IT'S LIBERAL DEMOCRACY, STUPID!

By John Seip

The Republican Party under Donald Trump is dedicated to the destruction of the values of liberal democracy and replacement with values supporting Republican minority rule right-wing populist plutocratic and theocratic illiberal democracy. The choice for voters in 2024 and beyond: Join Democrats in the existential battle to save liberal democracy or join Republicans in destroying it.

Imagine that the Republican Party is standing at the edge of a pier, with the anchor of Donald Trump tied around its neck. Over the past eight years, Democratic leaders—from President Biden on down—have been, figuratively, trying to help the Republican Party untie the rope attached to the anchor. While Democrats are trying to loosen the rope, Republicans are tightening it, because they are *afraid* to untie the anchor. To free the Republican Party from Donald Trump, Democrats must figuratively push the Republican Party off the pier—must literally drive to get a Democrat elected to every political office held by or sought by Republicans. The Republican Party leaders and politicians will untie the knot to the Trump anchor only when they figuratively fear the Republican Party is drowning—only when they literally fear losing every political seat to Democrats. This will only occur when enough of us decide, "Throw the bums out!" and we vote for Democratic candidates over Republican in 2024 *and beyond* (because losing will initially be praised as "winning" with ideological purity). Only then will Democrats save liberal democracy from the Republican Party for the good of the United States—and the world.

We're in a "Cold Civil War" (per the Right) and "Jim Crow 2.0" (per the Left)

The Right views America as in a "cold civil war;" the Left, "Jim Crow 2.0" (see, e.g., the 2021 essay by Charles Blow of *The New York Times*, "Welcome to Jim Crow 2.0"). The Right's view, put another way: "America is in the throes of revolution," as observed by Angelo Codevilla in "The Cold Civil War," a 2017 essay that appeared in *The Claremont Review of Books*. Angelo Codevilla (1943-2021) was a senior fellow of the Claremont Institute and a leader of the "West Coast Straussians," the intellectual leaders of the right-wing populists who have overtaken the conservatives in the Republican Party (although many of them persist in calling themselves "conservative"), and they are dedicated to replacing liberal democracy with illiberal democracy. All of this, plus the idea of some of this movement's followers of "counterrevolution" will be addressed later herein. Donald Trump understands his role in this revolution. In his March 6, 2023, speech to the Conservative Political Action Conference (CPAC), he declared, "We started a great, great, positive revolution. Nobody's ever seen anything like it before. It's called Make America Great Again. We want to make America great again."

The Republican Party's Dangerous War Against the Values of Liberal Democracy—Against Our American Values and Institutions

The Republican Party is at war against our American values—corrupting our American values; corrupting our "moral sentiments" (to paraphrase Adam Smith—see below) and dangerously undermining our fragile institutions. "We didn't realize how fragile our civilization was." This

was the lament of Friedrich Hayek, hero to conservatives and winner of the Nobel Prize in economics in 1974, reflecting on World War I, in which he served in the Austrian Army. His quote appeared in an interview in the first segment of PBS television's three-part series *The Commanding Heights: The Battle for the World Economy*, adapted from the 1998 book by Daniel Yergin and Joseph Stanislaw. Hayek comes in for criticism below for other reasons, however, we must take his lament as inspiration to act in recognition of *how fragile our own civilization—our own society—is*—as our values and institutions are being attacked by the Republican Party.

The intended recipients of James Carville's famous message in the 1992 presidential election of "It's the economy, stupid!" were campaign workers for Bill Clinton. ("The economy, stupid" was one of three messages on a sign Carville hung in Little Rock campaign headquarters—the other two were "Change vs. more of the same" and "Don't forget health care.") The message of "It's liberal democracy, stupid!" is an even more imperative version of the "KISS" ("Keep it simple, stupid!") Principle. "It's liberal democracy, stupid!" is addressed not just to Democratic campaign workers but to millions of us voters who cherish liberal democracy. We must be the "It's liberal democracy, stupid!" voters. We must stop allowing ourselves to be stupidly pushed around by a bullying Trump and his fellow Republicans. We must fight back with our votes and the votes of those we convince to join us. Millions of us have relatives who risked their lives—many sacrificed their lives—in wars in defense of liberal democracy. Our role in defending liberal democracy is so much less of a burden but is nonetheless also critical to defense of liberal democracy: Vote for Democrats to save liberal democracy, our American values, and our freedom from Republican Party leaders and Republican politicians dedicated to destruction of liberal democracy.

It cannot be accurately said that Republican Party values are "un-American"—when this country was formed as a liberal democracy, we still had slavery, and women did not have the right to vote. Even later, during the Jim Crow era, we called ourselves a liberal democracy, but much of the nation practiced illiberal democracy. The Preamble to the Constitution provides that one of its purposes is to "form a more perfect Union"—at its signing, a more perfect Union than that provided in the previous Articles of Confederation. These words have evolved in meaning over time, to also convey the idea that the United States of America is always a work in progress, and that we Americans are always striving to achieve the values of liberal democracy more perfectly.

Elections shape politics, and the potential for politics to work for good was observed by former Harvard University professor and Democratic Senator from New York, Daniel Patrick Moynihan: "The central conservative truth is that it is culture, not politics, that determines the success of a society. The central liberal truth is that politics can change a culture and save it from itself." As observed by Barack Obama, when he paraphrased Moynihan's lesson in *The Audacity of Hope* (2006) (on page 63), he observed "government" (being *derived from* politics) also holds the potential to shape culture in ways that *harm* society. Politics and government shape culture in ways that help or harm society by promoting certain values.

One context for the discussion of Republican Party values that follows is provided in a clever poll question asked in a YouGov/Economist poll in March of 2023: "Which comes closer to your view?" One answer, "Our lives are threatened by terrorists, criminals, and illegal immigrants and our priority should be to protect ourselves" was selected by 71 percent of Trump voters, 65 percent of Republicans, and 70 percent of conservatives. The other answer, "It's a big, beautiful world,

mostly full of good people, and we must find a way to embrace each other and not allow ourselves to become isolated" was selected by 68 percent of Biden voters, 65 percent of Democrats, and 71 percent of liberals. From Ronald Reagan's bright, shiny, optimistic message of "Morning Again in America" in 1984 to the dark, ominous "American carnage" of Donald Trump's Inaugural Address in 2017: How the world view of the leaders of the Republican Party has darkened—and shaped—that of their constituents!

Another context for what follows: The removal of the "crutch" of Affirmative Action—which has supported *white resentment*, which has, in turn, increasingly driven support for the Republican Party over the past half century. The Supreme Court's ruling in *Dobbs* has often been referred to as the dog that caught the bus regarding abortion (more on that below); the Court's ruling that race cannot be used as a factor in college admissions in *Students for Fair Admissions, Inc.* removes a crutch supporting white resentment, and white resentment drives today's Republican Party.

With these contexts of fear and resentment: Republicans love to talk about values—what *are* Republican Party values?

"Republican Party Values"—the Values of Illiberal Democracy and Right-Wing Populism

As of this writing: Donald Trump is a twice impeached, twice indicted sexual abuser found civilly liable for sexual abuse and defamation of his victim. Of his indictments, one is a state multi-count indictment for felonies filed in a New York state court and one is a federal multi-count indictment for felonies filed in the United States District Court for the Southern District of Florida regarding documents he took that belong to the federal government and pertain to national defense including nuclear secrets and war plans—and related matters. He hid many government documents at his resort, Mar-a-Lago, and claimed to be able to declassify them by merely thinking it although having been told by the National Archives at least 16 times he could not. Among the charges is a violation of the Espionage Act, 18 USC §793(e) regarding someone who "willfully retains" national defense information. Expected are two or three more indictments: One arising out of a conversation with Republican Georgia election officials in which he urged, "I just want to find 11,780 votes;" another for violations regarding his handling of government documents at his golf resort Bedminster; and, most importantly, charges arising out of his having urged supporters in a December 19, 2020, tweet to come to Washington, DC, January 6th ("Be there, will be wild!") and on that day urging them to storm the Capitol, resulting in several deaths and over 140 injuries to law enforcement offices, as well as insurrection leaders being convicted of the felony of seditious conspiracy.

Regarding that indictment in the US District Court for the Southern District of Florida: The presiding judge is Judge Aileen Cannon—she appears to have availed herself of that court's "rocket docket" procedure to move from indictment to trial in 70 days, setting trial date for August 14, 2023; Special Counsel Jack Smith has requested trial in December 2023—still a relatively quick time from indictment to trial. Moving this quickly provides an opportunity for Special Counsel Smith to promote the interest of timely administration of justice (i.e., resolution before the election in November 2024) by quickly pursuing on parallel tracks in the federal District Court for the District of Columbia indictments against Trump for, e.g., incitement of insurrection, obstruction of congressional proceedings and seditious conspiracy arising out of events

surrounding January 6, 2021, and in United States District Court for the District of New Jersey regarding a violation of the Espionage Act, 18 USC §793(e) for "dissemination" of national defense secrets at Bedminster (where he implicated himself in a <u>recorded conversation</u> saying he has the military's plans for war with Iran—"highly confidential...This is secret information.").

Ronna McDaniel, Chair, the Republican National Committee, told Lou Dobbs on Fox Business Network (June 12, 2018), "I will say proudly that the Republican Party is the Trump Party." The Republican National Convention's 2020 platform statement was a one page document containing only one statement regarding policy: "RESOLVED: That the Republican Party has and will continue to enthusiastically support the President's America-first agenda." A PBS NewsHour/NPR/Marist Poll taken June 12-14, 2023, found 76 percent of registered Republicans viewed Trump favorably—an increase of 8 percentage points after his felony indictments versus a February poll taken before issuance of the indictments.

As Donald Trump said <u>campaigning in the Republican primary in 2016 in Iowa</u>, "I could stand in the middle of Fifth Avenue and shoot somebody, and I wouldn't lose any voters, OK? It's, like, incredible." And, perhaps after his arrest, Fox News would again run pictures of Biden and Trump and underneath, the chyron, "<u>WANNABE DICTATOR SPEAKS AT THE WHITE HOUSE AFTER HAVING HIS POLITICAL RIVAL ARRESTED</u>." The Republican Party is the Trump Party; the Republican Party agenda is the Trump agenda—and Republican Party values are the values of the party's hero and role model, Donald Trump, and other Republican leaders: the values of Republican minority rule right-wing populist plutocratic and theocratic illiberal democracy.

Here is an illustrative list of those values, elaborated on below and in the Attachment: White resentment (white grievance), fear, hatred, racism, ethnocentrism, xenophobia, cruelty, greed, selfishness, lust for power, lying (especially that the 2020 election was stolen), cynicism and hypocrisy regarding ethics and laws (including the Constitution), stealing, cheating, conspiracy mongering, ignorance, misogyny, anger and violence to achieve political ends, people are just marks so it's OK to take their votes and money if they're gullible enough to trust you, and sacrifice for your country is for "suckers and losers." All match the values of illiberal democracy, following.

Before leaving, however, Michael Tomasky, editor of *The New Republic*, made a fascinating observation in his article, "Donald Trump Against America," *The New Republic*, June 2023. Tomasky compares the demographics of the Republican and Democratic parties in 2019 versus 1980, when President Ronald Reagan was elected. According to a Pew <u>survey</u>, in 2019 81 percent of Republican and Republican-leaning voters were white; <u>per the 1980 Census</u> (different from but similar to the measure than Tomasky used) nearly 80 percent of the population was white. Contrast this with the Democratic and Democratic-leaning voters. Per the Pew survey, 59 percent are white, while 58 percent of the 2020 population is white non-Hispanic, <u>per the 2020 Census</u>. Tomasky concludes that, while the Democratic Party looks like America of today, "The Republican Party looks like the America of 40 years ago."

To take this observation further, the Republican Party of 40 years ago was not driven by desire to make policies comport with 1980 America. The Republican Party of 40 years ago wanted to fulfill Ronald Reagan's promise as he accepted his party's nomination for president on July 17, 1980, at

the 1980 Republican National Convention in Detroit: "For those who have abandoned hope, we'll restore hope, and we'll welcome them into a great national crusade to make America great again!" Reagan's pledge was, as is the Republican Party of today's pledge, to return America to an imaginary golden era in the past—often thought of as the 1950s, before the 1960s and the movements for civil rights and women's rights.

A 2021 poll by the Public Religion Research Institute found, among Republicans, 70 percent said life had changed for the worse since the 1950s (and 68 percent believed the 2020 election was stolen). Donald Trump not only promises to continue his Make America Great Again revolution to take America back to the 1950s but talks to his supporters as though they are paranoid voters of the 1950s, saying before supporters in Georgia, "Either the Communists win and destroy America, or we destroy the Communists" and, of Fani Willis, Fulton County District Attorney weighing criminal charges against him, she is a "lunatic Marxist." Trump's speech in June 2023 accepting the Oakland County, Michigan Republicans' "Man of the Decade" award contained a word salad of 1950s enemies: "Every time the radical left Democrats, Marxists, communists, and fascists indict me, I consider it a great badge of honor and badge of courage. I consider it both. Essentially, I'm being indicted for you."

The 1950s that Republican Party leaders and politicians want to return to was the era of Jim Crow, with racial segregation and second class citizenship for racial minorities and women. The horrendous murder of Emmett Till for allegedly whistling at a white woman occurred in 1955. Ronald Reagan's first campaign stop after accepting the Republican Party's presidential nomination—where he began his campaign to "Make America Great Again," like it was in the 1950s—was August 3, 1980, at the Neshoba County Fair in Philadelphia, Mississippi, where he declared his support for the Jim Crow ideology of "states' rights" in the city in which three civil rights workers had been murdered just 16 years before.

Jim Crow Illustrated the Con of Right-Wing Populism's Promotion of Illiberal Democracy

Former Republican adviser Stuart Stevens observes in his 2020 book, *It Was All a Lie: How the Republican Party Became Donald Trump*, that the Republican Party has evolved into "just a white grievance party" (page 4). However, when he frames what he calls the conviction that is "about as close as it can be to a definitional core belief that exists in the Republican Party," he does *not* say it is white supremacy. Rather, it is a "belief in the power of tax cuts" (page 75).

In these observations, Stevens reveals the true nature of the right-wing populism that has overtaken the Republican Party. Right-wing populism is, and always has been, a philosophy that plutocrats can promote in a con, spreading white grievance and hatred, dividing white voters against non-whites by granting privilege to them in exchange for their support for tax cuts for the rich and other policy measures to upwardly distribute income and wealth. Of course, too, Donald Trump—a "con man"—as Florida Senator Marco Rubio (R-FL) observed on the 2016 campaign trail in Oklahoma City, is the perfect promoter of the cynical con of right-wing populism.

The reality that elites during the Jim Crow era promoted the con of right-wing populism to divide the masses and upwardly distribute benefits to themselves was recognized by the historian W. E. B. DuBois in *Black Reconstruction in America* (1935), writing of Jim Crow, "It must be

remembered that the white group of laborers, while they received a low wage, were compensated in part by a sort of public and psychological wage..." (page 700).

The Reverend Dr. Martin Luther King Jr. observed in his speech at the end of the March from Selma to Montgomery, referring to historian C. Vann Woodward's *The Strange Career of Jim Crow*, that the Jim Crow system was a con of white workers—it was a "political stratagem employed by the emerging Bourbon interests in the South to keep the southern masses divided and southern labor the cheapest in the land." The con of white workers was successful because, as he concluded, "If it may be said of the slavery era that the white man took the world and gave the Negro Jesus, then it may be said of the Reconstruction era that the Southern aristocracy took the world and gave the poor white man Jim Crow." In but one telling example of Jim Crow's con, Columbia University historian Eric Foner observed in *A Short History of Reconstruction—1863-1877* (1990, 2014) (page 249) that the Redeemer-dominated Louisiana legislature cut education spending so much after the Civil War that Louisiana was the only state to see literacy rates for *whites* fall from 1880 to 1900.

Bill Moyers, who served as President Lyndon Johnson's press secretary, <u>recounted his former boss</u> <u>as saying</u>, "I'll tell you what's at the bottom of it. If you can convince the lowest white man he's better than the best colored man, he won't notice you're picking his pocket. Hell, give him somebody to look down on, and he'll empty his pockets for you."

Because of Jim Crow system's promotion of right-wing populism, although we are deemed to be in a "cold civil war"—with the analogue for our current era impliedly the Civil War—the present era is more appropriately "Jim Crow 2.0," given the similarities between current Republican promotion of white grievance and right-wing populism and the Jim Crow era of the Southern Democrats led by the "Redeemers" and "Bourbons" promoting white grievance as part of a strategy to upwardly concentrate economic and political power in themselves. And, the elites who are Republican Party leaders, Republican politicians, funders of Republican PACs, and the right-wing commentators who are their allies are the "New Bourbons." As during Jim Crow, when there were those who could not admit they had been wrong, so they invented the "Lost Cause" to ennoble their horrendous values, so today Republicans who received the Holy Grail of a tax cut (and for the Religious Right, judges) from Trump cannot now admit they were wrong—cannot admit surrender to "the libs."

Trump's 2024 Campaign: Doubling Down by Turning Up the Rhetoric, Hate and Lying

Donald Trump's 2024 campaign promotes the lie that his presidency was a great success, however, during the Trump presidency, the economy *lost* 3 million jobs; his lying about and mismanagement of the COVID epidemic contributed to over 1.1 million lives being lost; his gross fiscal mismanagement led to the deficit rising each year, ultimately accounting for 22 percent of the total federal debt; a 30-year decline in abortions reversed even while the birth rate declined; the murder rate increased; drug overdose deaths increased; The Tax Cut and Jobs Act he delivered was designed to overwhelmingly benefit the richest Americans; he failed to rescind the Affordable Care Act and lied when he said he would provide something better; the wall across Mexico was not built and Mexico did not pay for it, and, of course, his term ended with a violent insurrection

in an attempted coup to keep him in power after he lost an election he conned his followers into believing he won.

Michael Tomasky, in "<u>Donald Trump Against America</u>," *The New Republic*, June 2023, provides numerous disturbing quotes from a March 16, 2023, <u>video</u> released by the Trump campaign to social media. Most disturbingly, Trump concluded with, "Evicting the sick and corrupt establishment is the monumental task for the next president, and I'm the only one who can do it. I know exactly what has to be done." He is clear that by "sick and corrupt establishment" he means everyone who does not agree with him.

At <u>his rally in Waco</u> March 25, 2023, around the 30th anniversary of the fall of the Branch Davidians compound, Trump promised to "destroy the deep state" and pledged, "I am your warrior. I am your justice. And I took a lot of heat for this one, but I only mean it in the proper way—for those who have been wronged and betrayed ... I am your retribution."

In his <u>CNN Town Hall interview</u> May 10, 2023, Trump deemed the January 6th insurrection "a beautiful day." Of the insurrectionists: "I am inclined to pardon many of them." Regarding the holding hostage raising of the debt ceiling, he urged his fellow Republicans, "If they don't give you massive cuts, you're going to have to do a default." Of Russia's unprovoked war against Ukraine, "I don't think in terms of winning or losing." And, regarding a woman's reproductive rights, "The fact that I was able to terminate *Roe v. Wade…* I was so honored to have done it."

All Americans—especially those who would consider voting for any Republican candidate for any political office—should recognize the Republican Party is, through politics, promoting values that pervert American culture and harm society. Conservatives, who formerly guided the Republican Party and are dedicated to the defense of liberal democracy, have surrendered to right-wing populists of the Republican Party's New Right, dedicated to the destruction of liberal democracy—Republicans' fight, thus, is for "democracy," yes, but *illiberal* democracy.

In support of their war against liberal democracy, Republicans and the right-wing media pursue a strategy, as did elite right-wing populist Democrats during Jim Crow, of conning voters—of promoting lies. The Republican Party has become *the party of the con*, promoting numerous cons to feed delusions on the part of voters. Its leader is "Don the Con" Trump; when we see or hear "Republican" we should think "RepubliCON." Similarly, we should recall Nathanial Hawthorne's *The Scarlet Letter* in which the scarlet letter "A," signifying its wearer as an adulterer, was a mark of shame. Today, we should view *the scarlet letter* "R" as a similar mark of shame, signifying a political candidate wearing it a Republican and enemy of liberal democracy—until the Republican Party drives out from its midst right-wing populism.

Terminology: Conservatism, Right-Wing Populism, Fascism, Liberal Democracy, Illiberal Democracy, Nationalism, White Nationalism, and Christian Nationalism

As observed above, the Republicans fight this war against liberal democracy with lies—cons—but the most important cons are these two below, key to all that follows herein:

The con that conservatism, defender of liberal democracy, is still the guiding philosophy of the Republican Party and has not been displaced by right-wing populism, dedicated to Republican minority rule right-wing populist plutocratic and theocratic illiberal democracy: The conservative William Kristol, co-founder of the now defunct conservative magazine *The Weekly Standard*, in a November 2016 essay observed, "One of the historic tasks of American conservatism has in fact been to preserve and strengthen liberal democracy."

He was stating a truth about conservatism that goes back to its inception, in the writings of the Anglo-Irish philosopher Edmund Burke, especially his 1790 pamphlet *Reflections on the Revolution in France*: Conservatism was founded *in reaction to* liberal democracy's threats to the monarchy, the Church, and the landed aristocracy but *not as a rejection of* liberal democracy. Accordingly, Kristol fervently opposed Trump in the pages of his magazine until, due in great part to its editorial opposition to Trump, the magazine folded.

Conservatives are split between those remaining true to their faith and defending liberal democracy—many of whom have left the Republican Party—and those who persist in calling themselves "conservative" but have abandoned their faith and joined with the right-wing populists. Conservatives still in the Republican Party recognize their minority status in US politics—losing the popular vote in seven out of the last eight presidential elections and as illustrated in numerous polls—so they made the devil's bargain with the right-wing populists and allied theocrats.

The con of right-wing populism itself, promoting white grievance, securing the votes of middle class and poor whites for Republican candidates who are in office mainly to cut taxes for the rich and corporations, and cut business regulations: This is the con addressed in detail in the following pages, one perfected by the "Redeemers"—also known in the South as the "Bourbons"—during the era of Jim Crow from the end of Reconstruction in 1877 through the Civil Rights Act of 1964, the Voting Rights Act of 1965, the Fair Housing Act of 1968, and other similar laws passed in the 1960s—arguably when, a century after the Civil War, we finally actually became a liberal democracy. Right-wing populism has always been subject to capture by those seeking to establish and maintain a plutocracy. These would-be plutocrats promote hatred, anger, paranoia, and other illiberal values in pursuance of their goal to divide the rest of the population against itself and thereby upward distribute income and wealth to themselves.

President Biden succinctly captured the end goals for the right-wing media and the rich who vote Republican—profit—and Republican politicians—power—and the method for achieving these goals: spreading "fear and lies" (and, per what follows, hatred):

Donald Trump and the MAGA Republicans represent an extremism that threatens the very foundations of our republic...They promote authoritarian leaders, and they fan the flames of political violence that are a threat to our personal rights, to the pursuit of justice, to the rule of law, to the very soul of this country...MAGA Republicans look at America and see carnage and darkness and despair. They spread fear and lies—lies told for profit and power.—President Joe Biden, September 1, 2022, Philadelphia, Pennsylvania.

Trump is appropriately blamed for the existential threat to the future of liberal democracy he poses, and his base is appropriately blamed for blindly following him. However, worse than both—because they know better, and united they could stop him—are the Republican Party leaders, Republican politicians, and conservative commentators who are defining down the risk posed to liberal democracy by the grievance-fueled drive to Republican minority rule right-wing populist plutocratic and theocratic illiberal democracy on the part of Trump and his followers.

The unwillingness of Republican leaders—even candidates for the presidency—to confront Donald Trump by name reveals their craven desire for retaining the power Trump accords them. Republican Party leaders tipped their hands soon after the January 6th insurrection, showing they know better as they appropriately condemned it. To quote then-House Minority Leader Kevin McCarthy (R-CA), January 13, 2021, "The President bears responsibility for Wednesday's attack on Congress by mob rioters." To quote Senate Minority Leader Mitch McConnell (R-KY), January 19, 2021: "The mob was fed lies. They were provoked by the president and other powerful people, and they tried to use fear and violence to stop a specific proceeding of the first branch of the federal government, which they did not like." Senator McConnell followed up on February 8, 2022, in response to his party's decision to censure former Representatives Liz Cheney (R-WY) and Adam Kinzinger (R-IL) and its characterization of the insurrection as "legitimate political discourse," saying: "We were all here. We saw what happened. It was a violent insurrection for the purpose of trying to prevent the peaceful transfer of power after a legitimately certified election, from one administration to the next. That's what it was."

Yet, when presented the opportunity to hold Trump accountable for the insurrection of January 6th, McCarthy voted against impeachment for incitement of insurrection. When given the opportunity to deny Trump future office by convicting him of incitement of insurrection in that second impeachment, Senator McConnell declined, claiming—without support from the Constitution or court opinion—that impeachment was reserved for office holders.

We also know conservative commentators also know better. Emails and texts made public in the Dominion Voting System lawsuit exposed Fox News network's willingness to lie for profit—and that Rupert Murdoch and his minions at Fox News did not believe the lies they promoted that the election was stolen from Trump. Tucker Carlson's <u>emails</u> revealed his true opinion of Donald Trump: "I hate Trump passionately," and "He's a demonic force, a destroyer."

"MAGA" stands for "Make America Great Again," and the "MAGA Republicans" are the extremist followers of Donald Trump. Trump, however, is not the problem, nor are MAGA Republicans the problem. *The problem is the Republican Party leaders and Republican politicians* who sold out to Donald Trump and the MAGA Republicans and their religious extremist allies in a "the end justifies the means" calculation that tolerates and promotes lies—cons—to millions of voters in a war against liberal democracy—a war promoting the dysfunctional values that accord with Republican minority rule right-wing populist plutocratic and theocratic illiberal democracy.

Donald Trump, ultimate leader of the Republican Party's war against liberal democracy, does not even know what liberal democracy is. <u>At the G-20 news conference in Osaka, Japan, in 2019</u>, he was asked by Peter Baker of *The New York Times* to respond to a comment Russian President

Vladimir Putin made to the *Financial Times* "that Western-style liberalism is obsolete." Trump's reply was an embarrassment to all Americans, as he showed his ignorance of the term "Western-style liberalism," synonymous with "liberal democracy," mistakenly believing the term refers to American liberals and the states of the western United States: "Well, I mean he may feel that way. He sees what's going on, I guess, if you look at what's happening in Los Angeles, where it's so sad to look, and what's happening in San Francisco and a couple of other cities, which are run by an extraordinary group of liberal people." (An excellent book on liberal versus illiberal democracy is Edward Luce's 2017 book, with a 2018 afterword, *The Retreat of Western Liberalism.*) Republican Party leaders and politicians, dedicated to power, ignore Donald Trump's embarrassing ignorance, believing that Trump will deliver them profit and power.

The Enlightenment provided the values of Western liberalism—of liberal democracy. While there is no definitive list of the values of liberal democracy, a representative list includes majority rule subject to protection of minorities, checks and balances, as well as respect for the rule of law under the Constitution including its First Amendment protections and the peaceful transfer of authority after electoral defeat; a capitalist economic system with private property, subject to regulations preventing monopoly and for the protection of the environment, health and safety combined with a social safety net; "enlightened self-interest" (more on that below), respect for knowledge, science, reason, and truth; empathy and tolerance (support for pluralism); love for our fellow humans and all living creatures; equality (under the law and of opportunity); trust; and peace; all in a setting of humility. (Regarding that last value, per Friedrich Hayek, regarding a "classical liberal"—"classical liberalism" being the ancestral philosophy for conservatism and modern liberalism: "the liberal is very much aware that we do not know all the answers and that he is not sure that the answers he has are certainly the right ones or even that we can find all the answers." This is from "Why I am Not a Conservative," the Postscript to his 1960 classic *The Constitution* of Liberty. The virtue of being able to admit error was also expressed by Paul Krugman in his oped "Ideology and Integrity," The New York Times, May 1, 2015.)

In contrast, right-wing populism rejects the values of the Enlightenment—of liberal democracy—and promotes illiberal democracy and minority rule plutocratic and theocratic authoritarianism. Right-wing populism promotes power any way that it can be achieved, and in its drive for power, it disrespects majority rule and the rule of law under the Constitution, and the peaceful transfer of authority after electoral defeat. It promotes the suppression of voting rights and efforts to reject opponents' victorious election results. It disrespects knowledge, science, reason, and truth. It rejects empathy for "others" and promotes intolerance and hatred based on race, ethnicity, gender, sexual orientation, and religion. It promotes victimhood, resentment, and white grievance, and rejects equality both under the law and of opportunity. In its promotion of paranoia, right-wing populism undermines trust. It rejects peace as for losers and, instead, promotes anger and violence for political ends. Finally, it rejects humility and adores leaders who do the same, as did Donald Trump addressing the 2016 Republican National Convention when he said, "Nobody knows the system better than me, which is why *I alone* can fix it"—although his voters gave him four years to do so *and he failed*, he's trying it again.

Love, itself, is a concept right-wing populism's leader, Donald Trump, exhibits difficulty understanding. Examples: Trump's <u>criticism of John McCain's sacrifice in the military</u> of years in a POW camp out of love for his country and Trump's calling those in the military who sacrificed

and died out of love for their country "losers" and "suckers." He also expressed wonderment over the love Representative Steve Scalise's wife displayed when he was in the hospital after being shot. Trump observed, when he brought flowers to Representative Scalise in the hospital, his wife "cried her eyes out when I met her at the hospital that fateful day ... I mean not many wives would react that way to tragedy, I know mine wouldn't."

"Illiberal democracy" is a term first prominently addressed by Fareed Zakaria in his 1997 *Foreign Affairs* article "The Rise of Illiberal Democracy," which he expanded upon in his 2003 book, *The Future of Freedom: Illiberal Democracy at Home and Abroad*. In illiberal democracy elections continue to be held, but, through various measures of voter suppression and corruption a corrupt—often minority—party wins and retains power. Illiberal democracy rejects the values of liberal democracy and institutionalizes crony capitalism, championing a winner-take-all, might-makes-right vision promoting hatred, anger, and violence to suppress those not in its favored group. It rejects both liberalism and democracy, in favor of authoritarianism.

Illiberal democracy is the stated vision of Hungarian Prime Minister Viktor Orbán, to whom Donald Trump gave his "Complete support and Endorsement," as did Fox News' Tucker Carlson, and the planners of CPAC, who held their conference in Budapest in May of 2022. In 2014, Orbán declared, in a speech to his Fidesz Party's supporters in Romania, "The era of liberal democracies is over." (As observed above, he was echoed five years later by Russia's Vladimir Putin, who declared, "The liberal idea has become obsolete.") So popular among Republicans is his ideal of illiberal democracy that Orbán was invited to address the Dallas meeting of CPAC in August of 2022—less than two weeks after he commented that Hungary must not become a "mixed-race" country. There he urged, "we should unite our forces." CPAC returned to Budapest in May of 2023, and on opening day Prime Minister Orbán endorsed Donald Trump.

Two prominent conservative Opinion columnists for *The New York Times*—Bret Stephens and David Brooks—expressed concerns regarding the "illiberal" and "populist" takeover of the Republican Party in a January 2023 essay, "<u>The Party's Over for Us. Where Do We Go Now?</u>" Stephens lamented that conservatives in the party lost their nerve when the "illiberal barbarians" stormed the gates. There was no storming of the gates, however—just over a half century ago conservatives eagerly opened the gates to let in the illiberal barbarian right-wing populists because, with the Democratic Party having abandoned right-wing populists in the 1960s, Republicans saw an opportunity to appeal to them and thereby enhance their power. The opening began in 1972 with Nixon's Southern Strategy and culminated in the selection of Donald Trump as Republican presidential nominee in 2016.

The evolution of the welcoming of Trump into the Republican fold can be traced in issues of *National Review* beginning in 2016: Conservative commentator Richard Lowry, editor in chief of *National Review*, dedicated the magazine's February 15, 2016, issue to essays from prominent conservatives "Against Trump." However, in the October 24, 2016, issue published just weeks before the election, there appeared an article by *National Review* contributor and Hoover Institution fellow Victor Davis Hanson titled "The Case for Trump." *National Review*'s surrender to Trump was finalized with Lowry's essay "The Never Trump Delusion," *National Review*, March 30, 2018. Coming full circle, the December 19, 2022, *National Review* carried an article by conservative Ramesh Ponnuru, "Never Again: The Case Against Trump in 2024."

Kristol, Stephens, Brooks, and a small minority of other vocal conservatives correctly observe that conservatives have lost the Republican Party, at least for now. Most conservatives, however, act as though the Republican Party is still promoting conservatism, creating confusion. To add to confusion, numerous terms have been popularized describing the now dominant ideology of the Republican Party. Among these: "Trumpism," "fascism," "nationalism," "white nationalism," "Christian Nationalism," and "white Christian Nationalism." President Biden has referred to it as "MAGA," "Ultra-MAGA," and "semi-fascism."

The descriptors "Trumpism," "MAGA" and "Ultra-MAGA" all fail because they describe an ideology that began with Donald Trump. The dominant ideology in the Republican Party began long before Donald Trump; he just resurrected it.

"Semi-fascism" is somewhat appropriate because the ideology shares some similarities with fascism but is not identical to it. Right-wing populism, like fascism, is a con, promoting upward distribution of economic and political power to a rich corporate plutocracy by—as seen in Italian Fascism, German Nazism, or Putin's Russian fascism—promotion among the masses of victimhood and grievance over a lost mythical past of greatness. From a review of what we may call the "source documents" for fascism—"The Doctrine of Fascism" by Benito Mussolini and Giovanni Gentile and *Mein Kampf* by Adolf Hitler: As does right-wing populism, fascism views as its enemies the Enlightenment, Western liberalism, liberal democracy; individuals outside of its favored group; promotes capitalism (albeit crony capitalism), religion, and traditional authority; is authoritarian and emanates from the Right ("*la destra*" in "The Doctrine of Fascism"); rejects globalism; and promotes violence as a political act.

In contrast with fascism, however, right-wing populism views the individual as supreme, while fascism views the State as supreme and, thus, promotes state-sponsored violence against dissenters, as all are seen as traitors. Also, right-wing populism promotes isolationism—as in Trump's slogan of "America First"—while fascism promotes imperialism—the military conquest of weaker nations. Working against acceptance of the term "semi-fascism," however, is the fact that no prominent Republicans embrace it.

Adam Serwer, staff writer for *The Atlantic*, referred to "nationalism" and "white nationalism" as descriptors of Trump's Republican Party in several articles in *The Atlantic*, beginning with, in 2017, "The Nationalist's Delusion," followed by essays in 2019—these insights were combined in his 2021 book, *The Cruelty Is the Point*.

The term "nationalism" is attractive because former President Trump called himself a "nationalist" at a campaign rally in Houston in October 2018. The term was also used by Richard Lowry, whose 2020 book, *The Case for Nationalism*, presents a version of nationalism that is a complement to conservatism. Nationalism has also been promoted as a complement to liberalism as well by writer and academic Michael Lind in *The Next American Nation: The New Nationalism and The Fourth American Revolution* (1995).

Thus, "nationalism" is a broad term. The former neo-Nazi and Klansman David Duke narrowed the term down more precisely, replying to Trump's Houston speech the next day on Twitter:

Trump Embraces Nationalism in a Massive JamPacked 99.9 percent White Venue in Houston! Zio Journalists asked him if this is White Nationalism! Of course fundamentally it is as, there is no ethnic or racial group in America more Nationalist than White Americans... So What's the Problem?

—David Duke, Twitter, 1:45 p.m., October 23, 2018.

"White nationalism," while a more precise term for the ideology, is, however, like "semi-fascism" or "fascism" not a term many Republicans embrace.

Speaking at the Turning Point USA Student Action Summit in Tampa July 24, 2022, Representative Marjorie Taylor Greene (R-GA) <u>declared</u> of the Republican Party, "We need to be the party of nationalism and I'm a Christian, and I say it proudly, we should be Christian nationalists." "Christian Nationalism" is actually "white Christian Nationalism" as observed by Philip S. Gorski and Samuel L. Perry in *The Flag and the Cross: White Christian Nationalism and the Threat to America Democracy* (2022). The <u>ReAwaken America Tour</u>, started, by, among others, Michael Flynn, promotes Christian Nationalism. However, as with "white nationalism," "Christian Nationalism" and "white Christian Nationalism" are not terms embraced widely by Republican leaders, although all terms describe ideologies dedicated to preserving privilege for white Christians and are varieties of right-wing populism, which we turn below.

Right-Wing Populism, the Ideology of the New Right, Promotes Illiberal Democracy and Has Become the Dominant Republican Ideology—and Republicans Define Down Its Threat

Among those who have correctly identified the Republican Party's dominant philosophy as "right-wing populist" is former President Obama in a 2020 interview in *The Atlantic*. Some Republicans have as well, however, they are in the minority, as the vast majority cling to the mirage that the party's ideology is still conservatism, and they define down the threat of illiberal democracy posed by the right-wing populist New Right of Trump's Republican Party.

Typical of Republican thought leaders defining down the threat of illiberal democracy posed by Trump and his followers is Matthew Continetti, senior fellow at the conservative American Enterprise Institute. He observes in the Introduction to his 2022 book, *The Right: The Hundred Year War for American Conservatism*, that by 2016 the "center of gravity of American conservatism" had drifted from the Northwest Washington, DC location of such conservative institutions as *The Weekly Standard*, the Project for a New American Century, and the American Enterprise Institute to Capitol Hill, where can be found the Claremont Institute's Center for the American Way of Life, the Kirby Center of Hillsdale College, and the Heritage Foundation.

It was *not*, however, the center of gravity of *American conservatism* that had shifted but, rather, the center of gravity of the American Right—of the Republican Party—that had shifted from the liberal democracy supporting conservative ideology of conservative institutions to the illiberal democracy supporting right-wing populist ideology of the illiberal right-wing populist institutions of the New Right—to which Continetti's book accords very little attention. It mentions "liberal democracy" or "liberal democracies" at least eight times (pp. 42, 66, 70, 131, 289, 302, 379, and 382), but neither term merited an entry in the index.

Continetti also erred by minimizing the role of David Duke in molding the right-wing populist New Right and the modern Republican Party. He mentions Duke only once (page 306) and erroneously refers to him serving in the Louisiana Senate (he served in the House). He also only once mentions "right-wing populist" once (page 63) and "right-wing populism" once (page 307, in the quote from libertarian economist Murray Rothbard, below). Continetti did, however, appropriately observe the critical role the outrageous con man Rush Limbaugh played in preparing the electorate for Donald Trump: "Limbaugh's importance to the conservative movement cannot be overstated." (Page 310.) Again, however, Limbaugh, with his appeals to white grievance with hatred, ignorance, and lying—appropriately described in the title of one of his books: *The Way Things Ought to Be* (1992)—was appealing to the rising right-wing populist base in the Republican Party. Limbaugh's "dittoheads" proudly declared, "I don't believe it till I hear Rush say it"—although much of what Limbaugh said was nonsense.

A good starting point for the history of the New Right and the right-wing populist takeover of the Republican Party is *Thunder on the Right: The "New Right" and the Politics of Resentment* (1980) by Alan Crawford. As was observed by Kevin O'Leary in *Madison's Sorrow: Today's War on the Founders and America's Liberal Idea* (2020), as far back as during Barry Goldwater's 1964 presidential campaign, Republicans secretly met with racist right-wing populists. It was not until the 1970s, however, that right-wing populists were welcomed by conservatives into the party. Crawford captured the threat that right-wing populism posed to conservatism in the Republican Party, how it drove the "New Right," and how it fed on the politics of resentment (on white grievance). The "thunder" of which he wrote was the warning of a storm approaching conservative Republicans on the far right of their party—the "New Right" of the right-wing populists promoting the politics of white resentment.

Crawford traced how the Republican Party adopted the Southern Strategy of Nixon advisers Pat Buchanan and Kevin Phillips for its 1972 presidential campaign, pursuing the right-wing populists in the South who felt abandoned by the Democratic Party due to its promotion of civil rights and who voted for arch-segregationist Alabama Governor George Wallace for president in 1968. Funding for the New Right came from wealthy families including the Coors family and Koch brothers. As Crawford observed, "Today's New Right is also a primitive kind of right-wing populism that has all but exterminated the few remnants of the Burkean tradition…" (page 303).

Crawford warned his fellow Republicans of the threat to conservatism posed by the union of wealthy business families with illiberal right-wing populists—exemplified by the joining of the Coors family with Paul Weyrich in the founding in 1973 of the Heritage Foundation. At a Religious Roundtable meeting in Dallas in August 1980 Weyrich demonstrated the contempt which right-wing populists hold for liberal democracy, as he criticized what he called the "googoo syndrome" of Christians who want "good government" and "everybody to vote." He stated, "Our leverage in the elections quite candidly goes up as the voting populace goes down." Weyrich's opinion was echoed by former President Trump on "Fox and Friends" March 30, 2020, when he said of Democrats' proposals in a COVID relief bill to make it easier for people to vote: "The things they had in there were crazy. They had things, levels of voting, that if you ever agreed to it, you'd never have a Republican elected in this country again."

After the Southern Strategy, the most important influence on the growth of right-wing populism in the Republican Party was the relative success of David Duke. In 1988 Duke, not long after he renounced his ties to the Klan and neo-Nazism, ran as a Republican and won a seat in the Louisiana House of Representatives, serving from February 1989 through January 1992. *Critical to understanding the Republican Party's evolution* is to realize the degree to which Republicans are tolerant of intolerance and tolerant of those dedicated to destruction of liberal democracy and installation of illiberal democracy in its place.

As evidence of this tolerance of intolerance, Duke was followed in the 81st House district by David Vitter, a Republican who went on to serve as US Senator from Louisiana for two terms. Serving the bordering 82nd District from 1996-2008 was Steve Scalise, current Republican Majority Leader in the US House of Representatives. Scalise got into controversies when, as a young legislator, he was quoted by a reporter as saying that he was <u>David Duke without the baggage</u> and when he later <u>spoke at a white supremacist function</u>. The 81st and 82nd Districts at the time that Duke, Vitter, and Scalise served were both in Jefferson Parish (county) bordering New Orleans—referred to in a 1995 gubernatorial campaign debate by Republican Governor of Louisiana Mike Foster as "the jungle."

As the Republican Party nominee for US Senate from Louisiana in the 1990 election, David Duke won approximately 60 percent of the white vote and, again as the Republican Party nominee for Governor of Louisiana in the 1991 election, approximately 55 percent of the white vote. Both losses were due to overwhelming African American opposition. The second loss, however, was also due to opposition from business people (worried about businesses leaving the state) and religious leaders—especially those rallied by the Louisiana Coalition Against Racism and Nazism, organized to oppose Duke, which ran television commercials with a photograph of him in a Nazi uniform from his college days. (In contrast, in 2016 and thereafter Trump rallied to his support business leaders and Evangelical Christian leaders.)

In a nationally syndicated opinion column published the month before that 1991 election, Pat Buchanan took note of Duke's popularity, observing, "The way to deal with Mr. Duke is the way the GOP dealt with the far more formidable challenge of George Wallace. Take a hard look at Duke's portfolio of winning issues and expropriate those not in conflict with GOP principles...in the hard times in Louisiana, Mr. Duke's message comes across as Middle Class, meritocratic, populist, and nationalist." Buchanan and Duke favored cutting taxes, fighting crime, and eliminating affirmative action; and opposed immigration, free trade, US policy toward Israel, and the Persian Gulf War.

Three days after that Louisiana gubernatorial election in November 1991, a 45-year-old Donald Trump, on *Larry King Live*, expressed concern that if Duke—who, he observed, channeled the same resentment as had George Wallace—ran for president in 1992, he could attract enough voters away from President George H. W. Bush that it could cost him his re-election. Trump exhibited a keen understanding of the political appeal of David Duke and observed that Buchanan running for the Republican presidential nomination in 1992 would promote much of Duke's same philosophy but present it in a more palatable package, similarly, siphoning votes from President Bush.

Richard Lowry, in a comment regarding Michael Continetti's *The Right* in the June 2022 *Commentary* magazine symposium on it observed, "I found myself reading the book with an eye to who was most prescient about the potential of the party taking a Trump-like turn." He considered George Wallace, Kevin Phillips, and Pat Buchanan, but decided on the libertarian economist Murray Rothbard, quoting Rothbard's endorsement of right-wing populism for adoption by Pat Buchanan (it appears on page 307 of *The Right*, misattributed to an address given at a March 1992 meeting—the meeting was in January 1992 and quoted in the March 1992 issue of the *Rothbard-Rockwell Report*; the quote appears below). *Critically, neither Continetti nor Lowry provide Rothbard's acknowledged inspiration* for urging adoption of right-wing populism: the relative success in two statewide elections in Louisiana in 1990 and 1991 by former Klansman and neo-Nazi David Duke as Republican Party nominee, which Rothbard observed in the January 1992 issue of the *Rothbard-Rockwell Report*. In this earlier issue, Rothbard penned an endorsement of Pat Buchanan and an article titled "Right-wing Populism: A Strategy for the Paleo Movement" ("paleoconservatism" is the term for Pat Buchanan's ideology). It referred to David Duke as "a right-wing populist" and endorsed the ideas of Duke and Joe McCarthy.

Rothbard titled his January 18, 1992, address to the John Randolph Club, Herndon, Virginia, "A Strategy for the Right" (in the March 1992 issue of the Rothbard-Rockwell Report). Rothbard urged his fellow libertarians to support Pat Buchanan, observing, in the quote Lowry provided in his Commentary essay (from page 307 of The Right), "The proper strategy for the Right-wing must be what we can call 'Right-wing populism': exciting, dynamic, tough, and confrontational, rousing, and inspiring not only the exploited masses, but the often shellshocked Right-wing intellectual cadre as well." Rothbard added, "we need a dynamic, charismatic leader who has the ability to short-circuit the media elites, and to reach and rouse the masses directly."

A quarter century after his November 1991 interview with Larry King, a dynamic, charismatic Donald Trump roused the masses directly and won the presidency. As observed to *The New York Times* by Mike Lawrence, campaign manager for Duke's unsuccessful 2016 run for the Republican nomination for the US Senate, Trump won promoting the views that were Duke's years before.

Trump's views are also the views of right-wing populism, as observed by his former adviser Steve Bannon in the November 2018 Munk Debate in Toronto, pitting Bannon against David Frum, conservative former speechwriter for President George W. Bush and a staff writer at *The Atlantic*. (A transcript of the debate and interviews with the participants are provided in the slim purple paperback volume titled *The Rise of Populism: Stephen K. Bannon vs. David Frum.*) The motion before them: "Be it resolved: the future of Western politics is populist not liberal." Arguing in favor of liberal democracy was the conservative Frum. Bannon rejected liberal democracy as a failure and proclaimed, "The future obviously belongs to populism. It's only going to be defined by asking if it's left-wing populism or conservative and right-wing populism...."

Pat Buchannan illustrated the apocalypticism of the original New Right in his speech at the 1992 Republican National Convention in Houston in which he identified President George H. W. Bush as involved in a "religious war" and "cultural war" crucial to the future of the country. Buchanan's 2002 book was *The Death of the West: How Dying Populations and Immigrant Invasions Imperil Our Country and Civilization*; in 2011, Suicide of a Superpower: Will America Survive to 2025?

The Current New Right: Apocalyptic, Anti-Liberal Democracy, Anti-Conservatism, Counterrevolutionary, and Dominated by West Coast Straussians

Eclipsing Buchannan's apocalypticism is that of the current New Right, as illustrated in articles published in the *Claremont Review of Books* and the online site *The American Mind*, published by the Claremont Institute. Michael Anton, who in January of 2017 left the private sector to serve on the National Security Council in the Trump administration, writing under the pseudonym *Publius Decius Mus*, in "The Flight 93 Election," *Claremont Review of Books*, September of 2016, warned:

2016 is the Flight 93 election: charge the cockpit or you die. You may die anyway. You—or the leader of your party—may make it into the cockpit and not know how to fly or land the plane. There are no guarantees.

Except one: if you don't try, death is certain. To compound the metaphor: a Hillary Clinton presidency is Russian Roulette with a semi-auto. With Trump, at least you can spin the cylinder and take your chances.

Glen Ellmers is a Senior Fellow of the Claremont Institute and a visiting research scholar at Hillsdale College. He wrote, in "Conservatism is No Longer Enough," subtitled "All Hands on Deck As We Enter the Counter-Revolutionary Moment," *The American Mind*, published in March of 2021, by the Claremont Institute:

Let's be blunt. The United States has become two nations occupying the same country. When pressed, or in private, many would now agree. Fewer are willing to take the next step and accept that most people living in the United States today—certainly more than half—are not Americans in any meaningful sense of the term...

[G]ive up on the idea that "conservatives" have anything useful to say. Accept the fact that what we need is a counter-revolution.

John Eastman, a lawyer who is a Senior Fellow at the Claremont Institute and spoke at the January 6th "Save America March" rally (*the name of which itself inspired violation of the law—its permit expressly provided*, "This permit does not authorize a march from the Ellipse"), famously authored a memo proposing how Republicans could overturn the 2020 election results. For his efforts, the House January 6th Committee issued criminal referrals to him as well as former President Trump.

The leading institution of the current New Right is the Claremont Institute, and to understand its vision, it is necessary to understand two thinkers: Leo Strauss and Harry Jaffa. Strauss and Jaffa were both students at the New School for Social Research in New York (Strauss from 1938-1948, after which he moved to the University of Chicago; Jaffa was one of Strauss's first PhD students at the New School). One set of the followers of Strauss—the "East Coast Straussians"—were students and teachers at the University of Chicago but then found their greatest influence among Republican administrations in Washington, DC. The other set, the followers of Jaffa—the "West Coast Straussians"—settled at Claremont McKenna University and then at the Claremont Institute, its publication, *The Claremont Review of Books*, and its online magazine *The American Mind*.

Strauss, author of *Natural Right and History* (1953) was credited during the administration of President George W. Bush as one of the intellectual heroes of the "neoconservatives," who shaped its foreign policy. Contrasting with the importance attributed to Strauss regarding neoconservatism, there was not a single citation to his name in one of the first comprehensive books on the movement, Peter Steinfels' *The Neoconservatives*, published in 1979. Even later, in *The Essential Neoconservative Reader* (1996) edited by Mark Gerson, with an introduction by James Q. Wilson, there is no mention of Strauss. In contrast, Strauss was viewed as a conservative in, and his picture joined those of other conservatives on the cover of, George H. Nash's authoritative *The Conservative Intellectual Movement in America Since 1945* (1976).

Regardless, Strauss was certainly the intellectual father of the "Straussians." In *Natural Right and History*, Strauss promoted the idea that a classical concept of "natural right" differed from the Enlightenment vision of "natural rights," observing that the classical Greeks believed, "Since men are then unequal in regard to human perfection, i.e., in the decisive respect, equal rights for all appeared to the classics as most unjust. They contended that some men are by nature superior to others and therefore, according to natural right, the rulers of others." (Pages 134-135).

His prize pupil, Allan Bloom, promoted the Straussian philosophy in *The Closing of the American Mind: How Higher Education Has Failed Democracy and Impoverished the Souls of Today's Students* (1987). Together they were driven by the theory that modern liberalism, applying an excess of the values of liberal democracy and cultural freedom, had led, during the Weimar Republic, to nihilism, which led to Nazism in Strauss's native Germany. Thus, it would be the mission of the Straussians to save liberal democracy from itself. This they would do by applying to American politics ideas from pre-liberal democracy—from Plato and the classics—and antiliberal democracy—from Nietzsche, especially *Thus Spoke Zarathustra*. Among its ideas are that, as with Plato and the classics, there are superior people who should lead (Nietzsche's "Übermensch," or superman), rejection of the values of liberal democracy (especially equality, tolerance, and peace), and rejection of the liberal life of comfort (of Nietzsche's "last man"—the last man is the antithesis of the Übermensch).

Strauss and Bloom demonstrated a conservative blindness to what distinguishes liberal democracy from fascism, and the nature of fascism generally—a blindness also manifested by Friedrich Hayek years after the publishing of *The Road to Serfdom*, when he joined fellow libertarian conservative economist (and winner of the Nobel Prize in economics in 1976) Milton Friedman, as they worked with murderous fascist Chilean dictator Augusto Pinochet to install capitalism in Chile. Hayek's role in this unsavory chapter in conservatism is touched upon by Corey Robin in *The Reactionary Mind*, and the role of both is recounted in detail by Naomi Klein in *The Shock Doctrine: The Rise of Disaster Capitalism* (2007). Robin and Klein cited, as a measure of the degree of blindness Hayek held toward fascism, a "thanks but no thanks" letter of February 17, 1982, from Prime Minister Margaret Thatcher, politely declining Hayek's apparent recommendation to use violence to achieve economic reform in Britain, as Pinochet did in Chile. (For more background, see Sebastian Edwards' *The Chile Project: The Story of the Chicago Boys and the Downfall of Neoliberalism* (2023), subject of a brief review in the March/April issue of *Foreign Affairs*.)

Bloom directly criticized those ideas of liberal democracy that he saw as leading liberalism down the road to relativism, nihilism, and fascism: "The imperative to promote equality, stamp out

racism, sexism and elitism (the peculiar crimes of our democratic society), as well as war, is overriding for a man who can define no other interest worthy of defending." (Page 314.)

They both claimed that the Founders built "on low but solid ground" (in *The Closing of the American Mind*, p. 167; in Strauss' *Natural Right and History*, p. 247) —building a system based on rights derived of selfish "passions." Bloom elaborated, regarding the Founders: "Selfishness was to be the means to the common good, and they never thought that the moral or artistic splendor of past nations was going to be reproduced in the world they were planning." (Pages 291-292.) The nation was founded, in other words, as a commercial enterprise dedicated to bourgeois expediency.

Like his teacher Strauss, Bloom believed the problem the Founders encountered was that by basing their society on selfishness—on the passions of the bourgeoisie—society would sink into nihilism—the logical consequence of such selfishness: "Nihilism in its most palpable sense means that the bourgeois has won." (Page 157). Bloom provided the remedy: Superior individuals should be cultivated in the university to prevent society from descending into nihilism and to aid the business elites on the Right to overcome the efforts of the cultural elites on the Left.

Arguably, Strauss and Bloom were wrong about the origins of fascism, wrong about the rationale for the founding of the United States of America, wrong about the nature of liberal democracy, wrong that liberal democracy needed to be saved from itself by pre-liberal and anti-liberal values, and wrong that lying in politics is acceptable.

A reading of the two source documents of fascism referred to above makes clear that fascism arose in reaction to liberal democracy, as did conservatism, but, in contrast to conservatism, it arose in rejection of liberal democracy and viewed it as its enemy. Fascism arose from the indulgence of illiberal values, not the indulgence of liberal values.

The nation's capital was not sacrificed to bourgeois expediency. <u>Its classical architecture</u> and the classical design of its monuments and statues, and its street layout designed by Pierre Charles L'Enfant are consistent with the idea that the Founders intended to establish a nation that rivaled all those that preceded it, ruled from a city that rivaled the classic cities of Athens and Rome.

Most importantly, the description of the liberal democracy envisioned by the Founders is inaccurate. Selfishness was not to be the means to the common good. The means to the common good was self-interest exercised subject to self-imposed restraint—it was *enlightened* self-interest, combatting individualism and selfishness for the good of all. Selfishness was recognized as inevitable and was to be constrained by law by setting it against competing interests and regulation.

The young French aristocrat Alexis de Tocqueville was struck by the difference. He titled a chapter in his 1835 work *Democracy in America "Comment les Américains combattent l'individualisme par la doctrine de l'intérêt bien entendu"*: "How the Americans Combat Individualism by the Doctrine of Interest Well Understood" ("enlightened self-interest"). Tocqueville compared the United States with his native Europe:

I do not believe, everything considered, that there is more selfishness among us [Europeans] than in America; the only difference is that there it is enlightened and here it is not. Each American knows how to sacrifice a portion of his particular interests in order to save the rest. We want to save everything, and often we lose it all.

Tocqueville carried this criticism of his fellow Europeans further: "The Americans, in contrast, take pleasure in explaining almost all the actions of their life with the aid of interest well understood; they show with satisfaction how enlightened love of themselves leads them constantly to help each other and disposes them willingly to sacrifice to the good of the State ["au bien de l'État"] a portion of their time and their wealth."

Adam Smith's 1776 book *The Wealth of Nations* expressed a similar idea (at p. 808): "Every tax is to the person who pays it a badge, not of slavery, but of liberty. It denotes that he is subject to government, indeed, but that, as he has some property, he cannot himself be the property of a master."

Smith, in *The Theory of Moral Sentiments* (1759; at p. 84) criticized the predisposition to admire the wealthy as virtuous, while disparaging the poor as lacking virtue, as the source for the corruption of our moral sentiments:

This disposition to admire, and almost to worship, the rich and the powerful, and to despise, or, at least, to neglect, persons of poor and mean condition, though necessary both to establish and to maintain the distinction of ranks and the order of society, is, at the same time, the great and most universal cause of the corruption of our moral sentiments. That wealth and greatness are often regarded with the respect and admiration which are due only to wisdom and virtue; and that the contempt, of which vice and folly are the only proper objects, is often most unjustly bestowed upon poverty and weakness, has been the complaint of moralists in all ages.

Elsewhere in *The Wealth of Nations* (1776) he acknowledged the propensity of markets to overproduce, and he criticized the resultant predisposition of merchants to conspire to prevent competition from forcing prices down (the quotes below from pp. 128 and 250, respectively):

People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices. It is impossible indeed to prevent such meetings, by any law which either could be executed, or would be consistent with liberty and justice. But though the law cannot hinder people of the same trade from sometimes assembling together, it ought to do nothing to facilitate such assemblies; much less to render them necessary.

To widen the market and to narrow the competition is always the interest of the dealers....The proposal of any new law or regulation of commerce which comes from this order, ought always to be listened to with great precaution, and ought never to be adopted till after having been long and carefully examined, not only

with the most scrupulous, but with the most suspicious attention. It comes from an order of men, whose interest is never exactly the same with that of the public, who have generally an interest to deceive and even to oppress the public, and who accordingly have, upon many occasions, both deceived and oppressed it.

Hmmm...remind you of someone?

The danger of selfishness channeled through "factions" (classes) was recognized by James Madison in *The Federalist No. 10*:

[T]he most common and durable source of factions has been the various and unequal distribution of property...The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government.

To address such conflict, in *The Federalist No. 51* Madison famously proposed checks and balances and separation of powers within the national government, observing, "If men were angels, no government would be necessary."

The argument that liberal democracy needs saving from itself, or it will turn into fascism, is belied by the fact that no liberal democracies since Italy and Germany did so almost a century ago have turned fascist. Again, fascism results from *illiberalism*—not liberalism.

Another important idea that Strauss and Bloom got from Plato was that it is appropriate at times for political elites to lie to their people: that elites may need to sometimes engage in the "noble lie" with the masses for their own good. This idea was criticized, at the time of the Iraq War, as having inspired the lying that led to popular support for the invasion of Iraq.

The idea of the noble lie appears to have arisen again in the idea of the "Big Lie" that the 2020 election was stolen—having been instrumental in leading to the January 6th insurrection and continuing Republican efforts in swing states to subvert elections in favor of Republican candidates.

The belief in the necessity of a counterrevolution extends beyond Claremont into Hillsdale College and the Federalist Society. Mollie Hemingway, Editor-in-Chief of *The Federalist*, in a September 2021 speech declared, "All of a sudden, the conservative project is not a conservative one, so much as a counter-revolutionary one." Similarly, John Daniel Davidson, a senior editor at *The Federalist*, in his October 2022 article "We Need to Stop Calling Ourselves Conservatives," promoted embrace of the term "counterrevolutionaries." (The "Federalist" is separate from the Federalist Society, although Mollie Hemingway appears at the Federalist Society website as a contributor.) Other sources for agitation on the Right rejecting conservatism are essays in the magazines *American Affairs* and *Compact*—see, e.g., Gladden Pappin, "From Conservatism to Postliberalism: The Right after 2020," *American Affairs*, August 20, 2020; and Jon Askonas, "Why Conservatism Failed," *Compact*, October 6, 2022.

Inspired by the success of Donald Trump, the modern New Right is the successor to the old New Right. An early chronicling of this new version of the current New Right is provided in *The New* Right—A Journey to the Fringe of American Politics (2019), by Michael Malice (the name taken by Ukrainian American author Michael Krechmer). What was in 2019 the fringe of American politics, however, is now mainstream Republican orthodoxy. Published in 2022, Continetti's The Right mentions the Claremont Institute and its publication The Claremont Review, as well as some of the modern New Right's major figures, among them Michael Anton, Angelo Codevilla, and John Marini (page 371) and the "postliberal" trend represented by the Claremont Institute and Peter Thiel, R. R. Reno, Yoram Hazony, Patrick Deneen (author of Why Liberalism Failed [by which he means liberal democracy failed] and Regime Change: Toward a Postliberal Future, promoting postliberal "Aristopopulism"), Adrian Vermeule (author of Common Good Constitutionalism), and Sohrab Ahmari (pages 378-388), but it ignores the important National Conservatism Conference and engages in "what about-ism," overstating extremism in the Democratic Party. (The books by Hazony, Deneen, and Vermeule are reviewed by Charles King, Professor of International Affairs and Government at Georgetown University, in "The Antiliberal Revolution," Foreign Affairs, July/August 2023).

Yoram Hazony, chairman of the Edmund Burke Foundation, in *Conservatism: A Rediscovery*, promotes, in lieu of liberal democracy, "conservative democracy"—"God-fearing democracy"—"which regards biblical religion as the only firm foundation for national independence, justice, and public morals in Western nations." The Edmund Burke Foundation website is the home for "national conservatism" and provides a statement of principles signed by numerous prominent Republicans ("a road map for autocracy" as referred to in *Salon*), links to articles on national conservatism as well as information on National Conservatism Conferences—referred to as "NatCon," and the followers of national conservatism call themselves "NatCons."

Three articles addressing the 2021 National Conservatism Conference provide needed insight into national conservatism—National Conservatism Conference attendees were referred to as "the terrifying future of the American Right" in *The Atlantic*, "radical young intellectuals" in *The New Republic*, and "neo-reactionaries" in *Vanity Fair*. (See Sam Adler-Bell, "The Radical Young Intellectuals Who Want to Take Over the American Right," *The New Republic*, December 2, 2021; David Brooks, "The Terrifying Future of the American Right," *The Atlantic*, November 18, 2021; and James Pogue, "Inside the New Right, Where Peter Thiel Is Placing His Biggest Bets," *Vanity Fair*, April 10, 2022, and see also Jonathan Chait, "How to Make a Semi-Fascist Party," *New York*, October 10-23, 2022, reporting from the 2022 National Conservatism Conference in Miami.)

The *Vanity Fair* article by James Pogue provides the most insight by summarizing interviews Pogue has with numerous luminaries of the New Right at the 2021 NatCon. Especially of interest is Curtis Yarvin, an ex-programmer and blogger who wrote under the name "Mencius Moldbug" and was a leader among "neoreactionary" ("NRx") writers—considering himself a reactionary and not a conservative. Yarvin attacks what he calls "the Cathedral"—the combination of liberal media and academia, and he promotes the idea of "RAGE" ("Retire All Government Employees"). In a blog post online in December 2021 Yarvin calls himself "an absolute monarchist" believing "the best form of government, for America now and also for most places in most times, is a 'benevolent dictator'—an absolute (yet accountable) monarch or 'sovereign CEO,' governing autocratically under the simple, ancient principle of "salus populi suprema lex" ("the welfare of the people

should be the supreme law"). (For further background, see George Michael, "An antidemocratic philosophy called 'neoreaction' is creeping into GOP politics," *The Conversation*, July 27, 2022. Michael is a professor of criminal justice at Westfield State University.)

Yarvin's concept of RAGE is an echo of Steve Bannon's desire to abolish the "administrative state," and a variant of it was promoted in the form of Donald Trump's radical plan to remove civil service protection for as many as 50,000 federal employees "in positions of a confidential, policy-determining, policy-making, or policy-advocating character," rendering them "at will" employees, in his "Executive Order on Creating Schedule F in the Excepted Service," issued October 21, 2020. (For further background, see "Executive Order on Creating Schedule F in the Excepted Service," October 21, 2020; Jonathan Swan, "A Radical Plan for Trump's Second Term," Axios, July 22, 2022; and "How Trump Could Reimpose Schedule F in 2025," Axios, July 23, 2022.")

Pogue observes that monetary support for NatCon 2021 came from not only the think tanks created to promote the New Right but also, in great part, from billionaire Peter Thiel, who gave its opening address and supported J.D. Vance and Blake Masters in their Republican campaigns for the Senate from Ohio and Arizona, respectively. Of J.D. Vance, Pogue observes that Vance told the listeners of Steve Bannon's podcast War Room—in an interview excerpt he later posted at his site on Twitter: "I gotta be honest with you, I don't really care what happens to Ukraine..." Pogue notes Vance was somewhat taken aback when Pogue told him of Yarvin's monarchist leanings and seemed very proud of his speech titled "The Universities Are the Enemy."

Other conference attendees, Pogue observes, were Michael Anton, quoted above; *Benedict Option* author and ardent defender of Hungary's Viktor Orbán, Rod Dreher; Sohrab Ahmari; Texas Senator Ted Cruz; and Missouri Senator of fist-pump fame, Josh Hawley. Hawley's keynote speech addressed the assault on masculinity while Cruz invoked Reagan and conservatism. Missing from mention is conference speaker Marco Rubio of Florida.

Importantly, Pogue observes that National Conservatism Conference attendees ranged from those still envisioning a conservatism promoting traditional values to the more extreme variations on authoritarianism, including right-wing populism that rejects conservatism, liberal democracy, and even a republican form of government; and the trend among NatCons to convert to Catholicism. Another speaker at the conference, Christopher Rufo, leader of the campaign against teaching of critical race theory, also <u>echoed</u> the New Right's more extreme theme of counter-revolution:

The Reagan-era playbook is not enough; reform around the edges is not enough; a corporate tax cut is not enough. We must take the conditions of the cultural revolution as our baseline, as the current reality, and our response must be framed in terms of a counter-revolution that plays not primarily on the axis of economy, but on the axis of culture.

Right-Wing Populism's Admiration for Fascists

Given the similarities of their ideologies, it should be no surprise that right-wing populists admire fascism and fascists. Accordingly, we saw Confederate battle flags and neo-Nazi flags together <u>in</u> Charlottesville in 2017 and at the Capitol on January 6, 2021.

Among the admirers of the fascist Vladimir Putin are Steve Bannon, a third of Republicans as reflected in a 2017 poll, Donald Trump, racist white nationalist and November 2022 Mar-a-Lago dinner guest Nick Fuentes, Fox News' Tucker Carlson, and David Duke.

BuzzFeed covered Bannon's address to a conference on poverty hosted by the Human Dignity Institute at the Vatican in 2014. There he expressed admiration for Vladimir Putin's "standing up for traditional institutions" and for Putin's adviser Aleksandr Dugin, the main promoter of a "Eurasianist" fascist philosophy and author of the textbook *The Foundation of Geopolitics: The Geopolitical Future of Russia* (1997), which posed Western liberal democracy as the enemy of Russia and argued against continued independent existence of Ukraine. In his 1997 article, "Fascism–Borderless and Red," he promoted a fascist Russia. Also expressing a positive opinion of Putin were 32 percent of Republicans in a February 2017 Gallup poll; according to a May 2017 Morning-Consult-Politico poll, 49 percent of Republicans considered Russia an ally.

Former President Trump, in an interview, praised Vladimir Putin's invasion of Ukraine, as "genius" and "smart," and praised him for being "very savvy." Openly defying the values of liberal democracy, Donald Trump has expressed admiration not only for Putin, but also for other dictators who deny the blessings of liberal democracy to their own people, among them China's Xi Jinping, the Philippines' Rodrigo Duterte, the Saudi royal family, and North Korea's Kim Jong Un, of whom he famously said after their meeting, "We fell in love" and June 2, 2023, on Truth Social, said, "Congratulations to Kim Jung [sic] Un!" for his election to the World Health Organization (WHO) executive board.

As reported by *The Washington Post*, attendees at the America First Political Action Conference (AFPAC), held in Orlando, Florida, in February 2022, were asked by the leader of the conference, Nick Fuentes, "Can we get a round of applause for Russia?" He got one, as well as chants of "Putin! Putin!" from the audience.

Similarly, <u>Tucker Carlson</u>, on his show, in <u>November 2019</u>, said of Russia's invasion of Ukraine, "Why do I care what is going on in the conflict between Ukraine and Russia? And I'm serious. Why do I care? Why shouldn't I root for Russia? Which I am." Carlson later walked back his statements. All were echoing David Duke's 2004 <u>statement</u> that Russia is "key to white survival."

American right-wing populists' admiration for fascism has flowed both ways historically, as observed by James Q. Whitman, of Yale Law School and author of *Hitler's American Model: The United States and the Making of Nazi Race Law* (2017). Not only did Hitler offer praise for the Jim Crow era racial practices of the South in *Mein Kampf*, but both our federal government's citizenship laws and the anti-miscegenation laws of thirty states—many outside the South—were used as models for the two principal Nuremberg Laws: the Citizenship Law and the Blood Law.

The 2024 Election: A Time for Choosing

As in that famous speech by Ronald Reagan regarding the election 60 years before, the 2024 election presents "a time for choosing" for Americans—whether Democrats, Republicans, or

independents—who might consider voting for Republican candidates for office: Do you support liberal democracy, or do you join with Republicans in support of illiberal democracy?

It has long been said that, regarding their respective candidates, Democrats fall in love while Republicans fall in line—as they did in 2020, overcoming apparent intraparty division and delivering to Donald Trump 74.2 million votes—the second most in history—and 11.2 million more votes than he got in 2016. Republican voters continue to elect Republican candidates for state office sworn to disregard election results and to deliver elections for Republicans. Even after insurrectionists called for his hanging on January 6th, former Vice President Mike Pence fought a subpoena to appear before a grand jury and testify regarding the insurrection. The Democratic Party is the only one of the two major parties defending liberal democracy.

Our *freedom* is in jeopardy because of Republicans—freedom to send our children to school and not have to worry they'll be shot by a madman wielding an AR-15; freedom to walk with our families safely as we shop; freedom of women over their bodies and health; the freedom of parents to get for our children an education in a public school that prepares them for success in the world rather than hobbles them with the prejudices of the most closed-minded members of the community; freedom of association for non-heterosexuals; freedom of non-heterosexuals to shop in the market; freedom for parents and their children to pursue health care decisions in the best interests of the children reached through consultation among them and their medical providers. If Republicans have not *already* come for *you* and *your rights*, how long before they do? The 2024 election presents "a time for choosing" for you as well: Vote for Democrats to save liberal democracy or vote for Republicans and help them destroy it and replace it with illiberal democracy.

Donald Trump, the ringmaster of the circus that the Republican Party has become under the influence of right-wing populism, has warned us what to expect between now and the 2024 election, and beyond: hatred and division. In a November 2022 Truth Social post, he called for "the termination of all rules, regulations, and articles, even those found in the Constitution." In March of this year at CPAC he declared, "I am your justice...I am your retribution," and, apocalyptically: "This is the final battle."

Take the "No RepubliCON" Pledge

To save liberal democracy, Democrats must build a *liberal democracy coalition* to drive all who cherish liberal democracy to the polls and drive right-wing populism of the Republican Party's New Right, with its goal of illiberal democracy, out of politics. Trump promoted week after week of "Infrastructure Week"—but Biden delivered an infrastructure bill. Trump promised to repeal and replace Obamacare with something "better"—he failed, and Biden will protect Obamacare. Biden also passed a multibillion dollar infrastructure bill (promised by Trump in multiple "Infrastructure Weeks"), Inflation Reduction Act, gun control, and the CHIPS and Science Act.

To save our liberal democracy, it is critical to identify right-wing populism as the ideology that has overtaken the Republican Party and to observe that it is dedicated to the destruction of liberal democracy and its replacement with Republican minority rule right-wing populist plutocratic and theocratic illiberal democracy. And then voters—in a liberal democracy coalition led by Democrats—must confront and defeat it, driving right-wing populism out of the Republican Party

and out of politics. To save liberal democracy, Democrats, with the help of true conservatives (many still in the Republican Party) and independents (many of them true conservatives who have left the Republican Party), must defeat Republicans seeking public office.

As we contemplate the prospect that in 2024 Republicans will vote for their favorite con man, although he may be on his way to becoming, or may even already have become, a CONvict: To stop the RepubliCON, vote Democrat. Take the "No RepubliCON" pledge: "I pledge to vote for Democrats and not for any Republican for any political office anywhere, at least until right-wing populism is driven out of the Republican Party." Liberal democracy hangs in the balance.

ATTACHMENT

An Illustrative List of Cons of the RepubliCON and the Values They Represent

The con that "I'm being indicted for you": Donald Trump claimed he was being indicted for his followers—a con because he was indicted for paying off a porn star to keep her quiet about his marital infidelity and mischaracterizing it as a business expense and for stealing sensitive national defense documents belonging to the federal government. He faces future potential indictments for inciting a violent insurrection and for soliciting election fraud—in each case to help him steal an election. His claim mocks the gullibility of his followers, calling into question their *own* character.

The con that it's OK to hate and to promote it with "hate money" from rich Republicans: Republicans are often accused of racism—hating people for their race or ethnicity—but that's not the whole story. Yes, in 2015 Donald Trump famously rode down his escalator and began his 2016 presidential campaign stirring hatred against Mexicans: "When Mexico sends its people, they're not sending their best... They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people." He instituted gratuitous cruelty toward immigrant families, separating parents from their children, some mere infants, and losing them. He instituted a "Muslim ban." The corrosive effect of the hate-filled rhetoric of Donald Trump and his fellow Republicans is reflected in a report by the Anti-Defamation League (ADL) showing a dramatic rise in white supremacy from the time Trump announced his candidacy in 2015. And, as observed herein, he is doubling down on the hate.

It is a mistake, however, to imagine Republicans reserve hatred just for non-whites and non-Christians. They hate the LGBTQ community and everyone who does not share their twisted Republican Party values, as illustrated by Donald Trump's recent speeches and social media postings. And, as illustrated by the case of 303 Creative LLC v. Elenis, addressed below, in which the plaintiff was supported by the Alliance Defending Freedom (ADF)—rich Republicans have channeled millions of dollars into "hate money" organizations to support hate in the courts.

The con that it's OK to lie: The political philosopher Hannah Arendt included "lying in politics," as revealed in the documents known as the Pentagon Papers, among her "crises of the republic" in her 1972 book of the same name. We are enduring a far greater crisis now with the Republican Party having adopted lying as an acceptable form of political discourse. Of course, Republican leader former President Trump, according to the count by Glenn Kessler of *The Washington Post*,

uttered <u>30,573</u> false or misleading claims over the four years from his inauguration through the end of his term.

The con that hypocrisy and cynicism absolve Republicans from requirements of character, ethics, and laws (including the Constitution), and accusations of cheating—for money or political office: Trump potentially facing criminal indictments in five courts, hypocritically was the "law and order" president who led his crowds in cheers of "Lock her up!" over Hillary Clinton's emails and "Lock him up" over baseless accusations against President Biden and son Hunter. For Trump, people are just marks—it's OK to con money and votes out of them if they're gullible enough to trust you when you promise them something that you have no intention of delivering—as illustrated by Trump's: Not paying his workers at his properties (ending in a \$1.4 million settlement), bilking those who paid tuition for Trump University (ending in a \$25 million settlement), and using the Trump Hotel for tribute ("Foreign Emoluments" banned under the Constitution) during his presidency. Add that it's OK to hide as a legitimate business expense hush payments to keep women quiet about marital infidelities that might cost a candidate votes. Trump's fellow Republican Party leaders and politicians engage in voter suppression by making it more difficult for people inclined to vote Democrat to vote; engage in gerrymandering to deny proportional representation to constituencies inclined to vote Democrat and deny majority rule to the Democrats; demanded the vice president ignore election results and declare Trump winner, in violation of the law; proposed to substitute fake electors dedicated to Trump in place of the electors chosen by states' voters; waged an insurrection in an attempted coup to maintain in power a Republican president who lost an election; and Republicans in Congress rejected presidential election results from the states (147 of them did) so that the Republican candidate would win.

Donald Trump criticized the Biden administration for politicizing prosecutorial power, *yet hypocritically promised, if elected*, to appoint a special prosecutor to "go after" Biden and his family. In the CNN Town Hall, Host Kaitlan Collins observed to former President Trump, "You once said that using the—that using the debt ceiling as a negotiating wedge just could not happen. You—you said that when you were in the Oval Office." Trump replied, "Sure, that's when I was president." She countered, "So why is it different now that you're out of office?" Trump answered, "Because now I'm not president." The partisan pro-Trump audience roared approval because hypocrisy and cynicism are Republican Party values.

Similarly, as was reported by journalist Ron Suskind in his book written with former Treasury Secretary Paul O'Neill, and as was confirmed by O'Neill in his interview with Leslie Stahl on the March 22, 2004, CBS News show 60 Minutes: At a meeting soon after the mid-term elections in 2002, and after the budget deficit was rising due to response to 9/11 and the war in Afghanistan, O'Neill expressed concern about yet another round of tax cuts. O'Neill famously quoted Vice President Dick Cheney's response: "You know, Paul, Reagan proved deficits don't matter." Of course, what Cheney meant was that deficits don't matter when a Republican occupies the White House. When a Democrat does, however, deficits drive Republican calls for massive spending cuts. The last time the federal government ran a surplus: Three times under Democratic President Bill Clinton—if we add the fiscal year that began under Clinton in October 2000 and ended under President George W. Bush in September 2001, four. In contrast, the Trump administration's spending—in just four years—constitutes 22 percent of the total federal debt (approximately \$7 trillion out of \$31.1 trillion created since 1789). Republican hypocrisy was also on display regarding raising of the federal debt ceiling in 2023: Since 1960, the debt ceiling was raised 78

separate times—29 times under Democratic presidents versus 49 times under Republican presidents, including three times under Republican President Trump.

Finally, regarding character: In reporting by <u>The Daily Beast</u>, confirmed by <u>The Hill</u>, Representative Marjorie Taylor Greene (R-GA) called Representative Lauren Boebert (R-CO), a "little bitch" on the House floor over competing resolutions to impeach President Biden.

The con that it's OK to wield power over appointments to the Supreme Court and other appointments to the federal judiciary to thwart the will of majorities of Americans: Senate Majority Leader Mitch McConnell (R-KY) withheld a hearing for President Obama's appointee Merrick Garland because it arose in an election year yet, hypocritically, rushed through the approval process for Amy Coney Barrett *just 22 days before the election* ending former President Trump's term (the hearing began Monday, October 12th; the election was Tuesday, November 3rd). A necessary fix, to return the Court to respecting majority will while also protecting minority rights: Congress passing and the president signing the Judiciary Act, to expand the Supreme Court from nine to 13 Justices (including the Chief Justice)—at least seven of whom would presumably implement ethics rules to address the lapses below.

The con of the Supreme Court majority—promoting the appearance that the dollar reigns supreme and justice is for sale: Chief Justice John Roberts' wife made over \$10 million in consulting fees over eight years directing law graduates to high powered law firms with cases before the \$upreme Court; Justice Clarence Thomas has received from billionaire Harlan Crow hundreds of thousands of dollars' worth in lavish vacations, educational aid for a relative, and the purchase of his mother's house, allowing her to live rent-free, and his wife Ginni's lobbying firm received tens of thousands of dollars from a nonprofit conservative group that filed a brief before the Court; Justice Samuel Alito took a luxury fishing trip with a billionaire who later had cases before the Court; and Justice Neil Gorsuch, one month after his appointment to the Court, joined in the sale of vacation property to the head of a major law firm with cases before the Court and did not disclose name of the buyer when he later reported the sale. Of course, in none of these instances did these Justices recuse themselves from cases implying conflict of interest. Above the entrance to the Court appear the words "Equal Justice Under Law"—but some litigants appear "more equal" than others. Not surprisingly, the Court's approval rating is 42 percent as of June 2023, and the actions of these Justices render the Supreme Court looking more like the \$upreme Court.

The Supreme Court's six Justices appointed by Republican presidents stretched the jurisprudence regarding standing to reach their preferred results in two decisions that ended the 2022-2023 term. One, the case of Biden v. Nebraska, struck down the providing of debt relief by President Biden. It is well settled jurisprudence that a plaintiff must establish "standing to sue" based on a credible injury. As was observed by Justice Elena Kagan in her dissent, the Court's majority struggled to uphold standing among the several states that were plaintiffs, finally settling on Missouri by ignoring the law of Missouri as interpreted by the Missouri Supreme Court, which had held the Missouri Health and Education Facility Authority ("MOHEFA") was created by the state of Missouri to be separate from the state of Missouri. The Missouri agency through which Missouri was claiming injury in the present case (the Missouri Higher Education Loan Authority ("MOHELA") had been established the same way—to be separate from the state of Missouri. Quoting Justice Kagan's dissent: "Citing MOHEFA's financial and legal independence, the court

explained that "[s]imilar bodies have been adjudged as 'separate entities' from' Missouri. *Ibid*. MOHELA is no different." Thus, the proper plaintiff in the case—as the District Court had held—was not the state of Missouri, but the agency MOHELA, which claimed a potential annual loss of \$44 million.

In the case of <u>303 Creative v. Elenis</u>, the plaintiff established "a credible threat" that, *if, hypothetically*, the plaintiff—who brought the case <u>based on her Christian faith</u>—expanded her website development company into offering wedding website services, and, *if, hypothetically*, she was approached by a same-sex couple wanting her to design a wedding website for them, and, *if, hypothetically*, she refused, then, *hypothetically*, her state of residence, Colorado, might prosecute her under a Colorado law "to force her to create speech she does not believe or endorse." Literally, this is, in law school, what is called a "hypothetical."

The con that the 2020 election was stolen: Fox lies. Of course, millions of us knew that already, however, the document filings and the settlement itself in the lawsuit between Dominion Voting Systems and Fox illustrated this conclusively for all. And we also know, because of this lawsuit, that Fox News' executives—including Rupert Murdoch—and most of its commentator-hosts, including Tucker Carlson, Laura Ingraham, and Sean Hannity, did not believe the lie the election was stolen and were only giving to the extremists in the Republican Party the lie that they wanted. To quote President Biden, at an event where he introduced Judge Merrick Garland as his nominee for U.S. Attorney General, "In more than 60 cases, in state after state after state, and then at the Supreme Court, judges, including people considered 'his judges, Trump judges,' to use his words, looked at the allegations that Trump was making and determined they were without any merit." Add to those Trump's own top appointees at the Departments of Justice and Homeland Security, as well as state election officials, many of them Republicans. And, thanks to the January 6th hearings, we know that Donald Trump himself did not believe the lie that the election was stolen.

The con that lust for power justifies promotion of anger, violence, threats of violence, and defamatory lies to achieve political ends—and that the violent January 6th insurrection was "legitimate political discourse": After the 2020 election, former President Trump went on Twitter, December 19, 2020, with the message, "Statistically impossible to have lost the 2020 Election. Big protest in D.C. on January 6th. Be there, will be wild!" At the January 6th "Save America March" rally immediately preceding the insurrection, he reiterated false claims that "we won this election, and we won it by a landslide," "we will stop the steal," and, "if you don't fight like hell, you're not going to have a country anymore." He promised the crowd that he would join them in the march to the Capitol that the rally's name itself promised, saying, "After this, we're going to walk down, and I'll be there with you…We're going walk down to the Capitol…because you'll never take back our country with weakness. You have to show strength, and you have to be strong…So we're going to, we're going to walk down Pennsylvania Avenue…to take back our country." When given an opportunity in an interview with Jonathan Karl of ABC News to renounce the insurrectionists for chanting, "Hang Mike Pence" he refused, calling their chant "common sense."

Over a thousand arrests were made following the insurrection, numerous leaders of the insurrection were convicted of the crime of seditious conspiracy—and, as of this writing, one leader has been sentenced, for 18 years. And yet, the Republican National Committee issued a resolution

criticizing Representatives Liz Cheney (R-WY) and Adam Kinzinger (R-IL) for participating in the House investigation of the January 6th insurrection, accusing them of "persecution of ordinary citizens engaged in legitimate political discourse"—an opinion shared by 54 percent of Republicans and 58 percent of self-described conservatives, per a March 2023 The Economist/YouGov Poll. When presented the opportunity to free themselves of President Trump by convicting him of incitement of insurrection in his second impeachment, only seven Republican Senators courageously joined in the vote to convict.

The Republican Party is the Trump Party, and Trump, from the beginning of his 2016 campaign, urged violence on the part of his followers. At a 2016 campaign rally he told a crowd in Cedar Rapids, Iowa, "If you see somebody getting ready to throw a tomato, knock the crap out of them. I'll pay the legal fees." At another rally at the Peabody Opera House about 12 miles from Ferguson, Missouri, site of mass protests in 2014 around the killing of Michael Brown, Trump lamented, "There used to be consequences for protesting...nobody wants to hurt each other anymore."

In office, he continued, telling <u>Breitbart news in a March 13, 2019</u>, interview, "So, here's the thing—it's so terrible what's happening. You know, the left plays a tougher game, it's very funny. I actually think that the people on the right are tougher, but they don't play it tougher. Okay? I can tell I have the support of the police, the support of the military, the support of Bikers for Trump—I have the tough people, but they don't play it tough—until they go to a certain point, and then it would be very bad, very bad." As on January 6, 2021.

Anticipating his indictment by Manhattan District Attorney Alvin Bragg, Trump posted an image of himself holding a baseball bat next to Bragg, followed by a racist and antisemitic dog whistle calling Bragg a "SOROS BACKED ANIMAL" and a "degenerate psychopath that truely [sic] hates the USA," urged his followers to protest and warned of "potential death & destruction" if he was indicted, as he eventually was (death and destruction did not follow, however). We all should have expected Trump would incite violence as he tried to steal the 2020 election, and we all should expect he—and his fellow Republicans—will do it again in 2024.

The con of the "perfect phone call" to Ukrainian President Zelensky threatening to withhold Javelin missiles approved by Congress unless he provided "dirt" on the Bidens: In the July 25, 2019, phone call with President Zelensky of Ukraine, President Trump, immediately after President Zelensky mentioned his desire for Javelin anti-tank missiles, replied, "I would like you to do us a favor though," clearly conditioning such aid on action by President Zelensky—the action being announcing an investigation into political rival, former Vice President Biden. Numerous witnesses working in the administration would testify that they understood "us" to refer to the President's 2020 political campaign based on the President's own words.

Election law provides, in 52 USC §30121(a), "It shall be unlawful for...a person to solicit, accept, or receive...a contribution or donation of money or other thing of value...from a foreign national...in connection with a Federal, State, or local election." This statute supported Article 1 of Trump's first impeachment trial, alleging Trump abused power by leveraging the power of his office to solicit aid from a foreign government for himself personally in the upcoming 2020 election. After the article passed the House in the first impeachment, the only Republican member of the Senate to vote for conviction was Senator Mitt Romney (R-UT).

The con of the "perfect phone call" requesting Republican election officials in Georgia to find 11,780 votes: In a recorded phone call with Georgia election officials regarding 2020 election results in that state he urged them, "I just want to find 11,780 votes." Georgia Code (OCGA) §21-2-604(a)(1) provides, "A person commits the offense of criminal solicitation to commit election fraud in the first degree when, with intent that another person engage in conduct constituting a felony under this article, he or she solicits, requests, commands, importunes, or otherwise attempts to cause the other person to engage in such conduct." As of this writing, Donald Trump has not been indicted by Georgia prosecutors. Stay tuned.

The con that the national defense documents of Trump's presidency belong to him, and that as president he can declassify classified documents just by thinking it: Trump repeatedly claimed erroneously to be able to declassify the documents he hid at Mar-a-Lago by merely thinking it although he was told by the National Archives at least 16 times he could not. His question to Sean Hannity, "Do you know that they ended up paying Richard Nixon, I think, \$18 million for what he had?" raises the implication he planned to monetize government secrets, providing urgency to the federal multi-count indictment.

The value of cruelty and the con that it's OK to put immigrant kids in cages separate from their parents and then lose them: Adam Serwer, staff writer for *The Atlantic*, captured the heartless barbarity of the Trump administration's policy of separating immigrant children from their parents and then losing the ability to reunite them in his book titled *The Cruelty Is the Point* (2021). The Trump administration would go on to explain that the practice was intended as a deterrent to illegal immigration—which, of course, is also a con, because to be an effective deterrent the practice would have to have been *publicized to and known by* those who would be considering illegally immigrating to the US. Sick cruelty was always the point.

The value of misogyny and the con that it's OK to sexually abuse women: Republicans who defend Trump even after a New York jury awarded E. Jean Carroll \$5 million for battery and defamation arising out of her having been sexually abused by Trump in a luxury department store dressing room betray their desire to keep women second class citizens. Trump has fantasized about incest with his daughter, Ivanka, as recounted by former Chief of Staff John Kelly to former Trump staffer Miles Taylor, reported in a new book by Taylor. Trump previously told adviser Hope Hicks, after finding out she was dating fellow adviser Corey Lewandowski, that she was the "best piece of tail" Lewandowski would ever have. In 2016, CNN reported Trump agreed with Howard Stern to call his daughter "a piece of ass." Broader cultural impact of growing misogyny is reflected in the recent vote of the Southern Baptist Convention to expel churches led by women, including one formerly led by Rick Warren, who ordained three women.

The cons of "open border policy," "great replacement theory," and immigrant noncitizens voting in elections: There is no "open door" policy. The federal government is straining to process the crush of immigrants "yearning to breathe free" in the words at the base of the Statue of Liberty. The oft-repeated allegation that Democrats are bringing in immigrants to vote for Democratic candidates is proven a con by the fact observed above that more than 60 courts, two Trump administration departments that investigated the claims, and state election officials, many of them Republicans, could not find evidence of 2020 election fraud substantial enough to change election

results. The "great replacement theory" promoted by Tucker Carlson and others is, similarly, nonsense. Democrats support more liberal immigration policies not because they are attempting to hurt white people but because the labor market demands it. Republicans themselves, in the past, responded to such demand, as when President Reagan and fellow Republicans passed the Immigration Reform and Control Act (IRCA or the Simpson–Mazzoli Act) in 1986. In 1987, Reagan used his executive authority to legalize the status of minor children of parents granted amnesty under the immigration overhaul announcing a blanket deferral of deportation for children under 18 who were living in a two-parent household with both parents legalizing or with a single parent who was legalizing. According to Robert Pape, professor at the University of Chicago, regarding the January 6th insurrectionists, three observations: One driver overwhelmingly stood out: fear of the "Great Replacement;" a high percentage of the January 6th rioters hail from counties with fast-rising, non-white populations, fueling resentment; and many of the insurrectionists were well-off financially, including business owners, architects, doctors, and lawyers.

The con that a college education is for elite "woke" Democrats, while the Republican Party is for people who are not elites and did not go to college—the "real people" as former President Trump called them at the Save America March rally on January 6th: Many of the protestors were relatively rich—elites—as Robert Pape observed above. Trump said after his 2016 primary win in Nevada, "I love the poorly educated!" Republicans' unwelcoming attitude toward the collegeeducated has prompted one of the largest demographic shifts in American politics over the past 40 years. According to the University of Virginia American National Election Studies data, in elections between 1980 and 1988, Democrats enjoyed an average advantage of 14 points in party identification among Americans without a college degree, while Republicans enjoyed an average advantage of 5 points in party identification among college graduates. By 2016-2020, the Democratic advantage among Americans without a college degree had fallen to only 1 point while the 5-point Republican advantage among college graduates had turned into a 14-point Democratic advantage. Plus, Biden won in 2020 with about 60 percent of college-educated voters. The decade 2012-2022 has seen the gradual abandonment of the Republican Party by college-educated white voters. In 2012, 40 percent of self-described Republicans were whites with college degrees; 48 percent were whites without college degrees. By 2022, 25 percent of self-described Republicans were whites with college degrees; 62 percent were whites without college degrees.

Just who, however, is *elite?* Donald Trump is a graduate of the prestigious Wharton School of Business at the Ivy League University of Pennsylvania—he is joined by other Ivies: Senator Josh Hawley (R-MO), Stanford and Yale Law; Representative Elise Stefanik (R-NY), Harvard; Senator Ted Cruz (R-TX), Princeton and Harvard Law; Senator J.D. Vance (R-OH), Yale Law; Senator Tom Cotton (R-AR), Harvard Law; Governor Glenn Youngkin (R-VA), Harvard MBA; Governor Ron DeSantis (R-FL), Yale and Harvard Law. While not an Ivy graduate, Senator John N. Kennedy (R-LA), is a graduate of Oxford University. Trump had more Harvard graduates on his inaugural Cabinet than did Obama, per Stephen Marche in his January 2022 article in *The Atlantic*.

The con that crime is out of control, so we must be afraid, arm ourselves, and prepare to shoot: Over the course of a few days in 2023, ringing the doorbell at the wrong house, pulling into the wrong driveway, pulling on the wrong car door handle—all, in the paranoid America created by the right-wing media and Trump's Republican Party led to innocent people being shot; one killed. The reality: Crime rates are lower than in the 1990s. New York City—criticized by

Republicans as being crime-ridden—has among the lowest crime rates among America's large cities.

The con that more guns make us safer. There are an estimated over 400 million guns in America, more guns than there are citizens, and more guns per population than in other developed countries, which have lower incidence of gun deaths. Yet, according to <u>Gallup polling</u>, fewer than 1/3 of Americans own guns; fewer than 5 percent of Americans <u>owned a hunting license</u> in 2020. Gun ownership is heavily concentrated. <u>A 2016 study</u> estimated only 3 percent of American own about half of all guns in America; a later study cited in *American Carnage: Shattering the Myths That Fuel Gun Violence* (2023) by Thomas Gabor and Fred Guttenberg concluded only 6 percent of Americans own 2/3 of all guns, and that the number of guns in America has roughly doubled from 200 million in just the past 20 years. While more guns do not make us safer, a return to reasonable gun regulation, especially including a limit on magazine size, almost certainly would.

The con that Republicans are for lower taxes on the middle class while Democrats are for higher: As illustrated by Trump administration's "Tax Cuts and Jobs Act of 2017," Republicans are for conning middle class and poor workers with the lure of minor tax cuts so that they can get large tax cuts for the richest Americans. In contrast, when the Biden administration has proposed raising taxes, it has exempted those earning below \$400,000. While Republicans proposed cuts to government benefits for middle class and poor workers the Biden administration protected them.

The con of trickle-down economics, and glorification of greed and selfishness: "And then we told them the wealth would 'Trickle Down." This is the caption that appears under the word "REAGANOMICS" on a poster popular in the 1980s (still available online!), under a picture of President Reagan and his advisers laughing uproariously. Trickle-down economics, as President Obama observed in a 2011 speech in Osawatomie, Kansas "doesn't work. It's never worked." Trickle-down has never worked because, as he also observed, "In this country, prosperity has never trickled down from the wealthy few. Prosperity has always come from the bottom up, from a strong and growing middle class." It has never come from the greed and selfishness of the rich.

I coauthored a book in 2016 with Dee Wood Harper, Emeritus Professor of Sociology and Criminology at Loyola University, New Orleans, titled *The Trickle-Down Delusion: How Republican Upward Redistribution of Economic and Political Power Undermines Our Economy, Democracy, Institutions and Health—and a Liberal Response*. Although Jonathan Chait, formerly of *The New Republic*, later of *New York* magazine, had authored in 2007 *The Big Con: Crackpot Economics and the Fleecing of America*, I could not bring myself to agree that trickle-down was a con, preferring to think of it as a shared delusion. In retrospect, it is also a con, as is the idea that Republican administrations are better for the economy than Democratic, addressed below.

The con that Republicans are better for the economy: As Donald Trump himself in 2004 explained, he was a Democrat "because the economy does better under the Democrats." David Leonhardt, a senior writer at *The New York Times*, in a 2021 study confirmed that GDP growth, job growth, income growth, productivity growth, and stock market performance over the past century have all performed better under Democratic presidents than Republican. A CNN study also found that, from the Reagan through Trump administrations, the stock market performed better under Democrats. Finally, under the Trump administration, the economy *lost* 3 million jobs.

The con that the Republican Party represents the "silent majority": When Republican President Richard Nixon used that term, it was based in fact: he won all but one state in the 1972 presidential election. The Republican Party of today does not represent the silent majority—it represents the loud minority. A Fox News poll conducted in February 2023 (although Fox News hosts are shills for the Republican Party, Fox News polls are highly respected) found voters preferred Democrats over Republicans on abortion by 58 percent to 38 percent; voters also preferred Democrats on climate change, health care, Medicare, Social Security, energy policies, voting rights, election integrity, and school curriculum. However, voters preferred Republicans over Democrats on the economy, while, as observed above, Democratic administrations have historically performed better.

The con that the government is coming to kill you: Senator Chuck Grassley (R-IA), in an appearance on FOX News, issued a frightening warning to viewers over a spending plan in Congress that would include funding for 87,000 IRS employees over the next decade. "Are they going to have a strike force that goes in with AK-15s [sic] already loaded ready to shoot some small businessperson in Iowa with these? Because I think they are going after middle class and small businesspeople because basically they think anyone that has pass-through income is a crook and they aren't paying their fair share and we're going to go after them." The Republican con that the military and IRS are coming to kill you is, of course, nonsense, and it irresponsibly promotes Americans' fear of and paranoia toward their government.

The con of the "war on wokeness": The refusal of college administrators on certain college campuses to allow conservative and reactionary speakers to address their students undermines the very purpose of the educational mission of a college and liberal democracy. It is wrong and should be stopped. However, this does not merit a "war on wokeness." At its best, wokeness is synonymous with empathy; with the saying, "Never judge a person until you've walked in their shoes." Banning of books and promoting attacks on the LGBTQ community as part of the Republican Party's "war on wokeness" undermines liberal democracy, is wrong, and should be stopped. "Anti-woke" is pro-hate, pro-ignorance, and anti-liberal democracy. That is why entrants to the CPAC 2023 convention in Hungary were met with signs stating "Entering Woke-Free Zone." Similarly, when we hear Republican Florida Governor Ron DeSantis declaring, "Florida is where woke goes to die," we should interpret him as saying that Florida is where liberal democracy goes to die—at least as long as he is its governor. Instead of banning trans athletes from competition as Republican politicians promote, in those competitions which are already divided into "male" and "female," add an "open" category. This would not only provide an opportunity for trans athletes to compete but would also take away the incentive Republicans imagine for male athletes to change gender and compete against women.

The con that you can see a "person" at ten weeks of pregnancy: The truth is contained in the title of an opinion piece in *The New York Times*: "Early Abortion Looks Nothing Like What You've Been Told." As the photographs accompanying the article showed, at least through nine weeks, there is no "person"—no "baby"—only tissue so small it can fit in a petri dish or on a microscope slide. Regarding the stages at which abortions occur: According to the Kaiser Family Foundation: 92 percent of abortions occur in the first trimester (79 percent before ten weeks of pregnancy [at the tenth week, an embryo becomes a fetus], another 13 percent at 10-13 weeks).

It is worth recalling that among the seven-member majority in *Roe v. Wade*, five of the Justices were appointed by Republican presidents. *Roe* was, in 1973, as today, where most of America is—willing to allow abortion up until *viability* (ability to live outside of the womb). Under *Roe*, *after a fetus reached viability, the state could prohibit abortion* (thus, after establishing a baseline right for the pregnant woman, including the necessity to protect her health or life) and "leaving it to the states" as Republicans *claimed* to have wanted with *Dobbs*, to prohibit abortion afterward.

A 2023 Gallup Poll found a record high 69 percent of voters support a woman's right to abortion in the first trimester. An NBC News poll taken near the one year anniversary of Roe's reversal by Dobbs found 61 percent of voters disapprove of Roe's reversal; only 36 percent approve. A 2022 NBC poll reflected the vast majority of Americans—and the vast majority of Republicans—also support exceptions to allow abortion after the first trimester (that remaining 8 percent of abortions) in cases such as rape, incest, and to save the life of the mother. Per a Winthrop University poll from September of 2022, a majority of voters in 11 Southern states (including nearly half of Republicans), support the right to abortion in the case of severe birth defects. Thus, if we see through the Republican con on abortion, there is room for compromise in the law to get where most Americans can agree: combined with exceptions to allow for late-term abortions, allowing abortion over a period ranging from the first trimester (the first 13 weeks) to "viability" (the critical point in time under Roe v. Wade, having moved forward since Roe, perhaps to 20 weeks now).

The con that Republicans will stop at "sending abortion back to the states, where it belongs": After the *Dobbs* decision, predictably, maternal health care quality declined, per an exhaustive study by the Kaiser Family Foundation. Republican politicians and right-wing commentators praised *Dobbs*, promoting the con that it returned the abortion issue "to the states, where it belongs." Republicans, however, continue to press to achieve a *federal law defining life as beginning at conception, accompanied by a federal law banning all abortions*. Republicans in Congress have proposed a <u>federal law declaring life begins at conception</u>, thus banning *in vitro* fertilization and exposing women and doctors to criminal conviction for abortions and miscarriages. Former Vice President Pence <u>supports</u> a national abortion ban, and Senate Minority Leader Mitch McConnell, after calling it "<u>possible</u>," later said it was <u>unlikely</u> to get the 60 votes necessary to overcome a filibuster. The con was also revealed as Republicans sought a national ban on medicinal abortion, launched by federal district court forum-shopping (successfully landing with an extremist right-wing judge in Amarillo, Texas). Republican-dominated states of Arkansas, Kentucky, Missouri, and Oklahoma have passed laws defining life as beginning at "<u>fertilization</u>."

The Republican theocratic drive to take away freedom for actions taken in our most private lives from all of us who, regardless of gender, continues, beyond banning of abortion. Justice Clarence Thomas, in his concurring opinion in *Dobbs*, signaled his eagerness to declare there is no right to obtain contraceptives (overruling the 1965 opinion of *Griswold v. Connecticut*), no right to engage in private, consensual sexual acts (overruling the 2003 opinion of *Lawrence v. Texas*); and no right to same-sex marriage (overruling the 2015 opinion of *Obergefell v. Hodges*).

The con that Republicans will accept defeat, as liberal democracy requires: Republicans expect their elected representatives to ignore the will of voters if the voters pick Democratic candidates for office and instead declare Republicans winners. This was the critical matter in the case of <u>Moore v. Harper</u>, <u>decided by the Supreme Court June 27, 2023</u>, testing the concept of <u>the</u>

"independent state legislature theory." This theory holds that The Elections Clause of the Federal Constitution, in providing "the Legislature" of each State is to prescribe the rules governing federal elections (Art. I, §4, cl. 1), grants state legislatures freedom from review by state courts and state constitutions as they exercise the power to configure congressional districts and, broadly, the power to determine federal election winners in a state's elections. While the majority ruling is a victory for liberal democracy, three Republican appointees—Justices Clarence Thomas, Samuel Alito and Neil Gorsuch—dissented, expressing frightening, naked support for the Republican Party's war against liberal democracy.

The con that provisions of the Voting Rights Act of 1965 (VRA) policing racism on the part of certain states based on past discrimination were now unnecessary: In the Supreme Court case of <u>Shelby County v. Holder</u> (2013), the Court held provisions of the VRA providing for "preclearance" of proposed changes to laws regarding voting in certain states exceeded Congress' power because the disparate treatment of the states was "based on 40-year-old facts having no logical relationship to the present day" and that Congress cannot subject a state to preclearance based simply on past discrimination. Soon after the decision was issued, Texas, North Carolina, and other states with legislatures dominated by Republicans approved various measures to hinder voting by African Americans. Such measures have since spread beyond those states that were covered by preclearance—thus, Congress should respond by extending preclearance to *all states*.

The con of QAnon, and the Republican Party value of conspiracy-mongering: The January 2021 American Perspectives Survey asked Americans if they believe that "Donald Trump has secretly been fighting a group of child sex traffickers that include prominent Democrats and Hollywood elites." Among Republicans, 72 percent did not reject the delusion outright: 12 percent replied they completely believe it, 17 percent mostly believe it, and 43 percent reported being uncertain about it. That question referenced a conspiracy promoted online in 2016, which was incorporated by the online conspiracy site QAnon in October 2017. The conspiracy, driven by a bizarre interpretation of Clinton campaign adviser John Podesta's stolen emails, claimed that children were being held as sex slaves by a cabal of cannibalistic Satan-worshipping high level Democratic and Hollywood pedophiles. A well-intentioned but deluded believer was inspired to drive up from North Carolina in December 2016 and to walk into a packed Washington, DC, restaurant with an AR-15 and shoot up a utility closet door in the hopes of freeing children from a basement that, he found out, did not exist. The incident, dubbed "Pizzagate" led to his sentencing to four years in federal prison and, thus, exposed those who believed in the claim as delusional even before Donald Trump took office.

As observed in *New York* magazine, 24 Republican followers of QAnon ran for Congress in 2020, among them avowed QAnon supporter Marjorie Taylor Greene, who won her election and went on to be a leader in the Republican-majority House of Representatives. When asked his opinion of QAnon—designated by the FBI a domestic terrorist group—Trump replied, "Well, I don't know much about the movement, other than I understand they like me very much, which I appreciate." A convincing case that "Q" is Ron Watkins, who goes by the name "Code Monkey," was made in the HBO series *Q: Into the Storm*, a six-part documentary series from director Cullen Hoback and executive producer Adam McKay. Watkins' father, Jim Watkins, is the operator of the imageboard that hosted QAnon posts (the website 8chan, later rebranded as 8kun in 2019).

The con that it's OK for Republicans to weaponize the investigative powers of the federal government for political gain against a Democratic opponent: Then-House Majority Leader Kevin McCarthy (R-CA) proudly claimed (September 29, 2015) that the Benghazi select committee was part of a "strategy to fight and win," resulting in Hillary Clinton's poll numbers falling in the 2016 campaign, thus betraying his weaponization of congressional investigative powers. Eight years later, Oversight Committee Chairman James Comer (R-KY) (May 22, 2023) proudly claimed credit for his committee's weaponization of congressional investigative powers looking into Hunter Biden costing President Biden support versus Trump in the 2024 campaign. Similarly, the Trump Justice Department continued its investigation of the Clinton Foundation nearly through the end of Trump's term. And, famously, FBI Director and Republican James Comey's "October Surprise" raised groundless concerns regarding Hillary Clinton's emails eleven days before the 2016 election, combined with the aid of leaks from the New York FBI office to Rudy Giuliani. almost certainly swinging the election to Trump, In contrast, FBI Director Comey did not publicly announce that the Trump campaign (although not Trump, personally) was also under an investigation—code named Crossfire Hurricane—undertaken by the FBI beginning July 31, 2016, looking into numerous links between Trump campaign associates and Russian officials and spies to determine if they were coordinating with the Russian government's efforts to interfere with the 2016 presidential election. The FBI's investigation was taken over May 17, 2017, by the Special Counsel investigation, which resulted in the Mueller Report (see below).

The con that allegations of Russian interference in the 2016 election constitute a "hoax": The "Russian hoax" is another con promoted by Republicans. Attorney General Bill Barr famously promoted the "Russian hoax" con in his letter released before he released the Mueller Report detailing Special Counsel Robert Mueller's findings. Barr's letter stated, "the report details efforts by the Internet Research Agency (IRA), a Russian company with close ties to the Russian government, to sow social discord among American voters through disinformation and social media operations." Barr followed that with his famous misleading statement, taken by his fellow Republicans and the right-wing media as exonerating Trump: "the Special Counsel found no 'collusion' by any Americans in the IRA's illegal activity." What Barr failed to mention was the Special Counsel found no "collusion" because the Special Counsel expressly stated he wasn't looking for it. Per the report's Volume I, the Introduction, page 2: "In evaluating whether evidence about collective action of multiple individuals constituted a crime, we applied the framework of conspiracy law, not the concept of 'collusion.'...[C]ollusion is not a specific offense or theory of liability found in the United States Code, nor is it a term of art in federal criminal law."

In contrast with the impression left by Barr's letter, the Mueller Report addressed at least 140 contacts among Donald Trump and 18 of his associates with Russian nationals, WikiLeaks, or intermediaries, during the 2016 campaign and thereafter. One of the most concerning examples of such contacts was a June 19, 2016, meeting at Trump Tower, attended by President Donald Trump's son-in-law, Jared Kushner, Trump's campaign chairman, Paul Manafort, Trump's son Donald Trump, Jr., and two Russian lobbyists: Natalia Veselnitskaya and Rinat Akhmetshin. Donald Trump Jr. organized the meeting, which he claimed was to address adoptions of Russian children. The real purpose of the meeting was that the campaign advisers had been told the Russians had compromising information about Hillary Clinton—the meeting provided none of this and the Russians, instead, urged a pledge from the Trump campaign that if he won he would repeal

the Magnitsky Act of 2012, which authorizes the U.S. government to sanction Russian government officials that are human rights offenders, freeze their assets, and ban them from entering the US.

As The New York Times reported, the Mueller Report detailed at least 13 contacts Trump had with Russians—presumably not pursued due to the Justice Department memo titled "A Sitting President's Amenability to Indictment and Criminal Prosecution" providing presidential immunity from criminal prosecution while in office. Six of Trump's campaign advisers received felony convictions, however: Michael Cohen (at least 25 contacts), George Papadopoulos (at least 16 contacts), Paul Manafort (at least seven contacts, including the sharing of polling data with Konstantin Kilimnik, Russian businessman believed to have Kremlin ties), Michael Flynn (at least five contacts, including conversations with Sergey Kislyak, Russian ambassador to the US, about which he lied to the FBI), and Roger Stone (at least 18 contacts, including those arising from his being a conduit for information with WikiLeaks and Russian intelligence officer Guccifer 2.0, who hacked the Democratic National Committee and was also indicted). The Senate Intelligence Committee's August 2020 bipartisan report found Manafort "represented a grave counterintelligence threat" due to his relationship with Kilimnik and Russian intelligence.

The report took note (among other places, at page 49 of Volume I) that, on July 27, 2016, candidate Trump made public statements that included the following: "Russia, if you're listening, I hope you're able to find the 30,000 emails that are missing. I think you will probably be rewarded mightily by our press." The "30,000 emails" was a reference to emails described in media accounts as having been stored on a personal server that candidate Hillary Clinton had used while serving as Secretary of State. Within approximately five hours of Trump's statement, Russian intelligence officers targeted for the first time Clinton's personal office and sent malicious links targeting 15 email accounts at the domain, including an email account belonging to a Clinton aide—email accounts that were not public.

In contrast to the Mueller Report, special prosecutor John Durham, designated by the Trump administration to investigate the investigators at the FBI and Justice Department, released his report in May of 2023 after four years on the job. It resulted in only one guilty plea, from an FBI lawyer who admitted making a false statement regarding his adding of three words—"not a source"—in an email. Two other individuals were indicted, and the two juries in those cases found them not guilty. It is worth noting that the Durham report came four years after the Justice Department's Inspector General's report concluded, "We did not find documentary or testimonial evidence that political bias or improper motivation influenced the decisions" that led the FBI in July 2016 to launch the Crossfire Hurricane investigation transferred in May 2017 to Special Counsel Mueller's investigation. What did lead the FBI to launch the Crossfire Hurricane investigation in July 2016 was a tip from an Australian diplomat that Trump campaign adviser George Papadopoulos told him the Russians had "dirt" on Hillary Clinton.

The con that climate change is a "hoax": An April 2023 article in the British newspaper *The Guardian*, "Miami and New Orleans Face Greater Sea-Level Threat Than Previously Feared," observed that southern US coastal cities in the Gulf region from Texas to Florida and the southern Atlantic seaboard, including Miami, Houston and New Orleans, are under greater threat due to sea-level rise resulting from climate change than previously reported, according to two recent analyses. Rising sea levels are consistent with the global rise in temperatures—as are the worst

wildfire seasons over the past decade (<u>forcing insurers to leave California</u>) and an increase in frequency of the most powerful hurricanes (<u>forcing insurers to leave Louisiana</u>).

The con that fascism arises from the liberal welfare state. In addition to this misconception by Leo Strauss and Allan Bloom, addressed above, Friedrich Hayek, in his 1944 book *The Road to Serfdom*, misattributed fascism to a "road to serfdom" that supposedly led from modern liberalism and the welfare state to socialism and fascism (pp. 29-30, especially p. 30, footnote 9). Hayek observed, in favor of his argument, the fact that the Nazi Party's name was the *Nationalsozialistische Deutsche Arbeiterpartei*—the National Socialist German Workers' Party—and many of the leaders of the Nazi Party in Germany and Fascism in Italy came from socialism. However Fascist Italy and Nazi Germany could not have come out of socialism for the simple reason that neither abandoned their private property regimes. In contrast, socialism abolishes private property and makes the state the owner and controller of the means of production. Additionally, since the publishing of Hayek's book 79 years ago, this transition from liberal democracy to fascism has not occurred anywhere.

Hayek's mistake was repeated by not only Strauss and Bloom but also other conservative commentators, among them Jonah Goldberg of *National Review* in *Liberal Fascism: The Secret History of the American Left from Mussolini to the Politics of Meaning* (2008) and Dinesh D'Souza in *The Big Lie: Exposing the Nazi Roots of the American Left* (2017). Strauss, Bloom, Hayek, Goldberg, and D'Souza all make the mistake of conservatives generally, failing to realize that what determines whether a society is on the road to fascism is not the size of government but *the abandonment of liberal democratic values*. As observed above, however, fascism shares many similarities with right-wing populism of the Republican Party.

"He's no ordinary con man. He's way above average—and the American political system is his easiest mark ever." This was the subtitle in journalist Matt Taibbi's revealing essay on Trump's ability to hide his ignorance with bluff, bullying, and blustery; his view of trust as weakness to be exploited; and how these traits could win him the presidency. The article was titled "How America Made Donald Trump Unstoppable," Rolling Stone, February 24, 2016. The CBS News/YouGov Battleground Tracker poll conducted in March 2020 revealed findings consistent with Taibbi's warning—it found 90 percent of Republicans trusted President Trump to give them accurate information about COVID-19, versus 14 percent of Democrats. Of course, Trump promoted numerous lies about COVID-19, addressed in a November 2020 article in The Atlantic. With Trump, the con is always on. After his arraignment in Miami in June 2023, he stopped at a popular Cuban restaurant with his entourage and yelled, "Food for everyone!"—then left without buying food for himself, his entourage, or, of course, any of the restaurants' patrons. As observed by Howard Stern, someone who knows him well, Trump is "disgusted" by his supporters and, "The oddity in all this is the people Trump despises most, love him the most."