

**The Archetype of the Trickster in U.S. Electoral Politics:  
The Voting Rights Act (1965) and Voter Suppression  
Yesterday and Today.**

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Analytical psychology and the phenomenology of the Trickster archetype are engaged to interrogate the adverse impacts of changes to the U.S. Voting Rights Act of 1965, and to explain old and newer 21<sup>st</sup> century forms of voter suppression in U.S. electoral partisan politics and the racism embedded therein. I propose that Jung's framework for transformative change can be adopted to imagine reforms to cure the national psychopathology of racism and corruption in U.S. electoral politics.

### **Historical Perspective on the Trickster and Tricksterism**

The archetype of the Trickster is defined by Jung (1954) in his essay, 'On the psychology of the trickster figure' and offers the ground in analytical psychology upon which to construct our understanding and meaning of the resurgence of voter suppression as an assault on the lives of African Americans, People of Color and an American Multicultural democracy. Jung states:

The trickster is a collective shadow figure, a summation of all the inferior traits of character in individuals. And since the individual shadow is never absent as a component of personality, the collective figure can construct itself out of it continually. Not always, of course, as a mythological figure but in consequence of the increasing repression and neglect of the original mythologems, as a corresponding projection on other social groups and nations. . . The most rudimentary insight into the shadow sometimes causes the greatest difficulties for the modern European. (CW 9i, p 270 paras 484, 486)

In the post-Jungian scholarship, Samuels (1993) locates the archetypal energies of the trickster in the theatre of politics and the realities of the political economy. Samuels and Hopcke (1989), both speak of the trickster archetype as a trans-cultural

phenomena found in mythology, as well as in the individual and collective psyche. Samuels states: 'For the Greeks, the arch-trickster was Hermes, with his tendency to play jokes, to lie, to cheat, to steal, to deny reality, and to engage in grandiose fantasy' (1993, p.81). Genuine tricksters, from Coyote in North America to Ananse or Eshu in West Africa, follow this pattern, undermining the prevailing organization of power and even the perceived structure of reality itself. Tricksters can certainly be seen as personifications of primary process activity, challenging and disregarding the laws of time, space and place. Samuels speculates about why trickster mounts this challenge and concludes '*precisely to test the limits of those laws*' (1993, p. 81).

I would add that the Trickster archetype manifests in a bipolarity that can be whimsical, fun, instructive and helpful. As an advisor and guide it can offer insights at the crossroads where decisions are made and direction is needed. Among the Yoruba of Nigeria and in derivative religious beliefs and practices that include Santeria, Curandismo and Candomble, in the southern hemisphere, Eshu or Elegba is the guide at the crossroads of decisions and an intermediary to the Orisa or African Gods and Goddesses. He can open the pathway to the depths of the self. He will carry your prayers and advocate for you. So, the positive aspects of the trickster archetype can well serve individuation. However, the negative aspect of the trickster, presents in the psychopathology of racism or as racialized cultural complexes (Brewster, 2020), that have infected the landscape of American psyche, its system of electoral politics, the U.S. Congress, the judiciary, national law enforcement and the military in the assault to the Voting Rights Acts of 1965. We see this in the resurgence of modernized traditions of voter suppression at all levels of state government in both formally 'covered jurisdictions' and new jurisdictions; and through the inaction of the legislative and

judicial branches of the U.S. Government and the militarized armed law enforcement targeting the Black Lives Matter movement in the exercise of the First Amendment rights to free speech and peaceful protest.

The psychology of the trickster is particularly relevant to the interrogation of the impact(s) on the Voting Rights Act (VRA) (1965) from the U.S. Supreme Court decision in *Shelby County v. Holder* (2013).

Signed into national law by President Lyndon B. Johnson August 6, 1965, the (VRA) is a centerpiece and marker of transformative change derived from the U.S. Civil Rights movement that began early in the 20<sup>th</sup> century. It ensured the right to vote proffered in the 15<sup>th</sup> amendment of the U.S. Constitution (1857). The VRA focused on the enfranchisement of African Americans excluded from voting in the U.S. electoral process by voter suppression in paradigmatic practices among the states that formed the Union. As well, the VRA intuited a Multicultural American Democracy and sought to enfranchise other populations of color, Native Americans, Latinx and Asian Americans that had been summarily excluded from full participation in electoral politics contravening the Federal laws and the U.S. Constitution.

The VRA grew out its predecessor, the U.S. Civil Rights Act of 1957 and the U.S. Civil Rights movement for social justice, equality and inclusion in the U.S. political economy from 1950, (Franklin and Moss, 2000; Hampton, 1986-1990) and today in the Black Lives Matter movement (Vaughan, 2021). The VRA included important provisions in Sections 2 and 5. Section 2 continues to offer nationwide coverage and targets policies and practices that impede the ability of communities of color to elect the candidates of their choice. Section 5, also known as “pre-clearance”, required states and counties with a proven historical record of discriminatory voting practices to obtain

certification or pre-clearance before making any changes to election laws and procedures within their jurisdictions. This was to ensure that the proposed changes were not discriminatory in intent and impact. The pre-clearance set up a simple administrative regime in which jurisdictions could get that certification from the U.S. Attorney General in the Department of Justice or the U.S. District court for the District of Columbia. For nearly 50 years, this helped protect voters of color in jurisdictions with a history of racial discrimination, principally southern states during the period of post-Civil War Reconstruction (1863-1877). They continue today to resist full citizenship rights and liberties for populations of color. Across the arc of history, this active resistance has taken the forms of Jim Crow laws, economic and political violence, terror campaigns, murder, and mass incarceration of African Americans. Voter suppression continues in the organized domestic terror campaigns of the current generation of white supremacist organizations.

### **Shelby County v. Holder (2013)**

The intent and successful impacts of the Voting Rights Act were both acknowledged and undermined by the U.S. Supreme Court decision in the case of *Shelby County v. Holder*, 570 U.S.529, (2013). The court removed Section 5, the pre-clearance provision of the VRA, which required all formally covered jurisdictions to apply for federal approval to make any changes to the state election laws. Section 2 of the VRA is currently being challenged in the U. S. Supreme Court by the state of Arizona in the case of *Bronvich v. Democratic National Committee* (2021)). The majority opinion in *Shelby* was written by Chief Justice Roberts who opined, in part, that the basis for the court's decision is " because the disparate treatment of the states is based on 40-year-old facts

having no logical relationship to the present day and thus is not responsive to current needs". (Shelby, 2013)

Roberts determined that the VRA had been immensely successful in redressing racial discrimination and racial integration in the voting process, thanks to the VRA (Shelby, 2013). But he added that if "Congress had started from scratch in 2006, it plainly could not have enacted the present coverage formula."

The coverage formula is Section 4(a) of the Act. It established a formula to identify those areas where race-based discrimination was more prevalent in the country and to provide for more stringent remedies where appropriate. The coverage formula was the measure of disparities between eligible votes cast by African Americans and European Americans, based on local and state population demographics.

(<https://www.justice.gov/crt/section-4-voting-rights-act>).

According to the Court, "Regardless of how you look at the record no one can fairly say that it shows anything approaching the 'pervasive,' 'flagrant,' 'widespread,' and 'rampant' discrimination that faced Congress in 1965, that clearly distinguished the covered jurisdictions from the rest of the nation." (Shelby, 2013). In effect the coverage is no longer necessary today because the discrimination is less prevalent. So, there is not a need for the act" (Shelby, 2013). It should be noted that Justice Roberts was against the VRA as a young lawyer in the state of Arizona and subsequently as a law clerk to U.S. Supreme Court Chief Justice Rehnquist (1924-2005).

Justice Ruth Bader Ginsburg wrote a dissenting opinion in the case. The dissent would have held that Congress had sufficient evidence before it to determine that the coverage formula remained responsive to current needs. She went on to say that discrimination in voting has decreased in the covered jurisdictions since enactment of

the Voting Rights Act in 1965, but attributed much of that decrease to the Act itself, noting that "[t]hrowing out pre-clearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet." (Shelby, 2013) .

The truth of the dissenting opinion was born out of the shadow of American psyche through the agency of the Trickster archetype in current U.S. electoral politics, yesterday and today.

### **Post-election: phenomenology of the trickster archetype unhinged**

The contemporaneous example of the phenomenology of the Trickster archetype is evident in U.S. post-election partisan politics and in the collective of citizens through the agency of racialized cultural complexes. The incumbent President lost the election by some ten million popular votes. In my opinion, he is now completely possessed by the negative energies of the trickster; engaged in denial, corruption, deception, destruction, manipulation and vengeful primary process behaviors and narcissism that assault the ideals of American Multicultural democracy. The trickster was evident in inflaming an insurrection and attack on the U.S. Capitol, January 6, 2021, through lies and propaganda. The motivation was a desperate effort to stop the certification of the Electoral College vote and to support the partisan platform of an alleged fraudulent election as the basis for biased reforms to election laws in old and new paradigms of voter suppression.

Pelton describes the archetypal energies of the trickster in ways that are relevant today:

Loutish, lustful, puffed up with boasts and lies, ravenous for foolery and food, yet managing always to draw order from ordure, the trickster appears in the myths and folktales of nearly every traditional society, sometimes as a god, more often as an animal. Seeming trivial and altogether lawless, he arouses affection and even esteem wherever his stories are told, as he defies mythic seriousness and social logic. Just as skillfully, he has slipped out of our contemporary interpretive nets to thumb his nose at both scholarly and popular understanding of so-called primitive peoples. Yet these peoples too know their tricksters as the very embodiment of elusiveness.

(Pelton 1980, p. 1)

To clarify and to provide a decolonizing multicultural lens sensitive to perspectivism and historical context, I would add here that the so called ‘primitive peoples’ should be construed and understood as a reference to the earliest transcultural layers of the human psyche from which the archetypal energies of the trickster are mediated and expressed in complexes and patterns of behavior rather than a negative reference to a particular ethnic group.

Edwards and Mason (1985) describe aspects of the trickster, expressed as agency through the deity of Elegba or Esu among the Orisa or pantheon of Yoruba-African gods and goddesses. “He resides at the crossroads in decisions; he is the owner of vital power, the Orisa that offers choices” (p. 11).

Elegba brings out the fool in man. His weapons are trickery and deceit. He is said to be a good Orisa to use for exacting revenge. He does this by his ability to mislead or trick people onto the wrong paths. He is called the God of Mischief because he offers options which lead to the disruptive collision of men’s paths. However, Elegba’s idea of mischief is not just the irresponsible playfulness of a child, it goes much deeper. The type of mischief we are referring to finds its

origins in the evil, which is below the surface of chicanery. Implicit in the mischief is the possibility of disaster.

(Edwards and Mason 1985, p. 14)

### **Voter Suppression Campaign: Chicanery, Corruption, Evil**

In the aftermath of the Shelby decision the resurgence of racial discrimination and voter suppression against African Americans and other people of color were immediate, regressive and transparent. Since the ruling in *Shelby County v. Holder* (2013), states have removed online voting registration, early voting, "Souls to the Polls" or Sunday voting, same-day registration, and pre-registration for teens about to turn 18. More states have implemented laws requiring government issued identifications and become more aggressive in expunging allegedly ineligible voters from registration rolls, e.g., Georgia, Iowa, Texas. Three years after the ruling (2016), 868 polling places had been closed down. In 2018, five years after the decision in Shelby, nearly 1000 polling places had been closed in the country, in predominantly African-American counties; and jurisdictions where African Americans had the highest voter turn out in the 2008 election of President Barack Obama. (Brenan Center for Justice, 2020)

In 2018, a report by the U.S. Commission on Civil Rights (a bipartisan, independent commission of the United States federal government) found that there had been a growth in discriminatory laws making it harder for people of color to vote. The commission found that at least 23 states enacted restrictive voter laws, such as closures of polling places, cuts to early voting, purges of voter rolls and imposition of strict voter ID laws. This level of ongoing discrimination confirms what was true before 1965, when the Voting Rights Act became law, and has remained true since 1965. Americans need

strong and effective federal protections to guarantee that ours is a real democracy. This contravenes the views of the majority opinion in the Roberts' court.

In 2020, the U.S. presidency and majority rule of the U.S. Senate was lost to the Republican Party. Coupled with the earlier loss of the majority in the U.S. House of Representatives (2018), it generated a more aggressive wave of Southern and libertarian strategies of tricksterism. According to the Brannan Center (2021), 43 Republican state legislatures have recently enacted 211 bills designed to restrict voting in traditional and new paradigmatic practices. The intent of these freely enacted election laws is to restrict voting by African Americans and other people of color and to preserve white supremacy within the state and country by any and all means. They include: a propaganda campaign of voter fraud; incitement and insurrection; manipulation of opaque domestic and foreign capital contributions to elections; purposeful cultivation of chaos and confusion in the collective American psyche; an attack on fact-based truth; duplicity in intent, impacts and outcomes seen in the Shelby decision.

The positive effect of these blatant actions is that they illuminated shadow aspects of the phenomena of the Trickster archetype. The Trickster, affecting members of the Republican Party, has created and continues to perpetuate the false narrative that the presidential election was not legitimate, was stolen and lacked integrity, which they must restore, though no federal or state court in the nation ruled this to be true.

Republicans are unified in the message that voting restrictions are needed to prevent fraud, a negative projection of the fraud to which they ascribe and are in fact guilty. In the shadow, the goal has been to create a fiction and platform to: suppress the vote; limit access to the polls in violation of the 15<sup>th</sup> amendment of the U.S. Constitution; stack the federal judiciary and U.S. Supreme Court with conservative partisan jurists,

some with limited legal experience; gerrymander and capture a once in a decade opportunity to draw new voting districts; pursue minoritarian rule and supplant the principle of majority rule, which is the ideal underlying a representative democracy. In 2045, the populations of color will outnumber populations with claims to white identities. This is a real existential fear of annihilation and the end of white supremacy (Welsing 1980). If they are left unchallenged, these extraordinarily dangerous efforts to subvert the rule of law move toward an authoritarian government and open the gates to the underworld of chaos and the destruction of democracy.

Georgia, now a purple State has enacted the Election Integrity Act (2021), known as Senate Bill 2020. The Election Integrity Act is corrupt in name, intent, spirit and the matter of the law and seeks to undermine the 15<sup>th</sup> Amendment of the U.S. Constitution and the ideal of a Multicultural American democracy (Brennan Center 2021). Rather than a national agenda to improve the lives of all American citizens, the only agenda of the Republican Party, as tricksters, is the coordinated effort to win the 2022 mid term elections and the office of the U.S. presidency in 2024 by suppressing voter turn out.

### **Emergent Constructive Aspects of the Trickster Archetype.**

The cadre of African American corporate executives who recently called on corporations to condemn the wave of voter suppression laws is an example of the positive outcome of bringing the Trickster out of the shadow. Another example is the work of Stacey Abrams, the former member of the Georgia House of Representatives and founder of Fair Fight Action, an organization established in 2018 to fight voter suppression. She has been joined by the newly elected African American Senator,

Raphael Warnock in the efforts to secure election equality in the state of Georgia and to fight this newest Jim Crow legislation. Both honor the ancestral efforts of the honorable John Lewis, the recently deceased Georgian and former member of the U.S House of Representatives. He is a heroic figure in the U.S. Civil Rights Movement. As part of his legacy, Lewis created new legislation, The For the People Act (2021), H.R.1, to counter the negative forces of racism enacted in voter suppression laws in 43 Republican state legislatures.

### **The For the People Act (2021)**

Corrective and broad in scope, the new legislation seeks to restore essential provisions of the Voting Rights Act of 1965 and to safeguard national elections and American democracy in the following proposed reforms.

- Modernizing Voter Registration, Restoring Voting Rights,  
Protecting the Ballot;
- Restoring the Voting Rights Act, D.C. and Territorial Voting Rights;
- Ending Gerrymandering;
- Election Security;
- Campaign Transparency, Countering Foreign Interference;
- Empowering Small Donors and Related Reforms;
- Enforcing Campaign Finance Laws, Strengthening Campaign  
Contribution Limits;
- Supreme Court Ethics Reform, Expanding Lobbyist Disclosure,  
FARA Reform, Recusal of Presidential Appointees;
- Executive Branch Ethics Reforms;

- Congressional Ethics Reforms;
- Disclosure of Presidential Tax Returns

## **Conclusion and Imagined Reforms**

In conclusion, Jung offers a psychological framework and helpful therapeutics for the treatment of the psychopathology of racism of which voter suppression is but one form. Through the agency of active imagination, it can be applied to the current state of U.S. Electoral Politics outlined herein. I discuss this approach briefly here and more in my chapter of the book, “Cultural Complexes in the Soul of America, Myth, Politics and Psyche,” edited by Tom Singer (2020). The chapter speaks to social justice and equity required for a Multicultural Democracy, “Every voice and every vote counts”.

I posit that Jung’s potentially curative and transformative framework offers the opportunity to heal fragmentation in the psyche, soul and body politic of American society and to help realize the ideals of a Multicultural Democracy.

**Confession (s):** The original sins of America and practices of inhumanity: Genocide of Native Americans and appropriation of land; Slavery and inhumane system of conscription with the goals to produce capital formation, excess capital and free labor; Chinese Exclusion Act(s); Internment of Japanese Americans in Koromatu v. United States: 323 U.S. 214 (1944): Truth of Matters, own them, repair them, heal the soul of the nation plagued by corruption, greed, and the psychopathology of racism embedded in capitalism.

**Elucidation:** What, why and how is this happening in all sectors of American society and its cultural institutions, then and today? We desperately need clarification of the Truths of Matters in national and international narratives and relations.

**Education:** Which psychological and educational strategies must be implemented to cure racism within and across American psyche and its cultural institutions and to educate the citizenry and immigrants about a Multicultural narrative and perspectivism in U.S. history and public education?

**Transformation:** Truth and Reconciliation in the example of Nelson Mandela and South Africa: Psychological and economic reparations; creation of new language to counter and eradicate the fiction of race; new and reformed cultural institutions exorcised of racism.

I offer here specific recommendations for safeguarding democratic institutions and for establishing a Multicultural Democracy. This is best achieved by a direct voting system rather than a representative voting system subject to the phenomenology of the archetype of the Trickster.

1. The For the People Act (2021), H.R.1: The U.S. Congress should immediately reinstate essential provisions of the Voting Rights Act of 1965, (sections 4 coverage formula, section 5 preclearance provision and section 2; halting the immediate resurgence of multiple updated historical forms of voter suppression paradigms through the agencies of tricksterism and racialized

cultural complexes. I believe this would require a Democratic Party majority in the U.S. Congress and the office of the presidency.

2. The Electoral College should be abandoned: A direct voting system would void the need for the Electoral College and eliminate legislated forms of corruption in the electoral process. It would open the possibility to the Transcendent and active imagining of “a more perfect union”; a Multicultural Democracy transplanted in the eco-centric ground of social justice and equality and planetary consciousness with derivative reforms; and new national and global institutions to save planet earth and to ensure the well-being of all inhabitants.

3. The Federal Election Commission should bring all states into conformity on standards and fair voting practices and procedures. The Commission should be the federal administrator for National elections and authorize a national election federal holiday.

4. The election process should be shielded from the corruption of foreign influence and unlimited campaign contributions unleashed in the Citizen’s United case (2010), decided by the U.S. Supreme Court. Denise Ramos, Polly Young- Eisendrath and others have been talking about corruption. This is a problem for the U.S, Electoral System and I believe an emerging problem in the DNA of the nation’s Governance structure. It is an architecture with fissures currently under great duress and subject to fragmentation.

5. Psychological and Economic Reparations: HR. 40.

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**U.S. Constitution: Amendments to the Constitution: 13<sup>th</sup>: 14<sup>th</sup> 15<sup>th</sup>. National Archives America's Founding Documents. <https://www.archives.gov>.**

These amendments to the U.S. Constitution after much blood, terror and suffrage were early collective efforts to treat the psychopathology of racism.

(1865) The 13<sup>th</sup> amendment of the U.S. Constitution abolished slavery in principle and created an agency for enforcement in the U.S. Congress and Congressional legislation. In reaction, the state legislatures enacted Black Codes or Jim Crow laws that sought to criminalize the behavior of African Americans unjustly; and to create comparable source of free labor through the agency of the Federal and State and prison systems that we now see in Mass incarceration.

(1868) The 14<sup>th</sup> amendment granted and guaranteed equal rights and protections under the Constitution for all born or naturalized citizens. These protections included privileges and immunities from unjust laws and public policies among the states; the

implied warrant was the entitlement of each person to life, liberty, or property; or deprivation thereof without due process of law.

(1870) The 15<sup>th</sup> Amendment guaranteed rights of citizens of the United States the right to vote. It states: “The right of citizens of the United States to vote shall not be denied or abridged by the United States, on account of race, color, or previous condition of servitude. Section created an agency in Congress to enforce the article by appropriate legislation.

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