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Opinion

What the Supreme Court Nomination Would Mean for Black Women

With the confirmation process underway for Judge Brett Kavanaugh's nomination to the Supreme Court, Black women have certainly been voicing our opposition. There's no sugar-coating it: confirming Kavanaugh to the Supreme Court would be disastrous for Black women.

To begin, Kavanaugh has made it clear that he doesn't support the right to abortion enshrined in *Roe v. Wade* — though seven in 10 people in this country do, as well as nearly eight in 10 Black Americans. We know that many states, if they were allowed, would ban abortion immediately. In a handful of states, only one abortion clinic remains, and in others, women are forced to travel long distances, delay care, and pay out-of-pocket. Whether the right to abortion is turned over to states or outlawed, or the court instead allows extreme restrictions, the impact will be fall hardest on those who already struggle to get care — and Black women could be the most harmed.

As DC Congresswoman Eleanor Holmes Norton has

noted, Black women are more likely to need abortion care, due to greater barriers we face in accessing comprehensive sex education, contraception, and basic health care. Research shows that when a woman wants to get an abortion but is denied, she is more

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likely to fall into poverty, less likely to have a full-time job, and twice as likely to be a victim of domestic violence.

Forcing a woman to continue a pregnancy after she's decided to end it is a violation of her basic human rights — forcing a Black woman to do so in a country that places so little value on Black life adds incalculable insult to injury. Kavanaugh's record seems to



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indicate that he'd be perfectly comfortable forcing pregnancy on Black women, while doing little to ensure that Black women's children will grow to be healthy, treated equally, and thrive — unlike Antwon Rose Jr. in Pittsburgh and Nia Wilson in Oakland.

Kavanaugh has also sided with bosses to want to deny their employees' birth control coverage based on the employer's personal or religious beliefs. Here, too, the stakes are higher for Black women. We are more likely to be struggling economically, therefore less likely to be able to “buy our way out of the problem.”

While the threat Kavanaugh poses to reproductive health has dominated much of the news, Black women have all those and even more concerns when it comes to this nominee. As the NAACP has pointed out, “Our voting rights are on the line. Fair housing and affirmative action are on the line.” Everything that matters to Black women is on the line.

All these issues are connected — they are intersectional.

Being treated fairly at work, in lending, in school, and elsewhere, as well as voting rights and access to reproductive healthcare, including abortion, help ensure that Black women and our families can be healthy and live with dignity. Now is the time for us to work together — across issues and geography — to defend ourselves, our families and our communities.

Let's be honest — the Supreme Court has rarely been a friend to Black women. After all, it was the invisibility of Black women in discrimination jurisprudence that led Kimberlé Williams Crenshaw to first coin the term “intersectionality.” But the Supreme Court certainly has the power to greatly harm or potentially improve the lives of Black women. We need to watch closely and be sure our that we speak in our own voice and those we elect to serve us trust Black women.

Black women are the largest constituency in the United States that has no representation on the Supreme Court — we've never had a Black woman Supreme Court Justice. That is not to say that Justice Clarence Thomas is standing up for the health and rights of Black men — he's not — but judicial representation matters. It would be incredible to see a Black woman, more than one Black woman, sitting on the highest court in the land.

Black Voting Rights under Attack in America

From 1880 to 1965, there was an all-out assault on preventing African Americans from voting by having their right to vote deemed invalid. The Fifteenth Amendment prohibited blatant disenfranchisement on the basis of race or prior enslavement, but many Southern states came up with a slew of new and innovative alternative techniques to disenfranchise Blacks after Reconstruction and during the “Jim Crow” era, such as enacting a poll tax and introducing literacy tests as a means to keep Blacks from voting.

While the traditional techniques of violence by the Ku Klux Klan and the awful practice of voter suppression became more recognizable and outdated, individuals developed creative new and crafty methods to challenge Black people's right to vote through legislation that is impacting Black people right now in 2018.

With the very important and heated midterm elections coming up in November, roughly 4,000 eligible Harris County voters, mostly African Americans located in Houston's historic Third Ward, recently had their voting rights attacked by an independent operative who used an antiquated Texas state law to legally challenge their vot-



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ing status.

Back on July 30, Republican activist Alan Vera filed a challenge to the Harris County Registrar's Office, disputing the voting status of roughly 4,000 Harris County voters. The majority of the challeng-

“Voters also had their voter registrations suspended without warning

es made included P.O. Boxes, UPS stores and other mailing service centers, but consisted of standard addresses as well. After his challenge was filed, the Harris County Registrar's Office sent out letters to the individuals that Vera challenged, informing them that their voter registration status had indeed been challenged and that they needed to prove that they were truly eligible to vote within 30 days. And there lies the problem with

this disturbing issue.

The Harris County Registrar's Office sent out the letters to the roughly 4,000 challenged Harris County voters well within the 90-day blackout window that is customary before the November midterm election. On top of that, approximately 1,700 of the 4,000 challenged Harris County voters also had their voter registrations suspended without warning.

According to Ann Harris Bennett, who serves as the Harris County tax assessor-collector and voter registrar, the voter registration suspensions came as a result of a software glitch, and she encouraged everyone to not be alarmed or worried about their voting rights under her watch.

“There was a minor glitch in the software that we are required to use from the Secretary of State,” said Bennett. “This issue did not just impact Third Ward, but it affected individuals all across Harris County. We quickly assessed the situation and corrected the problem once it was identified. Please rest easy and know that I will be protecting the integrity of the voter rolls of the citizens of Harris County.”

Bennett states that after hearing about the letters, every single Harris County

voter immediately had their full voting status restored to normal.

This snowball effect of attacking the voting rights of unsuspecting Harris County residents began when Republican activist Alan Vera filed a challenge using an antiquated Texas state law that allows any registered voter to challenge the registration of another voter living in the same county.

According to Sec. 16.092 of the Texas Election Code that was enacted in 1986:

A voter desiring to challenge a registration must file with the registrar a sworn statement of the grounds for the challenge that:

- (1) identifies the voter whose registration is being challenged; and
- (2) states a specific qualification for registration that the challenged voter has not met based on the personal knowledge of the voter desiring to challenge the registration.

Texas State Senator Boris Miles says that Republican-led groups like Empower Texas, True the Vote and the King Street Patriots are behind efforts like these to disenfranchise the Harris County residents.

Read the rest of this commentary at
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