

Black Lives Matter: Racial justice policies appear on ballots in California, Nebraska, Utah, Mississippi and Rhode Island

The Independent (United Kingdom)

October 14, 2020 Wednesday 9:58 AM GMT

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The  INDEPENDENT

Section: NEWS,WORLD,AMERICAS,US POLITICS; Version:1

Length: 1026 words

Byline: Via AP news wire

Highlight: The Black Lives Matter movement isn't named in any of the 120 statewide ballot measures up for a vote on Nov. 3

Body

The Black Lives Matter movement isn't named in any of the 120 statewide ballot measures up for a vote on Nov. 3. But this year's nationwide protests over police brutality and racial injustice are major factors in the campaigns in several states for measures with distinctive racial themes.

In California, voters will decide whether to allow affirmative action in public hiring, contracting and college admissions - 24 years after Californians approved an initiative outlawing programs that give preference based on race and gender.

Elsewhere, the topics include a replacement for Mississippi's Confederate-themed state flag, a proposed change in Rhode Island's official name to remove the word "plantations," and efforts in Nebraska and Utah to strip language from the state constitutions providing an exemption to the ban on slavery.

In California, key supporters of the new affirmative-action measure - Proposition 16 - said they weren't sure they could get the needed two-thirds support in both legislative chambers to move forward. That changed, they said, amid the nationwide outcry over the death of George Floyd at the hands of Minneapolis police in May.

"Before his death, it was touch and go," said Black businessman and civil rights activist Walter Wilson. "Now there's been a sea change. ...Social justice and racial reform are on the ballot."

Ward Connerly, a Black businessman and former University of California regent who pushed for the 1996 ban, leads the campaign against Prop 16. He acknowledges that the Black Lives Matter movement has energized his opponents.

"It may give them impetus but that doesn't make it right," Connerly said. "The response should be looking at law enforcement and police tactics - it doesn't justify discrimination."

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In Mississippi where legislators voted in June to retire the last state flag in the U.S. bearing the Confederate battle emblem, voters will decide whether to accept a new flag with a magnolia design. If they vote "No," another new design will be proposed - and there would be a chance for supporters of the Confederate-themed flag to seek its reinstatement via a ballot measure next year.

In Rhode Island whose official name is "Rhode Island and Providence Plantations," voters will have an opportunity to eliminate the last three words. The measure's proponents say the word "plantations" evokes the grim legacy of slavery, even though that wasn't the connotation when the full name was adopted in 1636.

Near-identical measures in Nebraska and Utah also deal with wording - they propose eliminating passages in the state constitutions, dating from the 19th century, that allow slavery as punishment for a crime. In neither of those states is there organized opposition to the measures, which advanced through the legislatures on unanimous votes.

In Mississippi and Rhode Island, Black supporters of the ballot measures hope this year's nationwide spotlight on racial injustice will bring a different outcome than when similar proposals were on the ballot previously.

In Mississippi, 64% of voters in a 2001 referendum opted to keep the Confederate-themed flag.

This time, there was overwhelming support for a new flag among legislators and government leaders. They faced intense pressure from business, religious, education and sports groups amid widespread protests against Confederate symbols.

Not all Mississippians are on board. Hundreds of people attended a Statehouse rally in August organized by Let Mississippi Vote, the group hoping to have a measure on the 2021 ballot that would offer a chance to reinstate the Confederate-themed flag.

"In my mind, it is not about a flag at all - this is about the people having a voice," said state Sen. Chris McDaniel, a leader of the campaign. "Ultimately we will be pleased with whatever the people decide."

Some Black residents may vote against the proposed new magnolia flag for a different reason, said Marquise Hunt, a senior at Tougaloo College and former president of the Mississippi NAACP's Youth & College Division.

As mandated by the Legislature, the proposed new flag bears the words "In God We Trust."

"There are a lot of Black people asking, 'Is that a God of continued white supremacy?'" said Hunt, 22. "I think we can do better than this."

In Rhode Island, which was a major player in the global slave trade during colonial times, a proposal to delete "Providence Plantations" from the state's name was soundly defeated in 2010.

Supporters of the change believe they have a better chance of prevailing this time, in part because of the momentum of the Black Lives Matter movement and other campaigns for racial justice.

"I think this time people will say 'Yes,'" said Ray Rickman, a Black civic leader and former deputy secretary of state. "It will be about white folks feeling good about themselves."

"I wish it were something bigger and better - like getting the first Black justice on the state Supreme Court," he said. "But this would be a start. It's an easy, symbolic gesture."

In Nebraska, state Sen. Justin Wayne proposed the amendment to strip the slavery provision from the state constitution back in January 2019 - 16 months before George Floyd's death. But Wayne said this year's dramatic race-related events made it all the more important that Nebraska address racist aspects of its past.

He noted that Nebraska's efforts to join the union in 1866 were complicated by its unsuccessful efforts to limit voting rights to white men only.

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"With all that we've seen going on with race this year, it's critical that we remove the legacy and the tentacles of slavery from our founding documents," Wayne said.

The provision allowing slavery as punishment for a crime hasn't been used in many decades; it was used long ago to force former slaves back into unpaid labor for private parties.

In Utah, the slavery measure's lead sponsor was Rep. Sandra Hollins, the only Black person now serving in the Legislature. There was little debate on the measure itself, but Hollins hopes national developments will prompt her colleagues to address issues of racism and police reform.

"It's a conversation you can no longer avoid," she said.

Load-Date: October 14, 2020

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