

## GUEST ESSAY

# The Republican Strategists Who Have Carefully Planned All of This

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Republican leaders are now adopting increasingly autocratic measures, using the police powers of government to impose moralized regulations, turning private citizens into enforcement officers and expelling defiant elected Democrats just as county Republican parties, particularly in Western states, are electing militia members, Christian nationalists and QAnon believers to key posts.

Here's one example. Last November, the Republican Party of Clackamas County in Oregon chose a new vice chairman, Daniel Tooze, a Proud Boy from Oregon City, and Rick Riley, the head of the county chapter of Take Back America, which denies the results of the 2020 presidential election, as chairman. Oregon Public Broadcasting reported that in central Oregon's Deschutes County, the local Republican Party chose Scott Stuart, "a member of the county chapter of People's Rights, a nationwide network of militia groups and anti-government activists founded by conservative firebrand Ammon Bundy."

In June 2022, two of my Times colleagues, Patricia Mazzei and Alan Feuer, reported that "at least a half-dozen current and former Proud Boys" had secured seats on the Miami-Dade Republican Executive Committee, including two facing criminal charges for participation in the Jan. 6 attack on the Capitol:

The concerted effort by the Proud Boys to join the leadership of the party — and, in some cases, run for local office — has destabilized and dramatically reshaped the Miami-Dade Republican Party that former Gov. Jeb Bush and others built into a powerhouse nearly four decades ago, transforming it from an archetype of the strait-laced establishment to an organization roiled by internal conflict as it wrestles with forces pulling it to the hard right.

"On the right, support for violence is no longer a fringe position," Rachel Kleinfeld, a senior fellow in the democracy, conflict and governance program at the Carnegie Endowment for International Peace, wrote in a November 2022 Politico essay, "How Political Violence Went Mainstream on the Right."

Those joining violent political events like the Jan. 6 insurrection, Kleinfeld continued,

are more likely to be married middle-aged men with jobs and kids. Those most likely to support violence on the right feel most connected to the Republican Party. This is not a marginal movement: It is people who see violence as a means to defend their values, an extension of their political activity.

Democrats are not driving today's political violence, Kleinfeld argued,

but they are at least partly responsible for driving many people into the arms of the far right. Fear is a major cause of violence. As America undergoes immense change, from a fourth industrial revolution to remaking the concept of gender, many Americans are struggling to understand why they feel unmoored, anxious and behind. Snake-oil salesmen like Tucker Carlson offer the racist great replacement theory as an explanation. Rather than provide a better story, the progressive left calls people names if they can't march to a radically new tune fast enough. No wonder that even people of color moved in 2020 toward a right that offers understanding and a sense of community.

At the same time, Republican leaders are showing a growing willingness to disempower both Democratic officials and cities run by Democrats if they defy Republican-endorsed policies on matters as diverse as immigration, abortion and gun control.

The expulsion of two Black state representatives by the Republican majority in Tennessee received widespread publicity this past week. (One has already been reinstated by local officials, and the other may be soon.) But their expulsion, as spectacular as it was, is just the most recent development in a pattern of attempts by Republicans to fire or limit the powers of elected Democrats in Florida, Mississippi,

Georgia and elsewhere. This includes Gov. Ron DeSantis's decision in August 2022 to suspend Andrew H. Warren, the elected Democratic state attorney of Hillsborough County, who had signed a statement saying he would not prosecute those who seek or provide abortions.

In defiance of public opinion, 22 Republican attorneys general and 67 Republican members of the U.S. House of Representatives filed amicus briefs that called on Matthew Kacsmaryk, a Federal District Court judge in Amarillo, Texas, to invalidate the Food and Drug Administration's 23-year-old approval of the abortion pill mifepristone, which he promptly went ahead and did last week. A February Ipsos poll found that by three to one (65 versus 21 percent), American adults agree that "medication abortion should remain legal in the United States," including a healthy plurality (49 versus 35 percent) of Republicans.

Republicans in states across the country are defiantly pushing for the criminalization of abortion — of the procedure, of abortifacient drugs and of those who travel out of state to terminate pregnancy — despite clear evidence, in the aftermath of the Supreme Court's decision overturning *Roe v. Wade*, that public opinion had shifted in favor of abortion rights.

According to research provided to The Times by the Kaiser Family Foundation, states that have abortion bans at various early stages of pregnancy with no exception for rape or incest include Alabama, Arizona, Arkansas, Florida, Kentucky, Louisiana, Mississippi, Missouri, Ohio, Oklahoma, South Dakota, Tennessee, Texas, West Virginia and Wisconsin.

An overwhelming majority of Americans of all political persuasions believe there should be exceptions for rape and incest. An October 2022 survey of 21,730 people by the University of Pennsylvania's Penn Program on Opinion Research and Election Studies found overall support for these exceptions at 86 versus 14 percent; among Democrats at 94 versus 6 percent; among independents at 89 versus 12 percent; and among Republicans at 76 versus 24 percent.

At least three states with Republican governors — Florida, Virginia and Texas — have adopted laws or regulations empowering private citizens to enforce restrictive policies governing abortion, sex education or the teaching of "critical race theory," in some cases providing bounties for those reporting abortions.

Jacob Grumbach, a political scientist at the University of Washington, argues in his 2022 book, "Laboratories Against Democracy":

When it comes to democratic backsliding in the states, the results couldn't be clearer: over the past two decades, the Republican Party has eroded democracy in states under its control. Republican governments have gerrymandered districts, made it more difficult to vote and restricted civil liberties to a degree unprecedented since the civil rights era. It is not local changes in state-level polarization, competition or demographics driving these major changes in the rules of American democracy. Instead, it is the groups that make up the national coalition of the modern G.O.P. — the very wealthy on the one hand and those motivated by white identity politics and cultural resentment on the other.

When I asked him why the Republican Party had moved in this direction over the past generation, Grumbach elaborated in an email, observing that the two major elements of the Republican Party — "extremely wealthy individuals in an era of high economic inequality" and "a voter base motivated by cultural and demographic threat" — have a "hard time winning electoral majorities on the basis of their policy agendas (a high-end tax cut agenda for the elite base and a culturally reactionary agenda for the electoral base), which increases their incentive to tweak the rules of the game to their advantage."

Pippa Norris, a political scientist at Harvard's Kennedy School, argued in an email that contemporary cultural conservatism depends on support from declining constituencies — non-college-educated white people (as pollsters put it), evangelical Christians and other ideologues on the right — which places these groups in an increasingly threatened position, especially in the American two-party system.

"At a certain point, the arc of history, which bends toward liberalism, means that traditional values among social conservatives lose their hegemonic status," Norris wrote, which "is eventually reflected in progressive changes in the public policy agenda evident in many postindustrial societies during the late 20th century, from the spread of reproductive rights, equal pay for women and men, anti-sex-discrimination laws, passage of same-sex marriage laws, support for the international rules-based world order based on liberal democracy, free trade and human rights and concern about protection against environmental and climate change."

A consequence of this long-term cultural development for the losers, Norris continued, is a buildup of "resentment at the loss of the hegemony of traditional values and identities." The problem for the Republican Party, she observed, lies in the fact that "by appealing to their shrinking socially conservative base, the Republican Party has been unable to gain a majority of the popular vote in their bid for the White House in eight of the last nine presidential elections."

The reality, Norris wrote, is:

Since the early 1980s, on issue after issue — from abortion; secular values; civil rights; racial, homosexual and gender equality; gun control; cosmopolitanism; and environmentalism — the pool of social conservatives adopting traditional views on these moral and social identity issues has been shrinking in size within the U.S. national electorate, from majority to minority status. They are running down an up escalator.

With their backs to the wall, Norris argued, conservatives have capitalized on

institutional features of U.S. elections that allow Republicans to seek to dismantle checks on executive power — including the extreme decentralization of electoral administration to partisan officials with minimal federal regulation, partisan gerrymandering of districts, overrepresentation of rural states in the U.S. Senate and Electoral College, partisan appointments in the judiciary, primary elections rallying the faithful in the base but excluding the less mobilized moderate independents, the role of money from rich donors in elections and campaigns and so on and so forth. The Trump presidency exacerbated these developments, but their roots are far deeper and more enduring.

Nicholas Stephanopoulos, a law professor at Harvard, noted in an email “that state policy outcomes are becoming more bimodal” — liberal or conservative, rather than centrist — than in previous eras and that the “misalignment between public policy and public opinion is pervasive in modern American politics,” particularly in red states “where public policy is far more extreme and conservative than the public wants.”

In theory, the hostility of average voters to extreme issue stances can pressure politicians to move toward the center, Stephanopoulos contended, “but this aligning impact of general elections can be reduced through tactics like gerrymandering, which make it unlikely that even large swings in public opinion will much alter the composition of the legislature.”

In addition, in Stephanopoulos’s view, in a highly polarized era, the pressure to moderate in order to win general elections faces growing counterpressure to take immoderate positions in order to win primaries:

There’s little that could persuade many voters to ever support the other side. And while general elections might be aligning, they’re pitted against many misaligning forces: the views of activists and donors, the need to win the primary election to be re-elected, pressure from legislative leadership, politicians’ own often extreme ideologies and so on. It’s no surprise that the misaligning forces are often stronger.

Bruce Cain, a political scientist at Stanford, made the argument by email that “given the clustering of communities along political, cultural and social lines in the United States presently and the dispersion of powers in American federalism, we should expect our state and local laboratories to yield a wide dispersion of products, especially when they are given more freedom to experiment.”

So why don’t all states converge on the national median, as revealed by the polls? Cain asked and answered that “there are real public opinion differences across states and local communities, especially on hot-button social issues.”

Ultimately, Cain continued, “if elected officials and judges get too far out of alignment with voters, they will get the message in the form of surprising electoral outcomes, as recently occurred in Wisconsin. Democrats in the ’70s and ’80s experienced the same on busing, crime and welfare.”

Cain cautioned, “My optimism about this assumes the Republicans do not give up on elections altogether, which is more in doubt than I ever anticipated a decade ago.”

Other observers of American politics are more pessimistic. Theda Skocpol, a professor of political science and sociology at Harvard, contended that many of the developments in states controlled by Republicans are a result of careful, long-term planning by conservative strategists, particularly those in the Federalist Society, who are developing tools to build what she called “minority authoritarianism” within the context of a nominally democratic system of government.

Skocpol outlined her thinking in an email:

The first-movers who figured out how to configure this new “laboratory of democratic constriction” were legal eagles in the Federalist Society and beyond, because the key structural dynamic in the current G.O.P. gallop toward minority authoritarianism is the mutual interlock between post-2010 Republican control, often supermajority control, of dozens of state legislatures and the SCOTUS decision in 2019 to allow even the most extreme and bizarre forms of partisan gerrymandering.

These organized, richly resourced actors, she wrote,

have figured out how to rig the current U.S. system of federalism and divided branches, given generational and geographic realities on the ground, and the in many ways fluky 2016 presidential election gave them what they needed to put the interlock in place. They are stoking and using the fears and resentments of about half or so of the G.O.P. popular base to undo American democracy and enhance their own power and privileges. They are doing it because they can, and they believe in what they are doing. They are America’s G.O.P. Leninists.

Skocpol did not pull her punches:

This situation, locked in place by a corruptly installed Supreme Court majority and by many rotten-borough judicial districts like the one in Amarillo, means that minority authoritarians, behind a bare facade of “constitutionalism,” can render majority-elected officials, including the president and many governors, officials in name only. The great thing from the minority authoritarian point of view is that those visible chief executives (and urban mayors and district attorneys) can still be blamed for government nonfunction and societal problems, but they cannot address them with even broadly supported measures (such as simple background checks for having military assault weapons).

There are a number of factors that confirm Skocpol’s analysis.

First and foremost, the Republican Party’s commitment to democratic values and procedures has been steadily eroding over the past two decades — and the momentum has accelerated. The brakes on extremism are failing, with Donald Trump gaining strength in his bid for renomination and the continuing shift to the right in states like Tennessee and Ohio.

Second, in bright-red states, the embrace of far-right positions on such issues as abortion, guns, immigration and election denial is now a requirement rather than a choice for candidates seeking office. At the same time, in purple states like Arizona and Pennsylvania, a hard-right posture may be a liability in the general election, even as it is often mandatory in a primary contest.

The 2024 presidential election, if it is close, will test the viability of a mainstay of Republicans’ current antidemocratic strategy: a drive to empower state legislatures to overturn election results. In August 2021, ABC News reported that eight states (Arizona, Georgia, Texas, Florida, Arkansas, Kansas, Montana and Kentucky) have enacted legislation shifting power over determining election results to legislatures or partisan boards.

The ability of state legislatures to determine the winners and losers of elections now hangs on the outcome of a pending Supreme Court case, *Moore v. Harper*, which will determine the constitutionality of a fringe legal theory promulgated by the right, the so-called independent state legislature doctrine.

What’s at stake?

In a 2021 essay, “Trump Is Planning a Much More Respectable Coup Next Time,” Richard Hasen, an election expert who is a law professor at U.C.L.A., wrote:

A state legislature dominated by Republicans in a state won by Democrats could simply meet and declare that local administrators or courts have deviated from the legislature’s own rules, and therefore the legislature will take matters into its own hands and choose its own slate of electors.

Put another way, according to Hasen:

The Jan. 6 insurrection, and Trump’s actions trying to change the Electoral College votes in five states, was an attempted coup built on the Big Lie of voter fraud. But the potential coup next time will come in neatly filed legal briefs and arguments quoting Thomas Jefferson and wrapped in ancient precedents and purported constitutional textualism. It will be no less pernicious.

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