

# The January 6th, 2025, Project: Fascist Politics and the Rising Threats to American Democracy

By  
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The violent attack on the U.S. Capitol on January 6, 2021, can easily be viewed as a culmination of serious threats to democracy that have been building in our nation for years. I introduce this volume first by showing that the core challenges to our democracy are not new: public opinion survey data show that, for decades, 25 to 30 percent of Americans promote racial and religious hierarchies, believe conspiracies and misinformation, distrust democratic institutions, and support antidemocratic behavior. I argue, though, that the severity of threats facing American democracy right now are unusually high. This introduction summarizes those threats and some of the findings of the articles within this volume. This volume shows how we came to be at an inflection point in American history, some strategies for creating a safer and more inclusive democratic future, and some reasons for optimism about American democracy.

*Keywords:* democracy; January 6th; fascism; polarization; antidemocratic attitudes; democratic institutions

On January 6, 2021, the U.S. Congress convened in a joint session to certify Joseph Biden as the winner of the 2020 presidential election. In a public park a few blocks away, the defeated president, Donald Trump, addressed a crowd of his supporters, including members of various paramilitary organizations and other right-wing extremists. After repeating conspiracy theories and false claims about the election, the president called on his vice president, Mike Pence, to block certification of the election, insisting, “We’re just not going to let that happen.” Trump closed by urging the crowd to walk down Pennsylvania Avenue to the U.S.

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Capitol Building and “fight like hell” or “you’re not going to have a country anymore” (Duignan 2021).

Even before Trump concluded his remarks, a mob of his supporters pushed through fences at the western edge of the U.S. Capitol. As the mob grew, they quickly overwhelmed the police, beat officers with pipes and flagpoles (some still holding the American flag), sprayed chemical irritants, broke windows, and forced their way into the Capitol. For hours, the rioters wandered through the building, destroying property, fighting with police, and chanting, “Hang Mike Pence.” The House and Senate, which had split into separate chambers to consider a challenge to Arizona’s electoral votes, were both forced to recess as elected officials and their staffers fled the building, were rushed to secure locations, or barricaded themselves into offices. One rioter smeared feces on the walls. Another was shot by the Capitol police as rioters attempted to breach a barricade (Duignan 2021).

The January 6th riot was shocking to most observers. But in many ways the attack on the Capitol was the natural culmination of social and political developments over the prior decade. Americans have traditionally been depicted as intrinsically, uniquely, and almost universally dedicated to democracy, freedom, and equality—by observers from de Tocqueville (1835/2002) to Turner (1920), from Bancroft (1840) to Hartz (1955). But this idealized picture of the U.S. and its citizens is incomplete. Of course, there are many reasons to think America might be exceptional (Ceaser 2012), and there is some evidence that many Americans are unusually committed to democratic ideals (Kingdon 1999; Liptset 1997; Shafer 1991). But a substantial portion of the American population consistently endorses antidemocratic—even fascist—values. This block of the population rarely achieves majority support. But, when the right set of circumstances align, these citizens can nonetheless redirect our national politics and undermine our democratic institutions.

Using the term *fascist* to describe Americans—even a minority of Americans—might seem unnecessarily provocative. And to be clear, I would not apply the term to all Americans, to most Americans, to the American government, or to the American nation in an abstract sense. Indeed, I strongly agree with Mabel Berezin’s conclusion that “we do not yet have a fascist regime” in the U.S. (Berezin, this volume). But neither do I mean to invoke the term as a pejorative epithet for sensationalist effect. I am not referring to values that are merely impolitic or generically reprehensible; I am talking about a very specific and identifiable set of political practices that constitute fascism. Thus, my claim is limited, literal, and specific: about one-fourth of the American population consistently endorses fascist politics.

There is much debate about the precise scope and definition of fascism. As just a few examples, the British historian Kershaw (2016) described the key features of fascism as hypernationalism; the complete destruction of political enemies; racial exclusiveness; and an emphasis on discipline, manliness, and militarism (228–32). The American political scientist Paxton (2004, 218) defined fascism as “a form of political behavior marked by obsessive preoccupation with

community decline, humiliation or victimhood and by compensatory cults of unity, energy and purity, in which a mass-based party of committed nationalist militants, working in uneasy but effective collaboration with traditional elites, abandons democratic liberties and pursues with redemptive violence and without ethical or legal restraints goals of internal cleansing and external expansion.” But I will primarily rely on the philosopher Stanley’s (2018) description of fascism as a set of political tactics commonly used to achieve power.

According to Stanley (2018), the most prominent aspect of fascist politics is the division of the public into an “us” and a “them.” Fascists often try to naturalize and exacerbate social divisions by creating a hierarchy of human worth based on race, ethnicity, gender, or religion. They can then use these social distinctions to separate in-group and out-group members or motivate related political disagreements. Fascists reinforce these social divisions by inventing a mythic past to support their narrative. They use propaganda to reframe society’s values and promote anti-intellectualism to create a state of “unreality” characterized by conspiracy theories and fake news. Breaking down these shared social understandings weakens society’s commitment to democratic principles and opens avenues for dangerous, antidemocratic beliefs to proliferate. These antidemocratic ideas ultimately promote an ultranationalist, authoritarian state led by a “strongman” who supposedly embodies the people’s will and, therefore, is justified in undermining any democratic institutions that challenge his authority. In short, fascist politics are characterized by (1) dividing society into an “us” and a “them,” (2) using these social divisions to promote antidemocratic ideas, and (3) undermining democratic institutions to protect an authoritarian leader.

## American Fascists

How much support do these fascist themes find among the American public? To answer that question, I examine a variety of data sources. I draw most prominently from the General Social Survey (GSS), a nationally representative, pooled cross-sectional survey of Americans on political, economic, and social issues from 1978 to 2022 (Davern et al. 2023); and the Notre Dame Health of Democracy Survey (NDHDS [Hall and Campbell 2022]), a nationally representative survey conducted online in both English and Spanish during the fall of 2022, with a national probability sample collected through NORC’s AmeriSpeak Panel.

Dividing the public into an “us” and a “them” is common in American politics. For example, many Americans consistently endorse divisions along racial lines. From the 1970s through the early 1990s, more than a third of the public said they would object to their child attending a school where most children were a different race, and about a fifth of the public supported bans on interracial marriage; even as late as 2002, 12 percent of Americans still supported such bans (Davern et al. 2023). Among white Americans in 2022, 38 percent resented any special considerations that Blacks receive, and 17 percent

considered shifting demographics that will make whites a minority a serious threat to the nation (Hall and Campbell 2022). The U.S. is also consistently divided along religious lines. For the past half-century, more than one in five Americans believed that someone who is against all religion should not be allowed to give a speech in their community, a pattern that persists to this day (Davern et al. 2023). Moreover, in 2022, 25 percent of the public considered being a Christian an important aspect of being truly American, and 15 percent believed that the federal government should declare the U.S. a Christian nation (Hall and Campbell 2022).

And these social divisions are often justified based on alleged social hierarchies. In 2022, 16 percent of Americans believed that some groups of people were simply inferior to other groups (21 percent neither agreed nor disagreed), and 18 percent agreed that an ideal society requires some groups to be on top and others to be on the bottom (both of which are classic measures of social dominance attitudes [Hall and Campbell 2022]). And these hierarchical beliefs have important implications for democratic attitudes. The same year, a fifth of Americans disagreed that everyone should be allowed to vote (Hall and Campbell 2022). From the 1970s through the 2010s, about a half of non-Blacks believed that Blacks tend to have worse jobs, income, and housing than do whites because they lack the motivation or willpower to pull themselves up out of poverty. Although that number started to drop about a decade ago, 30 percent of non-Blacks still hold that belief (Davern et al. 2023). For decades, about a fifth of Americans have believed that most men are better emotionally suited for politics than most women are (Davern et al. 2023). And over the past few decades, more than a third of Americans considered being Christian a very important aspect of being truly American (Davern et al. 2023).

The American public has also proven susceptible to conspiracy thinking and misinformation. Ten to 15 percent of Americans still question whether the moon landing was real (Bowman and Rugg 2013). Substantial minorities continue to suspect government cover-ups of alien landings, UFOs, and the Oklahoma City bombing, as well as covert government involvement behind Pearl Harbor, the Kennedy assassination, and the 9/11 attacks (Bowman and Rugg 2013). In a series of polls during the 1990s, between a fifth and a third of Americans said it was possible that the Nazi extermination of Jews during World War II never happened (Bowman and Rugg 2013, 11–12). And, of course, these conspiracy theories extend to partisan politics. For example, during his presidency, roughly a quarter of Americans continued to doubt whether Barack Obama was born in the U.S. (Bowman and Rugg 2013, 34–37). In 2022, 21 percent of Americans believed that Joe Biden and the Democrats stole the 2020 election (another 19 percent neither agreed nor disagreed with that claim). And these conspiracy theories spur dangerous attitudes. Two-fifths of Americans thought the country was on the brink of civil war, and 44 percent believed the American way of life was disappearing so fast that “we may have to use force to save it” (Hall and Campbell 2022). Indeed, 12 percent of Americans were not opposed to personally using violence to ensure their preferred political party wins the next presidential election (Hall and Campbell 2022).

Ultimately, these trends have undermined trust in democratic institutions. Large groups of Americans are now willing to support political candidates who say they will never concede electoral defeat (27 percent), who say they will ignore whether courts say their election is legitimate (28 percent), and who say their political opponent deserves to go to jail (45 percent [Hall and Campbell 2022]). Thirty-seven percent of Americans believe the government should be allowed to shut down media outlets that spread disinformation, and 31 percent expect a substantial amount of election fraud in the next election (Hall and Campbell 2022). Indeed, 36 percent of the public thinks the American political system is unfair and cannot be trusted, and 46 percent agree that the country needs “a strong, determined president who will crush the evil and set us on the right way again” (Hall and Campbell 2022)—essentially the very definition of an authoritarian “strongman” leader.

Moreover, these attitudes are deeply interrelated. That is, it is not simply the case that different groups of the population endorse some of these ideas; it is generally the same group of Americans that endorse most of these beliefs. To test this claim, I examined the following items from the NDHDS (Hall and Campbell 2022) that I argue relate to Stanley’s depiction of fascist political tactics described above:

- To what extent do shifting demographics that will make whites a minority pose a threat to American democracy?
- The federal government should declare the United States a Christian nation.
- I consider being a Christian an important aspect of being truly American.
- Joe Biden and the Democrats stole the 2020 presidential election.
- The United States is on the brink of a new civil war.
- The true American way of life is disappearing so fast that we may have to use force to save it.
- I would personally be willing to use violence to ensure that a [opposite party] candidate wins the 2024 presidential election.
- Some groups of people are simply inferior to other groups.
- An ideal society requires some groups to be on top and others to be on the bottom.
- Everyone should be allowed to vote.
- Imagine a candidate for the U.S. Senate in your state who you would otherwise support. How would it affect your vote if the candidate said: “If I lose this election, it is only because the system is rigged. I will never concede defeat to my opponent.”
- Imagine a candidate for the U.S. Senate in your state who you would otherwise support. How would it affect your vote if the candidate said: “I don’t care if the courts say this election is legitimate. I will decide whether to accept the results or not.”
- Imagine a candidate for the U.S. Senate in your state who you would otherwise support. How would it affect your vote if the candidate said: “My opponent is so dangerous that they deserve to go to jail.”

- In the 2022 midterm elections: There will be a substantial amount of election fraud across the country.
- What our country really needs is a strong, determined president who will crush the evil and set us on our right way again.

I conducted an exploratory factor analysis (Widaman 2018)<sup>1</sup> to evaluate whether agreement with these statements hang together. The analysis indicates that all of these items load onto a single latent factor, suggesting that they all tap into a common underlying system of beliefs. In short, these items constitute a coherent and interrelated set of ideas reflecting an underlying pattern of beliefs. And these ideas are shared by a large proportion of the U.S. public. In fact, on average, 29 percent of Americans agreed with the fascism-consistent attitudes described above.

The prevalence of these attitudes among the public is obviously disconcerting. But, as described above, this pattern is not new—25 to 30 percent of the public has always shared these views. Because a substantial portion of the American population consistently endorses fascist ideas, our democracy always faces the threat that this faction will prevail. And, of course, the principles of fascist politics lend themselves to advancing minority interests over majority will by excluding certain segments of the population from political participation and undermining democratic institutions. Thus, when social and political circumstances align in certain ways, this fascist minority may be able to exploit institutional vulnerabilities and seize power.

Yet, this minority of Americans does not always control the direction of national policy. The majority generally prevails. So why do these antidemocratic ideas sometimes win the day? And why have these views been particularly salient in recent years? This volume is dedicated to answering those questions. In the pages that follow, a variety of experts assess the severity of the threats facing American democracy, explain how we arrived at this moment in history, and recommend strategies for addressing these threats. Their specific assessments, explanations, and recommendations vary in scope, approach, and perspective. Yet important similarities also exist.

In the next article, Mabel Berezin offers a contrasting view of the current crisis. Berezin contends that fascism is not a useful conceptual category for understanding the current political crisis. Comparing the current political moment with the history of fascism and related constructs in Europe, she contends that the concept of fascism has an “epistemic plasticity” that attenuates its analytic utility outside of specific historical contexts. Instead, she argues that it would be more accurate to think of Donald Trump and his supporters as advancing a nativist political movement. The concept of nativism embraces many aspects of fascism while employing a more individualistic, anti-institutionalist approach. This distinctly American impulse may provide a more nuanced and appropriate lens through which to understand the situation. Nonetheless, Berezin and I both agree that American democracy faces dangerous and destructive challenges from a rising ideology that divides the public, undermines democratic norms, and threatens core American institutions.

In the following sections, I summarize the rest of the articles in this volume as viewed through the lens of Stanley's (2018) fascist politics. The articles are grouped into three categories: (1) the division of the public between an "us" and a "them," (2) the spread of dangerous ideas as a result of these social divisions, and (3) the ways these ideas increasingly undermine democratic institutions.

## "Us" versus "Them"

The first section of this volume explores the various ways that the American public has been divided in recent years, creating unprecedented levels of polarization in our society. This division into an "us" and a "them" poses a serious threat to our society as the first step in fascist politics.

First, John T. Jost, Daniela Goya-Tocchetto, and Aaron C. Kay argue that partisan polarization is deeply rooted in psychological differences between conservative-rightists and liberal-leftists. These psychological differences include differing attitudes, values, personality traits, epistemic and existential motives, psychological orientations, and behavioral tendencies along the right-left divide. The deep entrenchment of these social divisions in basic psychological characteristics suggests that overcoming these divisions is inherently challenging. But the authors see a reason to be optimistic. Indeed, they show that left-right divisions can be partially overcome through psychological processes that motivate participants to preserve the American democratic system. And other recent work has shown that a variety of strategies can reduce affective polarization (Voelkel et al. 2023).

In the second article in this section, Matt A. Barreto and his coauthors argue that pro-white racial attitudes and anti-immigrant sentiment are critical for understanding why the January 6th attack on the U.S. Capitol took place, why it became violent, and why so many Americans who did not directly participate in the mob violence nonetheless came to view the event in a positive light. Quite notably, even after accounting for demographic, ideological, and racial attitudes, public attitudes toward the George Floyd protests are strongly associated with support for the January 6th rioters. The authors contend that the George Floyd protests, Trump's loss in the 2020 presidential election, and their portrayal in right-wing media outlets created a sense of "racial status impotence" among some white Americans. The media narrative in right-wing outlets portrayed Floyd protesters as anti-American radicals and Trump's loss as the illegitimate result of voter fraud in mostly non-white communities. Consequently, this critique of the Black Lives Matter movement and Floyd protests in 2020 laid the groundwork for Trump supporters to hold a "protest of their own," driven in part by opposition to concepts like white privilege and support for white replacement theory.

Next, Darren W. Davis and David C. Wilson employ a similar logic to explain popular reaction to the work of the U.S. House Select Committee to Investigate the January 6th Attack on the U.S. Capitol. Of course, reactions to the Select Committee were partially driven by the same factors that explain support for

Donald Trump and his broader political movement, including affective partisanship and traditional partisan identities. However, Davis and Wilson argue that reactions to the Select Committee were also driven by racial considerations because the January 6th mob, the underlying claims of voter fraud, and Trump's broader political movement inherently invoked issues of race. As a result, negative racial affect (a common indicator of racial prejudice) and racial resentment (a belief that undeserving African Americans are unfairly using race as a form of merit [Davis and Wilson 2021]) both explain reactions to the Select Committee above and beyond the traditional explanations associated with polarization and partisanship. The authors especially emphasize this second factor—racial resentment—as critical for understanding the January 6th attack on the U.S. Capitol and the subsequent reactions to the Select Committee.

Finally, David E. Campbell highlights the importance of social capital for combating political polarization in society. Specifically, he focuses on bridging social capital—that is, social networks that encompass people across diverse social cleavages (as opposed to bonding social capital, which tends to reinforce exclusive identities and homogeneous groups [Putnam 2001]). Campbell utilizes a new measure of bridging social capital in a geographic area developed by Chetty et al. (2022) based on Facebook friendships between people with different levels of socioeconomic status. Employing this new measure, Campbell demonstrates that people who live in communities with more economic social bridging are more likely to have a positive attitude toward people who support a different political party—that is, they are less affectively polarized. Moreover, political cross-talk (that is, interacting with people who hold different political views) is a possible causal mechanism to explain this notable effect. This finding suggests both an explanation for why polarization has increased over the past few decades and potential interventions to reduce polarization in the future.

Together, these articles highlight the deep divides in modern American society. Ideological disagreements are rooted in basic psychological characteristics that shape a wide range of attitudes and beliefs. And reactions to specific political events, like the January 6th attack on the Capitol or the House Select Committee's investigation of the attack, are inevitably shaped by racial attitudes, such as prejudice and resentment. Our political divisions often seem intractable because debates on specific topics are often fueled by seemingly unrelated social differences. Disagreements about taxes or abortion may actually reflect different personality traits or motives. Disagreements about electoral integrity or congressional investigatory powers may actually reflect different reactions to the Black Lives Matter movement or affirmative action programs. If divergent political views are largely based on immutable psychological characteristics that often go unacknowledged and unaddressed, the likelihood of compromise, consensus, and reconciliation seem bleak. But there is reason for hope. Even deeply entrenched social divisions can be ameliorated through alternative social and psychological mechanisms, such as appealing to common goals and establishing bridging capital. Indeed, the very fact that polarization is rooted in basic psychological characteristics is promising: if these differences have always existed, then any increase in polarization due to social or political changes should be reversible through countervailing social and political efforts.



## Dangerous Ideas

The second section of this volume examines the various ways that social divisions have undermined critical democratic norms, attitudes, and beliefs in the U.S. Fascist political actors are often able to exploit these divisions to sow distrust, break down shared understandings, and heighten the perceived stakes of political conflicts—ultimately weakening society's commitment to democratic ideals.

First, Robert C. Lieberman and Suzanne Mettler place the current threats to democracy in historical context by examining past instances of democratic backsliding in the U.S. The authors contend that four social and political situations have consistently been shown to threaten democratic institutions: political polarization, conflict over who belongs in the political community, high and rising economic inequality, and executive aggrandizement. Surveying the past two and half centuries of American history, they identify five periods when these threats raised serious concerns for democracy in the U.S. by undermining free and fair elections, the rule of law, the legitimacy of the political opposition, and/or the integrity of rights. The authors conclude that American democracy has often been a fragile enterprise that nonetheless survived these challenges. However, quite distressingly, the nation has never faced the confluence of all four threats at the same political moment—that is, until the current crisis. Thus, while none of these threats is entirely new, American democracy faces an unprecedented convergence of multiple threats simultaneously.

Next, James N. Druckman, Donald P. Green, and Shanto Iyengar summarize the dramatic rise in affective polarization in recent decades, as American partisans increasingly dislike and distrust members of the other party. At the same time, scholars have become seriously concerned about the possibility of democratic backsliding in the U.S. (that is, the deterioration of democratic institutions and accountability), and some scholars suggest that affective polarization may itself be a threat to American democracy (Kingzette et al. 2021). Therefore, Druckman, Green, and Iyengar review the available evidence that affective polarization contributes to democratic backsliding through its effects on electoral politics, democratic transgressions, and governmental functioning. The authors find some evidence that affective polarization exacerbates government dysfunction by undermining shared reality and social trust. Yet despite undertaking an extensive review of possible spillover effects, they find little evidence that affective polarization directly drives democratic backsliding. Thus, there are undoubtedly benefits to reducing affective polarization, but scholars will need to look more broadly to understand the range of threats facing American democracy.

In the third article in the section, Geoffrey Layman, Frances Lee, and Christina Wolbrecht argue that political parties (once thought to be indispensable to democracy) may now be undermining democratic norms in the U.S. Recent social, political, and institutional trends—including close elections, ideological polarization, permeable primary systems, relaxed campaign finance laws, and the rise of partisan and social media—have combined to put unprecedented pressures on the traditional norm of loser's consent (i.e., the willingness of

electoral losers to accept their defeat and reaffirm their allegiance to the political system). And, quite distressingly, party activists are now less likely to embrace the norm of loser's consent and more likely to support political violence. However, the authors are encouraged by the results of the 2022 midterm elections. In that year, it appears that a small segment of the electorate deviated from its usual partisan behavior to oppose candidates who supported Donald Trump's refusal to concede the 2020 election. And this electoral outcome critically set the stage for Congress to pass the Electoral Count Reform Act of 2022.

Diana C. Mutz closes out this section by exploring support for free speech. The free expression of ideas—though a cherished democratic norm for many Americans—has always been more of an aspirational goal than a realized practice in the U.S. But free speech has come under attack in recent years—from groups on the right, who call for book bans, weakened protections from defamation suits, and censorship in public schools and universities; as well as groups on the left, who call for restrictions on “hate speech” that supposedly “harms” historically disadvantaged groups. Mutz argues that recent social developments have fundamentally changed these debates. Although free speech was once championed by college-educated, younger, and more liberal Americans, these patterns have diminished or, in some cases, reversed. Developing a new measure of political tolerance, Mutz finds that older Americans are now more supportive of free speech rights, Democrats are less supportive of free speech, and both Democrats and Republicans are intolerant of speech from their political adversaries. (Importantly, though, college education still predicts tolerance.) Mutz concludes that these developments are worrisome because political elites in both parties may now be modeling intolerance for rank-and-file partisans. And political tolerance—once thought to be inherently beneficial for disadvantaged groups in society—now seems to lie in tension with egalitarian values.

The articles in this section analyze the various ways in which the social divisions potentially undermine support for democratic norms. As Lieberman and Mettler illustrate, periods of democratic backsliding in American history have often been accompanied by ideological, racial, and economic divisions. The logic of this relationship is straightforward: as partisans increasingly dislike and distrust their opponents, they may be increasingly willing to circumvent the democratic process to ensure electoral victory. And some work suggests that polarization may indeed be driving democratic backsliding in the U.S. today (Kingzette et al. 2021). But Druckman, Green, and Iyengar give pause to this interpretation: despite its logic and historical analogues, social scientists have found little evidence that polarization is directly driving antidemocratic attitudes (see Broockman, Kalla, and Westwood 2022). Accordingly, we must consider more complicated ways in which social divisions threaten democracy. The authors suggest polarization may drive government dysfunction through its effects on shared reality and social trust. And Layman, Lee, and Wolbrecht argue that polarization—in combination with changes to the primary system, campaign finance laws, and the media—is undermining core democratic norms among party activists. Similarly, Mutz concludes that partisan elites may be increasingly modeling intolerance to their supporters by demanding censorship

of their partisan opponents. Thus, in contrast to the straightforward narrative (i.e., partisan voters hate each other so much that they are willing to abandon democratic norms to win elections), polarization may indirectly drive antidemocratic attitudes through elites. As elites become increasingly polarized, they become more desperate to win elections by spreading disinformation, censoring opponents, or manipulating the democratic process. Modeling this behavior may directly influence rank-and-file partisans (especially if they only understand elite behavior through the lens of partisan media and ideological echo chambers). But rank-and-file partisans may also project the antidemocratic behavior of out-partisan elites onto ordinary partisan opponents—especially when social distrust is in decline. Again, though, these patterns do not appear to be inevitable: There are promising “treatments” for polarization, a critical segment of the population diverged from their partisan leanings to protect democracy in the 2022 midterm elections, and—perhaps most significantly—the U.S. has overcome many similar challenges in the past.

## Undermining Democratic Institutions

The last section of this volume considers how weakened support for democratic ideals has influenced specific policies that undermine American political institutions. Regardless of social divisions or changes in popular attitudes, the rise of an authoritarian state can only be accomplished through the dismantling of democratic institutions. Thus, the translation of weakened democratic norms into institutional change is the last critical step in the rise of fascist politics.

First, Rebecca L. Brown, Lee Epstein, and Michael J. Nelson argue that a combination of factors has placed the nation on a collision course with its democratic institutions, including (1) a Supreme Court dominated by so-called originalist justices; (2) non-majoritarian political systems, such as gerrymandered districts, the Electoral College, and the U.S. Senate; (3) intense partisan polarization; and (4) the practical impossibility of a constitutional amendment. As a prime example of this problematic combination, the authors examine the independent state legislature (ISL) theory, which would preclude state-court review of state laws regulating elections. The ISL theory raises serious doctrinal, practical, and democratic concerns. Yet in *Moore v. Harper* (2023), the U.S. Supreme Court adopted a limited version of ISL theory (or at least did not completely repudiate the theory). As a result, the High Court now holds more power over election disputes than ever before. Indeed, under the interpretation adopted in *Moore*, the Court could effectively decide whether a state court has properly applied its own election law in the midst of a heated election dispute. The authors argue that Republicans have started advocating the ISL theory because federal courts (especially the U.S. Supreme Court) are more reliable partisan allies than are state courts. Examining judicial voting patterns in cases related to election law, the authors find that—unlike in past decades—the U.S. Supreme Court now consistently restricts the right to vote and invalidates campaign finance laws. In

contrast, judges on the various state courts of last resort—including Republican judges on these courts—are much more likely to invalidate barriers to the vote and uphold campaign finance laws. The result is the suppression of democratic functioning through minority control of the U.S. Supreme Court and a warped reading of the Constitution's Election Clause.

In the second article in this section, Luis Ricardo Fraga, Ricardo Ramírez, and Bernard L. Fraga argue that concerns about demographic shifts in the U.S.—especially concerns about the increasing share of Latinos as a percentage of the population—ultimately create a sense of group threat among white Americans. As a result, whites have increasingly pursued voter suppression laws (primarily through their representatives in the Republican Party). These efforts were strongly advanced when a Republican majority on the U.S. Supreme Court invalidated part of the Voting Rights Act and thus opened the door to a wide range of potential voting restrictions. The precise effects of these voter suppression efforts are still unclear. But these restrictions tend to be proposed and enacted in areas with higher proportions of racial and ethnic minorities, and there is some evidence that Republicans champion these policies, at least in part, because they believe the policies will help them win office. There is mixed evidence regarding the effectiveness of these policies in suppressing the vote because voter suppression laws often motivate and produce countermobilization in minority communities. However, these voting restrictions have disproportionately increased the difficulty of voting for racial/ethnic minority voters and have contributed to a culture of voter suppression that might demoralize and demobilize racial and ethnic minorities over the long term.

Next, Jacob M. Grumbach and Charlotte Hill examine a new and acute threat to American democracy: policies that increase the possibility of a losing presidential candidate assuming office through election subversion. Specifically, the authors study the passage of laws that interfere with the ability of local officials to administer elections, make the appointment process for election officials more partisan, or shift critical election powers to state legislatures. Examining the enactment of electoral subversion policies in recent years, the authors find that states with Republican-controlled legislatures (regardless of the partisanship of the governor's office) and states with close presidential elections in 2020 were more likely to enact policies that enable election subversion. However, the enactment of these policies was not associated with partisan gerrymandering, voting restrictions, election integrity, or policy responsiveness to public opinion. The authors conclude that election subversion may serve as a substitute for, rather than complement to, gerrymandering and voter suppression, depending on the usefulness of these antidemocratic strategies in different state contexts.

In the last article in this section, Daniel M. Butler and Jeffrey J. Harden suggest a potential remedy to antidemocratic pressures in the American states. They argue that the creation of nonpartisan certification commissions would mitigate the possibility of state-level elected officials trying to overturn election results. Critically, this reform would alleviate the possibility of election subversion without undermining public approval of elected officials. Because politicians need to appeal to voters to win, they have a strong incentive to challenge election results

if voters in their party believe an election was stolen. In an original survey experiment, the authors demonstrate that, when politicians side with voters and say an election was stolen, they are punished if they then certify the election. However, they are not punished if an independent commission certifies the election. In fact, they actually have higher approval when they question the legitimacy of the election, but a nonpartisan commission certifies it nonetheless. There is thus good news and bad news. The good news is that granting independent commissions the power to certify election results would enable political elites to protect the electoral process without undermining their popular support. The bad news is that a nonpartisan commission may actually provide an incentive for politicians to be election-deniers. Discouraging election denial will apparently require other reforms.

The articles in this section highlight key similarities in recent efforts to undermine American democratic institutions. The articles in the prior section emphasized the possibility that elites were driving antidemocratic attitudes among ordinary partisans by modeling antidemocratic behavior and provoking backlash from out-party voters, but the articles in this section emphasize the role of public opinion in facilitating antidemocratic elite behavior. First, although voters across the political spectrum hold some antidemocratic beliefs, recent threats to democratic institutions have come almost exclusively from Republican officials as they respond to their voters' interests (at least partially due to the party's increasingly white and rural base). These officials promote a variety of antidemocratic policies, including voter suppression, election subversion, and usurpation of state election powers by the federal judiciary. However, they are highly strategic in their pursuit of different policies based on their relative strengths in different governing institutions, the demographics in different areas, and their party's recent and projected electoral strength in different states. They have been fairly successful in implementing these policies, potentially setting the stage for overturning election outcomes in the future. But again, there is some good news: it is possible to devise institutional structures that would insulate the integrity of the democratic process and could win support from politicians worried about maintaining popular support.

## Conclusion

The articles in this volume suggest that democracy in the U.S. faces serious threats, echoing some of the most formidable challenges to democracy in American history. Some of these threats tend to emerge from certain segments of the population, including Republican officials, party activists and elites, those who hold certain racial attitudes, and the roughly quarter of the population who endorse what I have called fascist beliefs. But these threats manifest in a variety of forms throughout the political landscape—including from extremists and leaders on both sides of the political spectrum, from younger and older voters (on different issues), and in a variety of social and institutional contexts. Perhaps most

worryingly, this pattern of threats poses a striking resemblance to Stanley's (2018) conceptualization of fascist politics: rising social divisions indirectly drive anti-democratic attitudes, which ultimately undermine democratic institutions. The overarching theme of this volume might be characterized as deep concern over the state of democracy in the U.S. However, there is also reason for optimism. Social divisions can be overcome, and Americans have done so successfully in the past. Critical subsets of Americans can and have intervened to protect democracy—sometimes, at the cost of their short-term political gain. And we can identify promising institutional reforms to insulate our institutions from anti-democratic assaults. Nonetheless, no American should take our democracy for granted, and hard work undoubtedly lies ahead to safeguard our democracy.

## Notes

1. Because the data violate the assumption of multivariate normality (Doomik-Hansen  $\chi^2(34) = 3,678.66; p < .001$ ), I employed an ordinary least squares (rather than maximum likelihood) factor analysis to increase the likelihood of recovering all major factors (Briggs and MacCallum 2003, 54; Osborne and Banjanovic 2016, 26). Following Velicer, Eaton, and Fava's (2000) recommendation, I used a combination of parallel analysis and minimum average partial methods to determine the number of factors to retain for rotation, with a scree test as a potentially useful adjunct. All three of these methods support the conclusion that the items load onto a single factor. To ensure both practical (10 percent variance explained) and statistical ( $p < .05$ ) significance of the pattern loadings, I set the threshold for salience at .32 (Norman and Streiner 2014). Only two of the items (opposition to shutting down news organizations and belief that the American political system is unfair and cannot be trusted) failed to load onto this single latent factor. If we consider the remaining items as a scale of support for fascist politics, the scale indicates strong internal consistency ( $\alpha = .85$ ).

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