



We the People? Time for Truth about Democracy in America

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On January 6, 2021 America and the world witnessed the “Save America” rally and march that Donald Trump promoted with tweets like “Be there, will be wild.” Rightwing and social media were already running wild with unfounded claims of a stolen election and threats against elected officials who said otherwise. The crowd was stirred by speakers such as Rudy Giuliani, who walked to the podium to the tune of Macho Man and said that the election should be settled via Trial by Combat. Donald Trump, Jr. threatened any lawmakers who certified the election with “being in your back yard in a couple of months.” Finally, President Trump recapped his list of personal grievances and election conspiracies, and directed the mob to the Capitol where the certification of the election was in progress. “We’re gonna walk down and I’ll be there with you. We’re gonna walk down because we’ll never take back our country with weakness. You have to show strength.” Trump then unleashed the crowd and went back to the White House to watch the mayhem on TV.

The Big Lie that his election was stolen added to Trump’s legacy of some 30,000 others during four years in office. Big lies, little lies, and increasingly dangerous lies.¹ The acceptance of so many falsehoods and conspiracies by so many citizens is symptomatic of deeper problems in American democracy: loss of trust in elections, hostility to government and constitutionally established authority, and the lack of a shared national identity, just to mention a few. How did all of this happen? What does this episode reveal about the battle to redefine “We the People”? What can be done to resolve these fundamental divisions in American society, culture and politics?

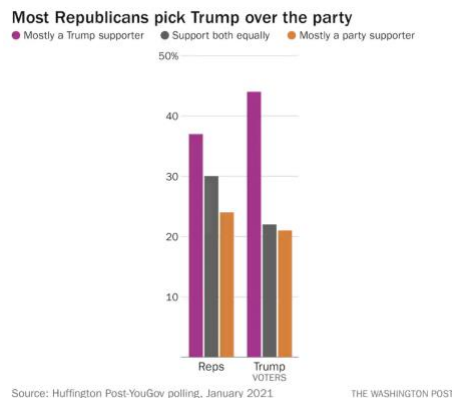
It is difficult to look dispassionately at such questions when we have witnessed sedition by a President, by some of his enablers in Congress, and from the insurgents who tried to overturn the election. Sedition is conventionally defined as inciting rebellion against established – in this case US Constitutional -- authority. Although an unprecedented second impeachment process charging “incitement of insurrection” was quickly begun, the fact remains that Trump was able to repeatedly break rules, trash the Constitution, and soil the national image at home and abroad because his large following held the Republican Party hostage with their voting power. Is that real democracy in action?

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Trump and associates may be blamed not just for inciting insurrection, but for security failures in the face of FBI intelligence that leaders of groups planning to attend the rally were planning violence. We have also learned of plots to assassinate Democratic (and a few Republican) leaders who failed to stop the election. Ahead of Joe Biden’s inaugural, intelligence services warned of armed protests in Washington DC and in all 50 state capitols. Why should any of this come as a surprise after Trump’s calls during the Spring of 2020 to “liberate” states such as Michigan, Minnesota and Virginia. An armed occupation of the Michigan Capitol took place at the end of April, ostensibly to protest Covid restrictions. Some of the participants were later charged with conspiracy to kidnap the governor and bomb the capitol. Over Covid restrictions? Or were those actions rehearsals for a future coup? However likely such an uprising is to succeed is not really the point. Once unleashed, even small numbers of armed and angry citizens can severely disrupt a nation already facing multiple crises in areas of health, economy and politics – particularly if they are given tacit approval by large numbers of fellow citizens and enough elected officials to protect them.

None of this could have happened without the majority of national Republican officials enabling Trump. Nor could it have happened without the unwavering support of the large plurality of citizens who voted for him and then cheered his efforts to overturn the election.

We are at the crossroads between honoring the Constitution and the rule of law and bowing to the pressures of a large public living in a parallel reality in search of a different political order. This dilemma is framed for politicians in the Republican party by polls showing that a majority of Republican voters saw the mob action at the Capitol as either “mostly right” or “went too far but had a point.” Indeed, the point for these Republican and Trump voters is that the election was somehow stolen despite the many recounts and rejected court cases to the contrary, including rulings by some still-conscionable Republican judges, governors and election officials. One of many fundamental political questions for the future of democracy in America is: How will the Republicans who have enabled the erosion of democracy for so long wrestle with the reality that strong pluralities of Republican voters now identify with Trump over their party.²



A YouGov poll conducted shortly after the takeover of the Capitol found that 58% of Republicans found the events, on balance, to be “more peaceful” while only 22% regarded them on balance as “more violent.”³ One can take hope from the 62% majority of voters in the

same poll who regarded the insurrection as a threat to democracy. But what about the 38% who did not see it that way? Those other Americans spent much of the summer of 2020 imbibing alarmist rightwing reactions to the Black Lives Matter protests – led by Fox News and other rightwing media, along with Trump, who flooded the full spectrum of social media and mainstream news with conspiracies, lies and calls for law and order. Did they see the BLM protests as any less a threat to democracy?

It is also useful to contrast the Trump administration’s heavily militarized response to those protests against systemic racism with the lack of serious security at the Capitol during the rally and insurrection. Trump delivered a warning from the Rose Garden in June that unless governors and mayors established an “overwhelming law enforcement presence” to “dominate the streets,” he would send in the military to restore order. That brought a response from 280 former military officers, diplomats and national security officials who posted a letter to Trump warning that using the military against civil domestic protests threatened American democracy: “There is no role for the U.S. military in dealing with American citizens exercising their constitutional rights to free speech.” They also noted that “Our military is composed of and represents all of America.”⁴

The thought of using the military against his own “patriotic” supporters was clearly not on Trump’s mind. On the day of the insurrection he was too busy watching the riot on TV to answer the calls for help from lieutenants such as Mike Pence and Kevin McCarthy who were trapped in safe rooms under the Capitol. Trump appointees at the Pentagon were similarly hard to reach (in the District of Columbia, the Department of Defense must approve use of the local National Guard). It is possible that it was Mike Pence who finally got through to someone at DOD and enabled the Guard. For understandable reasons, nobody is willing to confirm or deny that story.

Let’s return for a moment to the significance of the attempt to overturn the election. Whether many Republican leaders really believed that the election was stolen, or just said they believed it in order to overturn the results – that is all beside the point. The point is that they act as if they cannot lose. Even after the siege of the Capitol was quelled and certification of Electoral College results resumed, fully 138 of the 211 (65%) House Republicans voted against certifying the vote in Pennsylvania, and 147 Republicans across the two chambers supported one or both of the strategic challenges (the other against Arizona). What will the outcome look like a few elections down the road when more like them are elected? A few more undemocratic acts by a few more “loyal” state and national party officials, and low and behold, it will turn out to be true: They cannot lose! The reader may know or even live in one of many countries in which this is already the case.

Democracies are fragile. They require both citizens and elected officials who understand how a democracy works and who actually want to keep it. Most Americans would fail the first test, and an alarming number would fail the second. There are many cracks in our civic culture, but the punctuating events of the Black Lives Protests of the summer of 2020 and the white riot at the Capitol in January 2021 highlight one fissure that we can no longer ignore. We are locked in

a fateful struggle over who the true or real citizens of this country are. Should America become a white nationalist patriarchy (including the women who stand by their men), or should it be ruled by principles of liberty, equality and justice for all? It is by now clear that when our fellow citizens call to “Save America,” “Make America Great Again,” “Defend Democracy” or “Stop the Steal,” those are coded terms for stopping the political ascendancy of a non-white majority in America. They want a return to a democracy of, by, and for white people. After all, that is what existed for most of American history save for a brief period after the Civil War and a few hopeful decades in the middle of the 20th century. Even if Trump fades away or ends up in jail, there is already a line forming to inherit his mantle. Trump did not invent the reactionary creed echoing throughout the land. He merely decoded it and helped bring it into the open for all to see.

There are, of course, many threads beyond racism that connect different elements of this movement. The factions that intersect on social media and receive amplification in both mainstream and rightwing media include: the anti-globalists, who have put a different spin on positions long associated with the left; the growing Qanon networks with their pedophile and antisemitic conspiracies; science-doubting wellness communities; and Proud Boys, Boogaloo Bois and armed militias dedicated to armed insurrection and civil war. There are also anti-science and anti-government groups on the religious right whose leaders have literally laid hands on Trump, and passed out anointed handkerchiefs instead of facemasks at church services during the pandemic.⁵ The overarching attack on science and reason have become complicating factors working against solving many problems, from health to environment. These self-styled Patriots dissociate themselves from progressives and academics who seem superior by wrapping themselves in facts and dismissing the far right as crazy and stupid. Many of these factions are also unified in their disdain for cosmopolitans, a term with a long history as antisemitic code, and which colors the anti-globalist rhetoric. For too long, these angry citizens have felt like “strangers in their own land,” as Arlie Hochschild put it.⁶ Their quest for a shared identity was crystallized in Trump’s appeal to Make America Great Again through the ascendance of white patriarchal Christian nationalism and the unifying battle against the evils of diversity, inclusion, tolerance and equality. It seems clear that We the People evokes little shared identity among the warring political tribes seeking recognition as the true American citizens.

Given this large political alliance on the right, we can understand the shock of Trump and his enablers upon learning that they lost states like Georgia, Wisconsin, Arizona and Pennsylvania. After all, the Republican parties in those states had been working for years to suppress the votes of blacks, other people of color and many of the poor. In Trump’s view, if those measures had really worked as designed, he could not have lost. When the far right and a growing majority of Republicans use terms like *democracy*, *freedom* or *patriot* it is important to resolve our confusion by understanding that they are speaking in a dangerous political code. One of the most skilled code talkers and leaders of the attack on the election process is Ted Cruz, who spent four years supporting Trump – even after Trump savaged him by spreading the conspiracy theory linking his father to the JFK assassination, and calling his wife ugly. Cruz,

along with Josh Hawley, Kevin McCarthy and others, see themselves as the heirs to Trump's movement. They led the attack on democracy from inside the Capitol.

Seeking to overturn state electoral delegations, Cruz cited the contested election of 1876 as precedent and called for a commission to be appointed to sort out the allegations of election fraud that had already been thrown out in over 50 court cases and repeatedly denied by election officials. As Lindsey Graham pointed out during the Senate debate, there was no parallel between 1876 and 2020 because there was no longer reason to doubt any state results. With that speech, Graham got off the Trump bus at the last stop before it ran off the road. Mitch McConnell had left the bus at the stop before. Meanwhile, Mike Pence was thrown under the bus after Trump falsely claimed that Pence had the power to "stop the steal" and then pointed blame at him when he failed to do so. The insurrectionary mob erected a gallows and noose at the Capitol and chanted "hang Mike Pence." Being a party loyalist, Pence refused to invoke the 25th Amendment to remove Trump, or otherwise turn on the man who turned the crowd on him.

Lindsey Graham's demurrals notwithstanding, the lessons from 1876 for today are instructive. The nation was impossibly divided by the reconstruction process after the Civil War and four states sent contested slates of electors to the congressional confirmation. That left Democrat Samuel Tilden, the popular vote winner, one electoral vote short. After an appointed commission failed in its deliberation, the Republican candidate Rutherford B. Hayes offered Congress a deal to give him the votes in exchange for an end to Reconstruction. So ended the party of Lincoln in the South, and so began the Democratic Jim Crow regime (Jim Crow was an early 19th century minstrel caricature of a black man). The result was nearly a century of disregard for the 14th and 15th amendments to the Constitution that gave all people born in the US equal rights, protections of the law, and the right to vote. And so, except for a brief period of hope in the mid 20th century, America has long harbored the shame of suppressing black votes and civil liberties. The end of reconstruction marked the beginning of mass disenfranchisement enforced by a reign of terror and lynching from white supremacists, all supported by courts, public officials, and condoned by the Democratic Party. In recent years, disenfranchising black citizens and many others has been normalized through a mix of policing, imprisonment, legal hurdles to voting, and gerrymandering, all shielded by Republican officials and legal strategies.

Like its historical antecedents, this modern-day regime has been further normalized by large measures of public complacency and white liberal disbelief. While Trump watched the spectacle on TV and refused to take calls for help from his own allies locked in the Capitol basement, Joe Biden took to the airwaves to proclaim that the scenes of insurrection "do not represent a true America," and "do not represent who we are." In the days after, many other leaders joined the all too familiar chorus of "this is not who we are." Perhaps it is time to look more squarely at that tired claim. As Ibram X. Kendi put it, "Denial is the heartbeat of America. When have we been willing to admit who we are?"⁷ Perhaps progress toward a more functional democracy requires those outside the rightwing nationalist movement to lift the veil of innocent denial and decide who we really want to become.

Following the fateful compromise by the Party of Lincoln in 1877, the nation witnessed a century of struggle by millions of heroic black citizens to gain their civil and political rights. Through many horrific and violent episodes, movement pressure persisted, along with many legal battles. It helped that the attention of the world was focused on the unrealized promise of American democracy during the Cold War. Also influential was the landmark Carnegie Corporation study *An American Dilemma* written by Swedish Nobel Laureate economist Gunnar Myrdal. The book documented the many ways in which a mix of willful exclusion and innocent denial by whites had blocked black participation in the “American Creed” of freedom, civil liberties and equal opportunity.⁸ Ralph Bunche served as a research assistant who Myrdal credited with helping him understand both black and white perspectives on divided national identity. Although criticized by Ralph Ellison at the time for looking at black society as a reaction to white racism, and more recently by scholars questioning whether an American Creed ever existed in such uncomplicated form, the book became an international best seller despite its sprawling length of over fifteen hundred densely researched pages. Sparking public debate about whether the US was a functioning democracy with a shared a national identity, Myrdal’s argument helped shape the landmark 1954 Supreme Court decision of *Brown v. Board of Education* that led to the end of school segregation. A decade later, as civil rights protests escalated, Congress passed the historic Civil Rights Act of 1964 and the Voting Rights Act of 1965. The first law banned segregation and discrimination in social and economic life, and the second banned poll taxes, literacy tests, and other “trumped up” barriers to voting that remained part of the authoritarian Jim Crow regime in a solidly Democratic South. When Lyndon Johnson signed the Voting Rights Act, it is often said that he told an aide “we have lost the South for a generation.” Whether true or apocryphal, the prophecy of losing only a generation turned out to be far too optimistic.

Beginning with the “law and order” presidency of Richard Nixon in 1968, the GOP began pushing against the threatened rise of blacks and other disenfranchised groups. (Trump revived that law and order code and sent militarized forces against Black Lives Matter protesters in 2020.) By the Reagan years, the party had clearly set its course against expanding the voting franchise because party leaders knew they could not win the support of people of color and the poor for their policy agenda that favored wealth and inequality – an agenda that they have been remarkably successful fulfilling, with occasional help from the Democrats. By the 1980s there was a clear three-pronged strategy to create minority rule in America:

1. The GOP formed voter alliances with largely white interest groups in the areas of gun rights, anti-abortion, and evangelical Christianity.
2. Since this largely white patriarchal support base was still not numerous enough to win in many states or at the national level (particularly in the face of changing demographics), the second prong of the strategy was voter suppression through a host of latter day Jim Crow tactics such as restrictive voter i.d. and registration hurdles, prison and residency exclusions, and gerrymandering. These measures proved extremely effective to secure more red states. For example, in the 2018 Wisconsin state elections, the Republicans won only 46% of the vote but landed 64% of the seats in the state Assembly. And until

the concerted Democratic voter drives of 2020, the same measures handed minority victories to Republican presidential candidates in 2000, and 2016.

3. All of this was legalized by a decades long court packing strategy engineered by The Federalist Society and Koch brother organizations and implemented in later years by Mitch McConnell and colleagues in the Senate.⁹ The largely successful aim has been to fill the federal courts with judges who would support limited democracy, open the gates to money in politics, and continue to do political favors for the original party base of gun lovers, pro-lifers and Evangelicals.

All of this history lurked behind the model for resolving the 2020 election proposed by Ted Cruz (R-Texas) and Josh Hawley (R-Missouri), among others. More shocking is that their seditious efforts were supported by 147 Republican lawmakers who voted to decertify one or both of the states targeted in the Cruz-Hawley plan. Even more rightwing lawmakers might have joined them if they had not been chastened by the occupation of the Capitol during the proceedings. Others were afraid of a backlash that could end the Electoral College system, which they rightly see as the main hope for Republicans winning the presidency as a minority party. The sobering fact is that the GOP has won the popular vote only once in the last eight presidential elections. What is the future of fair elections if more undemocratic representatives are elected, as they surely will be?

As should be clear by now, the blame for all of this should not be placed solely on Trump, although he should be punished for his many transgressions. If anything, his election clarified a much larger and more disturbing truth: Republicans have waged a war on the foundation of democracy -- equal representation -- since the 1960s. Trump may be the monster that resulted from this laboratory project, and he has assembled the broader "Truther" groups sketched earlier into the movement to take over the party, but the historical project is what must be stopped.

Complicating the Republican project to legalize voter suppression is the dilemma that the party could not fully control the rise of unruly movements such as the Tea Party that wanted to push even farther into the areas of white nationalism¹⁰ and anti-globalism. In 2016, Ted Cruz was the likely candidate to try to manage the monster the Republicans created. But it turned out that Trump was the one who both recognized the growth potential of the angry white fringe and knew how to communicate with it. Using a media system -- from Fox to Twitter -- that drew large audiences dedicated to hate, conspiracy and disinformation -- Trump helped organize an improbable Electoral College win and maintained stunning levels of popular support throughout his reign of terror, error, and national shame in the eyes of the world.

And so, the Republican Party became the party of Trump, and must face the consequences of its own creation. In its first test, the Republican National Committee met in Florida two days after the Capitol insurrection and selected Trump allies to the top leadership positions. As Paul Reynolds, a delegate from Alabama, put it, "We can't exist without the people he brought to

the party – he’s changed the direction of the party. We’re a different party because of the people who came with him, and they made us a better party.”¹¹

Trump has merely revealed the Full Monty of the long Republican project to reinvent Jim Crow, although the GOP leadership preferred to talk about it in less overtly racist and undemocratic terms. In many ways, Trump lifted the veil on the truth, as so many of his followers have credited him with doing. In the process, he became the leader that Mitch McConnell, Lindsay Graham, Ted Cruz, Josh Hawley and the majority of his enablers so richly deserved.

Is there a way forward from here?

If American democracy is to turn back the current challenges and deliver its long-deferred promise of justice and equality for all, a number of changes need to occur. I can sketch them only briefly here:

1. Increase social and political inclusion by addressing systemic racism, voting restrictions, and opportunity programs, among other measures required to fix broken representation, social, and economic systems.
2. Address economic inequality. The US leads the G7 in income inequality and is near the bottom of the OECD, only slightly better than Bulgaria. Economic inequality translates in many ways into political inequality. If the Democrats want to continue to turn out the numbers of voters required to overcome state level suppression, they cannot depend forever on the heroic registration and turnout efforts of people like Stacey Abrams. They need to move beyond tired appeals to the middle class and develop programs for the bottom 30% in areas of jobs, health care, education and public infrastructure such as housing and transportation. This would be a good opportunity to engineer a more inclusive economy as part of a Green New Deal.
3. Get money, rampant lobbying, and the revolving door between public office and K Street out of politics – really do it this time.
4. Reform the election process by outlawing voter suppression and restoring provisions of the Voting Rights Act and other laws that Republican Courts have suspended (see, for example, the Supreme Court ruling in *Shelby v. Holder*, 2013).¹²
5. Change the judicial appointment process and tenure provisions to restore the political balance and independence of the judiciary, which is required for many of the above reforms.
6. Restore the integrity of public institutions, including the Environmental Protection Agency, the Centers for Disease Control, the Securities and Exchange Commission, the Federal Communications Commission and the Federal Elections Commission. These institutions and many more have been hollowed out to better serve business and political interests, to the detriment of governmental capacity and public trust.
7. Revisit regulations on media and public communication in areas of hate, disinformation and undemocratic communication that now pose as free speech. This includes restricting the political abuses of both social and traditional media. Banning Trump from

Twitter and Facebook is a good start, but we cannot continue to let our media system be largely self-regulated.

8. Fix our broken education system with national standards and federal financial incentives to promote thinking and reasoning skills, understanding of science, effective introduction to principles of liberal democracy, more inclusive versions of history and the humanities, and practical experiences with citizen rights and responsibilities.
9. Create a National Democracy Commission to set standards for the conduct of our politics within accepted liberal democratic guidelines. There is currently nobody in charge of protecting democracy in America. It is time to fix that.

Of course, there will be resistance to all of these ideas. However, the transformation of social norms and national identity will not happen on its own. A simple view of how social and political change occur suggests that laws and institutions structure changes in behavior, and new patterns of behavior, in turn, invite changes in perception and consciousness. Simply repeating “this is not who we are” will not produce reconciliation or change. It is time to admit that we are deeply divided about who we are, and those seeking a more inclusive democratic society must organize politically and impose their will to act differently.

¹ On the uses of lies in illiberal and authoritarian regimes, see Timothy Snyder, “The American Abyss,” *The New York Times*, January 9, 2021. https://www.nytimes.com/2021/01/09/magazine/trump-coup.html?action=click&campaign_id=51&emc=edit_MBE_p_20210110&instance_id=25867&module=Top+Stories&nl=morning-briefing&pgtype=Homepage®i_id=81798740§ion=topNews&segment_id=48938&te=1&user_id=803ed568cd62695b190f3602609854b3

² Philip Bump, “Most Americans reject the attack on the Capitol but millions empathize with the mob.” *The Washington Post*, January 9, 2021. https://www.washingtonpost.com/politics/2021/01/09/most-americans-reject-attack-capitol-but-millions-empathize-with-mob/?utm_campaign=wp_post_most&utm_medium=email&utm_source=newsletter&wpisrc=nl_most&carta-url=https%3A%2F%2Fs2.washingtonpost.com%2Fcar-ln-tr%2F2e5b6fe%2F5ffb2e2f9d2fda0efba8e4b6%2F596b302cae7e8a44e7d37da9%2F29%2F68%2F5ffb2e2f9d2fda0efba8e4b6

³ Matthew Smith, Jamie Ballard, and Linley Sanders, “Most Voters Say the Events at the US Capitol are a threat to democracy.” *YouGov*, January 6, 2021. <https://today.yougov.com/topics/politics/articles-reports/2021/01/06/US-capitol-trump-poll>

⁴ Dan De Luce, “Retired diplomats, generals slam Trump over using U.S. military to ‘intimidate’ protesters.” *NBC News* June 5, 2020. <https://www.nbcnews.com/politics/national-security/retired-diplomats-generals-slam-trump-over-using-u-s-military-n1225896>

⁵ On the religious right, see Katherine Stewart, “The Religious Right’s Hostility to Science is Crippling Our Coronavirus Response,” *The New York Times*, March 27, 2020. <https://www.nytimes.com/2020/03/27/opinion/coronavirus-trump-evangelicals.html?action=click&module=RelatedLinks&pgtype=Article>

⁶ Arlie Russell Hochschild, *Strangers in their Own Land: Anger and Mourning on the American Right*. The New Press, 2018.

⁷ Ibram X. Kendi. “Denial Is the Heartbeat of America. When have Americans been willing to Admit Who We Are?” *The Atlantic*, January 11, 2021. <https://www.theatlantic.com/ideas/archive/2021/01/denial-heartbeat-america/617631/>

⁸ Gunnar Myrdal, *An American Dilemma: The Negro Problem and Modern Democracy*. Harper & Bros, 1944.

⁹ Debbie Stabenow, Chuck Schumer and Sheldon Whitehouse, “Captured Courts: The GOP’s Big Money Assault on the Constitution, Our Independent Judiciary and the Rule of Law,” Democratic Policy and Communications Committee, May, 2020. <https://www.democrats.senate.gov/dpcc/press-reports/dpcc-report-stabenow-schumer-whitehouse-unveil-report-detailing-gops-big-money-assault-on-the-constitution-our-independent-judiciary-and-the-rule-of-law>

¹⁰ See Christopher S. Parker and Matt A. Barreto, *Change They Cannot Believe In: The Tea Party and Reactionary Politics in America*. Princeton University Press, 2013.

¹¹ Chris Cameron and Mike Ives, “Democrats Demand Answers from Justice Department about Trump’s Role as Impeachment Threat Looms” *The New York Times*, January 9, 2021. <https://www.nytimes.com/live/2021/01/09/us/trump-biden>

¹² For some useful ideas, see Beverly Gage and Emily Bazelon, “How to Ensure This Never Happens Again” *The New York Times*, January 8, 2021. <https://www.nytimes.com/2021/01/08/opinion/election-reform.html?smtyp=cur&smid=tw-nytopinion>