and white privilege” (Schwartz, 2001, p. 120). With the help of his legal adviser, Ed Meese, and his Vice President, George H. W. Bush, there was an attack on the New Deal safety net policies along with social programs that were added later “as well as [an attack on] federal laws and court decisions aimed at achieving racial equality” (Schwartz, 2001, p. 120). But he makes clear that the choice between states’ right and a nationalistic view are not ‘cut and dried’ or purely ‘black and white’. Schultz sees the federalist states’ rights perspective as too narrow and formal and shows the conservative interpretation of states’ rights “has little to do with reality” (Schwartz, 2001, p. 124). He clearly states that “the lines between federal and state authority are continually blurred, especially since so many federal programs are indisputably constitutional under... the spending clause, involve[ing] a mixture of state discretionary rules and federal requirements” (Schwartz, 2001, p. 124).

The states’ rights theory has been used by many states and politicians in recent years in an attempt to privatize the services of many governmental agencies. George Bush failed to privatize Social Security in his first term in office. Yet Congressman Paul Ryan has proposed privatizing Medicare by replacing Medicare with private insurance vouchers for seniors. Ezra Klein in an article in *The Washington Post* titled *Why Rep. Paul Ryan’s budget plan is so flawed* said the Congressional Budget Office “concluded that Ryan’s privatization plan would actually add to Medicare’s costs. In 2030,

traditional Medicare insurance, [the] CBO estimates, would only cost 60 percent as much as the private options Ryan is offering” (Klein, 2011, p. 2). Even though the Ryan Budget Plan did not get signed into law the Tea Party Republicans promised that they will continue to push for his austere budget plan.

Some states have sold off government buildings and real estate under the sovereign states’ rights push for, smaller government and privatization of government workers. Take Arizona for example. According to Tim Murphy in his article in *Mother Jones*, *Arizona Wants to Buy Back State Capitol It Inexplicably Sold*, Arizona decided to sell off the state capitol in 2009. “Republican Gov. Jan Brewer signed off on the deal. The state now leases the House and Senate chambers from a private real estate company at a considerable long-term cost.” This was all done “on the grounds of austerity and small government” (Murphy, 2012). Murphy gives an update stating that “now, presumably still a little embarrassed by the whole episode... and rapidly approaching the state's 100th birthday, Brewer wants the Arizona capitol back in the hands of Arizonans” to the tune of 34 million dollars (Murphy, 2012). “Brewer press aide Matthew Benson” said the state had been paid only \$81 million for the state House, the Senate and the nine-story executive tower that includes Brewer's office when it negotiated a "sale-leaseback" arrangement in 2010. But the “move will cost the state \$105 million out of its current budget surplus” (Murphy, 2012). It seems that adherents of the states’ rights crusade at times discover the true costs of their questionable behavior.

In an interview with Texas Governor Rick Perry by Kevin D. Williamson for the *National Review* titled *Rick Perry's Tenth Commandment*, Williamson states “Governor

Perry is more interested in the Tenth Amendment to the Constitution: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” Williamson said that “Reestablishing the sovereignty of the states – and rescuing the language of states’ rights from its segregationist connotation – is a pretty good job for a high-profile governor (Williamson, 2011, p. 28).

Governor Perry talked about the stigma the phrase “states’ rights” has by candidly saying “That [the Civil War] was a tragic time in our history. And shameful. And anytime anybody uttered the words ‘states’ rights’ after 1865, they’ve been tinged as segregationist or racist.” Perry added “On the other hand, the states are real things with real interests and real rights; they are not mere administrative subdivisions of the federal government, even if they’ve been treated that way for generations” (Williamson, 2011, p. 31). [Perry’s view not mine.]

Ian Milhiser, with the Center for American Progress, in his article, *What if the Tea Party Wins*, retells how Governor Perry threatened to “secede from the union if “Washington continues to thumb their nose at the American people”” (Milhiser, 2011, p. 6). Governor Perry is joined by many other lawmakers from Idaho to Florida in a crusade for states’ rights. Milhiser argues that Perry and Tea Party Republicans are “backing unconstitutional state laws purporting to “nullify” federal laws exactly as South Carolina did before the Civil War. Milhiser thinks the right-wing is involved in “a much larger movement to effectively secede from the union one law at a time” (Milhiser, 2011, p. 6). Ian Milhiser shows in great detail how “many state lawmakers even embrace a discredited constitutional doctrine that threatens the union itself” (Milhiser, 2011, p. 1).

Milhiser paints a bleak picture of what America would look like if the Tea Party was able to take complete control of our government.

In the Tea Party's America, families must mortgage their home to pay for their mother's end-of-life care. Higher education is a luxury reserved almost exclusively to the very rich. Rotten meat [will be shipped] to the supermarkets nationwide without a national agency to inspect it, Fathers [will] compete with their adolescent children for sub-minimum wage jobs. And our national leaders [will be] utterly powerless to do a thing (Milhiser, 2011, p. 1).

Professor Schwartz, as mentioned above, agrees with Milhiser when he states "Throughout American history, states' rights have been used as a cover to hide less respectable interests such as [discrimination on the basis of] race, class, religion, power [or] money" (Schwartz, 2001). Mr. Schwartz, writing before the Roberts Court, elaborated, "today's conservative Supreme Court majority, led by Chief Justice William H. Rehnquist, has imposed limitations on federal power to curtail the rights of women, religious groups, the elderly, racial minorities, and other disadvantaged groups" (Schwartz, 2001). Professor Schwartz is correct in believing that the benefits espoused by states' rights advocates in reality are not beneficial and lend themselves to keeping disadvantaged people continually disadvantaged.

This brings me to what is the underlying *Antecedent Variables*: (1) veiled racism coupled with (2) the goal of complete control of government by the right-wing at all levels to create the new Articles of Confederation form of government in America.

Racism and Control of Government: The Underlying Antecedent Variables

The reason I am bringing attention to the level of disguised racism in 2012 is because honestly it amazes me. I thought by now America would have evolved more in acceptability of all races and preferences, with tolerance and equality. I was a young boy in the 1960s during the Civil Rights struggle and experienced threats from white neighbors when I was nine years old, even though our family was Scottish English and Welsh. Our father was an English teacher at Cal Poly, San Luis Obispo, and he would bring foreign students from places like Korea and Africa to our home for dinner or barbecues. This was a wonderful experience for my mother and us kids as we learned about different cultures and got to meet very good people from other countries. I learned what racism was when neighbors we were friends with called us one afternoon and call us “N-word lovers”. These neighbors looked somehow different to me the next day. During those years in the 1960’s I saw TV footage on the news every night, out of the South, showing the brutal struggle for civil rights when I was a kid.

The push by the right-wing Tea Party conservatives to try and divide the country and push us back to “Jim Crow Laws” is an archaic assault on our constitutional freedom. It appears that they would like to go back to Jim Crow and McCarthyism while the hate groups and sovereign citizen militias around the country are growing. I want to make it clear that all Tea Party members are not racist but there are many fringe groups that are. The dark underbelly of the elected Tea Party policy makers is racism with a goal for complete right-wing control of government at all levels of government to resemble pre Civil War days, or maybe even back to something similar to the Spanish Inquisition.

This type of thinking is illustrated in an article by Kim Severson in the New York Times titled *Number of U.S. Hate Groups on the Rise*. She states that the rise in the number of hate group recently is “fed by antagonism toward President Obama, resentment toward changing racial demographics and the economic rift between rich and poor, the number of so-called hate groups and antigovernment organizations in the nation has continued to grow, according to a report released... by the Southern Poverty Law Center” (Severson, 2012). The rise in racist tendencies is examined in another article by Julie Watson of the Associated Press in her article *Facebook Page Tests Military Rules*. She writes about a “Tea Party Patriot” Marine in San Diego who posted “that he wouldn’t follow orders from the Commander in Chief, President Barack Obama” on his Facebook page (Watson, 2012, p. A5). This form of angry thinking is apparent every time I see Senator Mitch McConnell, and Representatives John Boehner and Eric Cantor discuss their views of the President. They appear to withhold any semblance of respect for the President as they walk out of conference meetings because they will not compromise on anything that the President thinks is good policy, even when they had agreed with the same policy in the past. Those on the right say that they just have different policies but the right-wing is tangled in their denial of straight forward racism. The Tea Party elected officials in the House, the Senate and the Judiciary Committee have not denounced the Montana federal judge, Richard Cebull, who admitted to posting a “racist” and grotesque joke about the President’s mother. “The judge acknowledged that the content of the e-mail was racist, but said he does not consider himself racist. He said the e-mail was intended to be a private communication,” though it

was sent on his official justice department e-mail account (Adams, 2012). By his actions, Judge Cebull appears to be racist despite his claim to the contrary.

In the context of the current presidential campaign much of the suppressed racism in America has come to the center of the political discussion. The Reverend Al Sharpton who marched with Martin Luther King, Jr. and has been a strong advocate for civil rights all of his life thinks some of the rhetoric of the right-wing are suggesting America return to the “Jim Crow” days of the past. According to Reverend Sharpton on his show Politics Nation on MSNBC regarding the current political campaign that Tea Party conservatives are using code words, like “food stamps President” to emphasize to their white base that our President is a scary “black man” (Sharpton, 2012). The phrase “food stamps anything” has been used since the 1990’s by the right-wing to tell white Republicans that African Americans are lazy and living off of welfare and therefore tacking “your tax dollars” to make their Tea Party base angry. Newt Gingrich and conservatives used this tactic in the 1990s with phrases like “welfare queens” while they were cutting welfare programs for inner-city African Americans. Actually the growing majority of poor people in America are Caucasian.

To emphasizing the power of coded language Robert Costa of National Review Online cites the master of rewriting history and doublespeak, the renowned historian Newt Gingrich. Gingrich in an interview with National Review Online quoted Dinesh D’Souza, of Forbes, and asked “What if [Obama] is so outside our comprehension, that only if you understand Kenyan, anti-colonial behavior, can you begin to piece together [his actions]?” (Costa, 2010). Gingrich went on to say about the President; “I think he [Obama] worked very hard at being a person who is normal, reasonable, moderate,

bipartisan, transparent, accommodating — none of which was true” (Costa, 2010). It has come to the point with the Tea Party adherents that facts and truth are unnecessary. The only thing that matters is for Tea Party spokespeople to instill rage and fear to motivate the Tea Party base. It is quite obvious that Gingrich’s statements above are purely intended to instill anger and fear in his listeners against President Obama and the Democrats.

Leonard Pitts Jr. succinctly captures the continued rewriting of history to downplay racism in America in his article in the Sacramento Bee, *Banned book an example of this country's denial of an ugly past*, where he quotes Mississippi Governor Haley Barbour who “claimed integration in his state was “a very pleasant experience”” (Pitts, 2012, p. 11A). Pitts corrects Barbour stating “Actually, integration in his state was marked by, among other atrocities, a firebombing, a fatal riot, the assassination of Medgar Evers and the murders of three voting rights workers” (Pitts, 2012, p. 11A) Pitts goes on to counter people like Haley Barbour who would gloss over how hard the struggle for Civil Rights had been by suggesting “the only effective weapon against such lies is to learn the truth and tell it, shout it in the face of untruth, equivocation and denial. Bear witness” (Pitts, 2012, p. 11A).

The right-wing conservatives have a clear game plan. in the article *The Southern Strategy Lives*, in The Washington Monthly, Steve Benen poses the idea that currently the GOP are using the “Southern Strategy” that Nixon used to spread racially “divisive language” to scare white people hoping they will vote Republican (Benen, 2010). Benen cites Rachel Maddow when she “drew a parallel between the current efforts [of the Tea Party] and the Southern Strategy of years past: “Republicans learned

strategically, mathematically, that sometimes it makes sense to turn every minority voter against you and have that be the cost you pay to lock up all the white votes” (Benen, 2010). This method of fear mongering that the GOP has adopted may be a strategy that will backfire on them in this political season as it is an unhealthy debate dividing the country rather than uniting the country. It seems that division is what all the states’ rights adherents care about.

To illustrate how the states’ rights advocates or ‘tentherers’ as they are called, referring to the Tenth Amendment, use the states’ rights as a veil to hide their discrimination and racism is presented in Ian Milhiser’s article *What if the Tea Party Wins*. He recalls the appearance of Senator Rand Paul of Kentucky on The Rachel Maddow Show where Paul stated “I do not support antidiscrimination laws that regulate private business” (Milhiser, 2011, p. 6). I watched that interview and it appeared that Rand Paul wanted to return to the “Jim Crow Laws” of the past. Commenting on the Tea Party rhetoric, Attorney Mike Papantonio of the *Ring of Fire* radio show and MSNBC contributor said, “The Tea Party is starting to look like a spooky religious cult” (Papantonio, 2011). Mr. Papantonio is correct as he accurately described what is taking place in the Republican politics since the 2010 election. The Tea Party and candidates like Rick Santorum have pushed the Republican Party so far to the right they have in essence become a theocratic party.

The Tea Party form of theocracy I speak of is on full display with the Republican Primary in full swing. In Mary Bruce’s article for ABC, News *Franklin Graham Questions Obama’s Christian Faith*, Bruce brings attention to supposed Christian preachers like Franklin Graham, son of Billy Graham, who are making racist innuendoes stating that

he is not sure if the President is a Christian. At the same time Mr. Graham says the two white guys who are not the Mormon, Santorum and Gingrich, are surely Christians (Bruce, 2012). Mr. Graham apologized to the President a few days later. The fact that southern bigots and bigots around the country are using their fundamentalist religious posturing to hide their racism is not working anymore. There is a denial among the Tea Party of the Civil War being the result of the South's desire to continue slavery while they blame the Civil War on "northern aggression". This denial and blame mixed with right-wing fundamentalist oppressive religious dogma seems to have poisoned the Tea Party conservatives' minds. They more closely resemble the Taliban than Christians.

This same kind of thinking is the mindset that is espoused by Fox News commentators, Rush Limbaugh, Glenn Beck, the Republican presidential candidates and letter writers like Franz M. Suhadolnik who supports "Gov. Bob McDonnell of Virginia for declaring Confederate History Month." Mr. Suhadolnik wrote the standard Tea Party talking points to veil racism behind the states' rights argument. He states that "Many historians would disagree... that slavery was the central cause of the Civil War. They would point to the issue of states' rights as the central cause, and that issue is front and center today. It is time to put the ancient and divisive issue of slavery behind us" (Suhadolnik, 2010, p. 8a). I have heard from people from the south say to me that the Civil War was not caused by slavery but by "northern aggression". That is one way to look at it but that is not correct unless one is in denial about the real cause.

After attending other courses recently in civil rights law and labor economics, I came to realize that the followers of the Tea Party are, as my father says, "willfully ignorant" since the majority of its members get their only news from Fox News, the

Heritage Foundation and Dick Armey's Freedom Works foundation. There are old friends of mine in San Bernardino County that are difficult to talk to about politics and the president as they start to sound as fanatical as Glenn Beck. Facts do not seem to matter to these people.

While studying in a recent Labor Economics class I discovered a study that gives credence to the idea that people who get their news from Fox News are terminally misinformed. According to Daniel Cassino and Peter Woolley, who did a study at Fairleigh Dickinson University titled *Some News Leaves People Knowing Less*, they showed in a quantitative report that people who watch Fox News know less about what is happening in the world than those who say they do not follow the news at all (Cassino & Woolley, 2011).

There may be hope though. In their article *Crashing the Tea Party* David E. Campbell, an associate professor of political science at Notre Dame, and Robert D. Putnam, a professor of public policy at Harvard, ask "What do Tea Partiers have in common? They are overwhelmingly white, but even compared to other white Republicans, they had a low regard for immigrants and blacks long before Barack Obama was president, and they still do" (Putnam & Campbell, 2011, p. A23). But Putnam and Campbell say that "in fact the Tea Party is increasingly swimming against the tide of public opinion among most Americans" and they point out that "Tea Party supporters have slipped to 20 percent [from 21 percent], while their opponents have more than doubled, to 40 percent [from 18 percent]" (Putnam & Campbell, 2011, p. A23). Their angry divisive rhetoric may be damaging their popularity, "the Tea Party ranks lower than any of the 23 other groups we asked about — lower than both Republicans

and Democrats. It is even less popular than much maligned groups like “atheists” and “Muslims.” Interestingly, one group that approaches it in unpopularity is the Christian Right” (Putnam & Campbell, 2011, p. A23). Putnam and Campbell say the Tea Party “are more concerned about putting God in government” (Putnam & Campbell, 2011). Is this what states’ rights advocates are really pushing for? It appears so.

The current push for states’ rights are not only being used to keep minorities and less advantaged groups from becoming upwardly mobile but also to destroy unions which is an assault on workers’ rights. States’ rights advocates are also passing brand new voter suppression laws in the form of voter identification laws to keep minorities, the elderly, students and the poor from being able to vote in the next general election even though there is virtually no voter fraud in America, except by a few right-wing Republicans.

Now I will look at two growing legislative actions being taken by the Tea Party politicians across the country to dismantle the social fabric of America and the Federal Government to create a new Articles of Confederation form of government in America.

Right to Work Laws: Dependent Variable (1)

Right-wing Tea Party officials who got elected as governors in several states are rapidly assaulting workers’ rights by passing anti-union laws at the state level. The fight began in earnest by the newly elected governor of Wisconsin, Scott Walker, backed by the Koch Brothers and the American Legislative Exchange Council (ALEC) (Rogers & Dresser, 2011).

The American Enterprise Institute supports governors like Walker and on its website has an article by Nick Schulz titled *Why US should cheer for Scott Walker*, that

was published in USA Today, which supports Scott Walker's power play to eliminate unions. Schulz does crystalize the Tea Party's goal quite well stating Wisconsin is the "central battleground in the fight over the outsized political role played by, and the enormous privileges enjoyed by, public employee unions" (Schulz, 2012, p. 1). Mr. Schulz shows his ignorance of the importance of the presidential race comparing Governor Walker's recall election to that of the presidential race. He says "It's likely the 2012 race for the White House won't even be the most important contest of this year, much less of all time", referring to Walker's recall election (Schulz, 2012, p. 1). Schulz gives away the real reason behind eliminating collective bargaining for teacher at the end of his article. He says "collective bargaining privilege gives teacher unions political power that is used to block reform efforts and shield K-12 education from **entrepreneurial disruptions** [charter schools] that threaten established ways of doing things" (Schulz, 2012, p. 2). "Entrepreneurial disruptions" are code words for privatizing public schools and more evidence that the right-wing intends to privatize all government agencies and sell off all public property to their corporate cronies if the Tea Party and Walker get their way.

Counter to Schulz's argument, Joe Hansen, International President of the United Food and Commercial Workers Union, disagrees with right-to-work laws. In his article *Daniels Wrong on 'Right to Work'*, in the Huffington Post, he tells how Indiana Governor Mitch Daniels and his "fellow Indiana Republicans are close to passing so-called "right-to-work" legislation" (Hansen, 2012, p. 1). He describes what the consequences will be:

Simply put, this legislation would make Indiana and its workers poorer. It is the ultimate transfer of wealth from the 99 percent to the 1 percent. It's Robin Hood economics in reverse. A recent report by the Economic Policy Institute (EPI) found that this type of

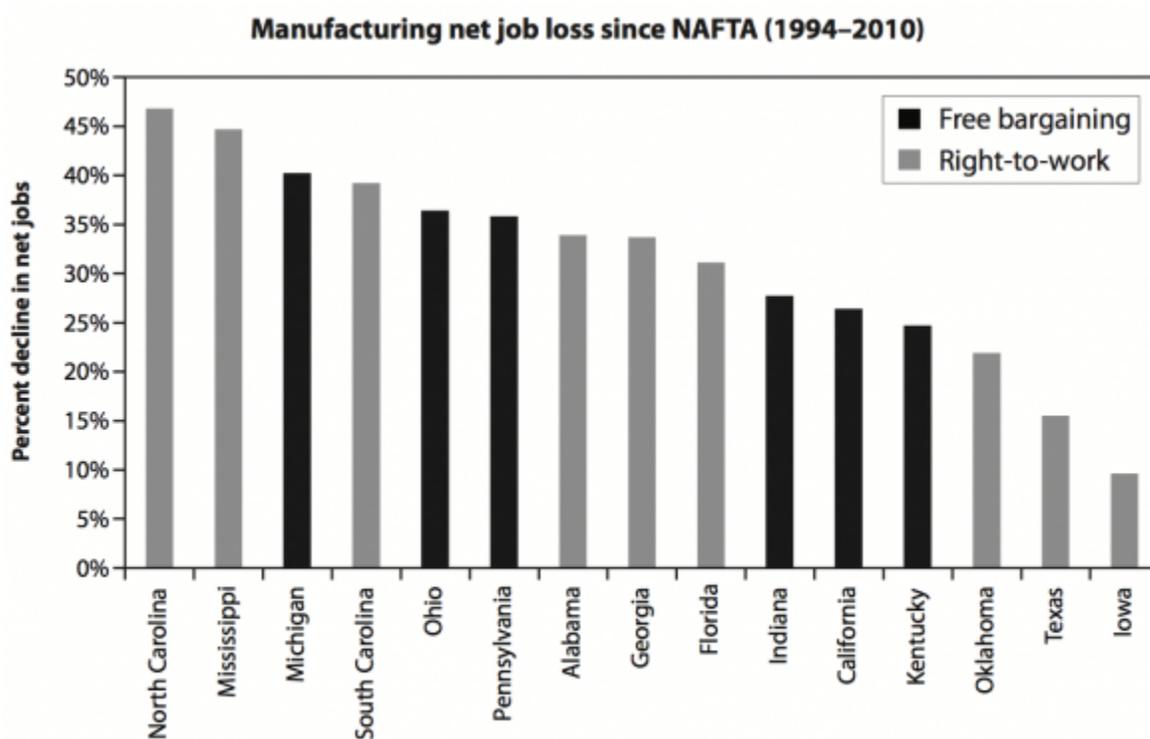
legislation would reduce wages by \$1,500 a year and lower the likelihood that employees get health care coverage or pensions through their jobs. Childhood poverty would increase by 15.7 percent. Revenue for the important programs Hoosier families rely on would go down (Hansen, 2012, p. 1).

Hansen cites data from the State of Oklahoma, in an EPI report, as an example of the myth of right-to-work laws. “Proponents of this bill say it's about jobs but the people of Indiana know better. The EPI report called this claim “completely without scientific foundation.” Oklahoma, the last state to adopt right-to-work [laws] in 2001, has seen manufacturing jobs decrease by a third since its passage” (Hansen, 2012).

Gordon Lafer, Associate Professor at the Labor Education and Research Center at the University of Oregon, published a report titled, *Working Hard to make Indiana look bad: the tortured, uphill case for 'right-to-work'*, for the Economic Policy Institute (EPI). Mr. Lafer supports Joe Hansen’s claims. He presents some very good statistics and analysis to give an educated accounting of how right-to-work laws affect workers and state economies showing that these laws are unnecessary and do not benefit the states or the workers:

The Chamber of Commerce report promoting an Indiana RTW law focuses on economic growth rates measured from the 1970s. A major problem with looking at what happened decades ago is that we inhabit a fundamentally different economy [now]. In the 1970s and 1980s, companies may well have moved to RTW states in search of lower wages. But in 2012, companies looking for cheap labor are overwhelmingly looking to China or Mexico, not South Carolina. To the extent that enacting RTW legislation ever served as an effective economic development strategy—and the evidence is weak on this point—globalization has rendered RTW irrelevant (Lafer, 2012, p. 4).

Figure B



SOURCE: Public Citizen (2011)

The impotence of right to work [laws] in the era of globalization is evident in the widespread job losses experienced by RTW states over the past 15 years. The loss of manufacturing jobs post-NAFTA has been felt in every state in the country. As shown in Figure B, the highest rates of job loss have been in right-to-work states, with the Carolinas, Mississippi, Alabama, Georgia, and Florida all losing a higher percentage of their manufacturing jobs than Indiana (Public Citizen 2011) (Lafer, 2012, p. 4).

Jack Nicas's is in agreement with Hansen and Lafer. Mr. Nicas, in his article in the Wall Street Journal, *Indiana Moves Closer to Right-to-Work Law*, points out that Governor Daniels opposed "a right-to-work law in Indiana in a 2006 speech to union members." But Mr. Nicas said now that "Mr. Daniels... has changed his mind because "Indiana gets dealt out of hundreds of new job opportunities because we have no right-

to-work law” (Nicas, 2012). He shows the viewpoint of both sides of the Indiana debate when he said “Supporters say a right-to-work law would lure businesses to Indiana. Opponents say it would weaken unions, leading to lower wages and worse working conditions” (Nicas, 2012).

Joel Rogers, Laura Dresser and many scholars and journalists agree with Nicas, Hansen and Lafer in opposing right to work laws. Rogers and Dresser bring attention to ALEC’s role in enacting right to work laws. In their article *Business Domination Inc.*, in *The Nation*, they say that “This spring, GOP governors or legislatures introduced at least 500 of these and other ALEC-inspired anti-labor laws, including laws to restrict the scope of collective bargaining” (Rogers & Dresser, 2011, p. 19). They compare the Indiana right-to-work law to that of Wisconsin’s stating; “In Wisconsin, the first state to legalize public sector union bargaining, public sector unions (excluding police and firefighters) were reduced to near irrelevance” (Rogers & Dresser, 2011, p. 19). The Wisconsin law limits collective bargaining to wages and eliminates any bargaining for working conditions, safety or benefits (Rogers & Dresser, 2011). It is amazing that in Wisconsin, the first state to allow unions, Governor Walker started an all-out war on unions. Walker did not think the police and firefighters would rise up to support the other unions in the state, because they were exempt, but those public servants did back all the other unions that had been stripped of their collective bargaining rights.

Voter Suppression Laws: Dependent Variable (2)

In addition to the right-wing politicians’ efforts to weaken workers’ rights they are simultaneously passing laws trying to suppress the vote of students, the elderly, racial

minorities, and other disadvantaged groups. Most people in these groups usually vote Democratic in elections.

Hans A. Von Spakovsky, a former Justice Department official and member of the Federal Election Commission, and a senior legal fellow at the Heritage Foundation, in his article, *ID Laws Ensure Election Integrity*, asks, "Why are states such as Texas and Kansas passing voter ID laws? Quite simply, to ensure the integrity of our election process... That is one of the reasons that Americans by an overwhelming margin, across all racial and ethnic lines support such common-sense reform" (Von Spakovsky, 2011). Von Spakovsky claims "As the Supreme Court has pointed out, "flagrant examples of such fraud have been documented throughout this nation's history"" (Von Spakovsky, 2011). Von Spakovsky makes these claims but neglects to cite where he obtained this about Americans supporting voter I.D. laws and Supreme Court Justices saying there has been "flagrant examples of such fraud."

Jack Kelly agrees with Mr. Von Spakovsky in his article *Voter Fraud is Real*, in the Post-Gazette.com. Kelly cites a study by the universities of Delaware and Nebraska that says: "concerns about voter identification laws affecting turnout are much ado about nothing." That is the conclusion researchers at the universities of Delaware and Nebraska came to "after examining election data from 2000 through 2006" (Kelly, 2011, p. 2). But these are the elections before the ones the new laws intend to affect. Kelly derides "Rep. Debbie Wasserman-Schultz, D-Fla, chair of the Democratic National Committee" who said "Republicans "want to literally drag us back to Jim Crow laws" regarding the new voter identification laws (Kelly, 2011, p. 1) Rep. Debbie Wasserman-Schultz is correct as these laws will disenfranchise many voters.

Mr. Von Spakovsky's and Mr. Kelly's data may be somewhat inaccurate. The actual statistics on voter fraud are published in Rolling Stone, in an article by Ari Berman titled, *The GOP War on Voting*, where he states from 2002 to 2007 there were "86 convictions for voter fraud" out of "300 million votes cast" which come to 0.00003 percent of voters participating in voter fraud (Berman, 2011, p. 2). Debbie Hines backs up Berman's assertion that the amount of voter fraud is negligible and does not merit the passage of voter I.D. laws in her article for the Huffington Post titled *New Republican Data Shows No Need For Voter ID Laws*. Ms. Hines reports that "The Republican National Lawyers Association (RNLA) in an attempt to discredit a NAACP report... [that] the lack of voter fraud evidence has actually bolstered the view that there is no need for voter ID laws being imposed by many states. The RNLA produced data showing 46 states and various convictions for voter fraud" (Hines, 2011). She cites striking data produced by the RNLA observing that after "viewing the data for the period 2000-2010, the report by its own account shows there is no link between voter fraud in states and the need for stricter voter ID laws. The data shows that during the entire 10 year period, 21 states had only 1 or 2 convictions for some form of voter irregularity" (Hines, 2011). It is ironic that this study was conducted by the RNLA trying to discredit the NAACP and only validated the NAACP's findings!

Debbie Hines cites George Washington University law professor, Spencer Overton, a former member of the Commission on Federal Election Reform, who wrote a dissenting view on the Carter-Baker Commission's photo ID proposal in Georgia in 2001. Hines quotes Professor Overton saying "the number of eligible citizens who would be denied their right to vote as a result [of voter I.D. laws] is exceedingly large"

(Hines, 2011, p. 2). Professor Overton goes on to say in his dissent: "According to the 2001 Carter-Ford Commission, the Carter-Baker "Real I.D. Act" would result in an estimated 6% to 10% of voting-age Americans (approximately 11 million to 19 million potential voters) do not possess a driver's license or a state-issued non-driver's photo ID, and these numbers are likely to rise as the "Real ID Act" increases the documentary requirements for citizens to obtain acceptable identification". These are very large numbers of people who will be barred from voting.

To back up Ms. Hines and Professor Overton there is a policy brief by the Brennan Center for Justice, New York University School of Law, that shows that voter I.D. laws are really intended to lower voter turnout of particular demographic groups like minorities, students, the elderly and the poor. In their Policy Brief *The Truth About "Voter Fraud"*, dated August 10, 2011, they state that: "Voter fraud is most often invoked as a substantial problem in order to justify particular election policies. Chief among these is the proposal that individuals be required to show photo ID in order to vote - a policy that disenfranchises up to 10% of eligible citizens. But the only misconduct that photo ID addresses is the kind of voter fraud that happens as infrequently as death by [being struck by] lightning".

To show how the GOP are hypocritical regarding voter fraud a strange thing happened recently as reported in the LA Times, in an article by Ricardo Lopez, titled *Indiana secretary of state convicted of voter fraud*. The Republican Secretary of State, Charlie White, was convicted of voter fraud. Lopez said that an "Indiana jury found that the state's top elections official, Charlie White, [was] guilty of six of seven felony charges related to voter fraud. The Hamilton County jury convicted White of false

registration, voting in another precinct, submitting a false ballot, theft and two counts of perjury” (Lopez, 2012). It seems the Tea Party Republicans may be trying to protect us all from their own fraudulent voting practices. These laws are really intended to disenfranchise millions of voters.

It appears that a defect in human character is apparent with the Tea Party. When a party is willing to cheat they always point the finger at the other party and accuse them of doing what the first party is actually doing [cheating] in secret for their own advantage. This happens in bad relationships and corrupt governments. The intentional dumbing down of the Republican Party through their last two administrations has resulted in a strange pride of “willful ignorance” which most of us will not accept and which will hopefully backfire on the right-wing Republican Party. If it does not we are all in trouble.

These are important topics of study intending to shed light on political legislation rapidly being passed by Tea Party conservatives at all levels of government to create a new Articles of Confederation Government in America. This I believe, will result in a lower standard of living for the mass-majority of American Citizens who have seen their wages stagnate over the last thirty years along with the contrived financial meltdown in 2008 as the result of “trickledown economics,” the lack of effective Wall Street regulation and greed.

Limitations:

The main limitation for much of this research on states' rights, racism and government control, right-to-work laws and voter suppression laws by the right-wing is that much of the data is from very recent studies and commentaries. I did my best to bring forth both sides of the argument in an attempt to discover which data was accurate and which data was flawed. I also acknowledge my own biases which I attribute to paying close attention to the current events of the day, every day, for the last several decades.

Another limitation was that I could not keep up with the extreme right-wing's fundamentalist religious assault on women's health and contraception, which is a new form of discrimination that came to light during the writing of this study.

Conclusion:

In conclusion, after researching the scholars, spokespeople and experts, it is apparent that there is a clear relationship between the **antecedent variables** of (1) underlying racism against non-whites and (2) the push for total governmental control by the right-wing, and the outward **independent variable** of increasing sovereign states' rights in the form of two **dependent variables** of (1) right-to-work laws and (2) voter identification laws. The question of whether resentful southern "Dixiecrats" and Tea Party Republicans are waging a "war on the Federal Government", the President, unions and voters in an attempt to return the American Constitution back to the Articles of Confederation for states' rights has been answered (Pilkingtoni, 2010). There is a causal connection between repressed white racism since the passage of the Civil

Rights Act of 1964, the election of an African American President along with the Tea Party Republicans pushing a goal of strengthening states' rights laws to create a new Articles of Confederation system of government in America. The right-wing politicians' through strengthening states' rights laws like right-to-work laws and voter I.D. laws are attempting to weaken workers' rights and trying to suppress the vote of students, the elderly, racial minorities, and other disadvantaged groups that usually vote Democratic in elections.

The evidence suggests that conservative think-tanks make up data with studies that have little basis in facts. The methods used by the Tea Party and by conservative Supreme Court Justices to analyze problems is to always use the 'narrow view' so they can justify the states' rights issues. They also use the narrow view to continue their denial of the fact that the Civil War was caused because of the fight by the South to continue the practice of slavery of African Americans saying it was really caused by "northern aggression".

These right-to-work laws and voter I.D. laws are very serious and a dangerous turn of events that endanger our freedoms as citizens in the new Articles of Confederation type of Government in America. The party of small government and liberty wants to impose restrictions on voting when there is virtually no voter fraud along with stripping away employees' rights to fair pay and good working conditions. The Tea Party has pushed the Republican Party so far to the right that they have become akin to a theocratic party of myths and scary fairytales to terrify their base. Since beginning this paper, the extreme right-wing has continued their fundamentalist religious assault on women's health and contraception which is a new form of discrimination and oppression

toward women the right-wing are practicing. This is on top of the assault on workers' and voters' rights. They say they are for small government but they want their theocracy in your voting booth, at your job, in your bed room and at your doctor's office. The Tea Party is racist toward minorities and oppressive toward women and the poor. The fact that southern bigots and bigots around the country are using their fundamentalist religious posturing to hide their racism is not working anymore and does not belong in our government. We still have the constitutional separation of church and state in America.

On the bright side, the Occupy Wall Street Movement has taken some of the Tea Party's momentum by actually attempting to address some of the Nation's problems and trying to find workable methods to solve our economic problems and reinstate many of the financial regulations the lack of which brought the country to the precipice of a second great depression. The Occupy Movement has helped change the national dialogue affecting elected officials and corporations to take positive steps to solve the nations' problems.

The Tea Party continues to blame all of our problems on President Obama and the Federal Government when anyone paying attention to recent history of the last decade knows statements like that are not true. The Bush tax cuts, two unfunded wars and the deregulation by Reagan, Bush, Clinton and Bush, were the main causes of the economic downturn proving that pure laissez faire; "trickledown" economics without regulation does not work. Thankfully in the current Republican Presidential Primary the Tea Party line-up is destroying each other with their own rhetoric of false statements and superstition. The Tea Party Republicans complain and complain but they have no

plan to solve the country's problems which makes them very ineffective at problem solving. The extreme right-wing continually use the 'narrow view' of analysis which works well to justify the states' rights issues but not for addressing national issues. They could be more effective if they looked at these issues with a 'broad view'.

This case study is a warning to 99% of the Citizens of the United States of America. The Tea Party Republicans' true goal is to create a new Articles of Confederation system of government in America, to basically abandon our greatest invention, the United States Constitutional government – i.e. a strong federation of all the states into one central government – rather than the weak, bound to break apart, Articles of Confederation form of government that all the wisest men of all the thirteen colonies saw could not stand. If this were to happen right now it would be the ultimate destruction to the United States of America and the ultimate gift to the corporate titans. This would be the end of the middleclass as we know it and would result in “Jim Crow” laws for all but the elite one percent at the very top. We can either be the United States of America or the Balkanized Articles of Confederation America. Which choice do you think would be the better system of government?

I could have written a book on these issues with the amount of information emerging on the relationship between racism and states' rights sovereignty in the last three months if time had permitted. I hope this case study adds new perspective and dialogue to the discussion of racism, fairness and equality in the United States of America today.

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