



POLITICS

The Glaring Contradiction of Republicans' Rhetoric of Freedom

Democratic governors are showing the national party how to challenge the red states' rollback of rights.

By Ronald Brownstein



Getty; The Atlantic

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FOR DECADES Republicans have marketed themselves as the party of freedom. During the 1990s and early 2000s, conservative activists took up the description of the GOP coined by the anti-tax activist Grover Norquist as the “leave us alone” coalition, so named because it consisted of voters whose stated aspiration was to live without government interference. At the height of the coronavirus pandemic, Republican governors led by Ron DeSantis in Florida gravitated toward unbending opposition to business and school shutdowns, as well as to mask or vaccine requirements, often overriding Democratic-run local governments that tried to impose them.

“While so many around the country have consigned the people’s rights to the graveyard,” DeSantis said in his annual State of the State address earlier this year, “Florida has stood as freedom’s vanguard.”

But the systematic drive by GOP state officials and the Republican-appointed Supreme Court justices to roll back seemingly long-settled civil rights and liberties, including the right to abortion, has provided Democrats with a unique opening to reverse the terms of this debate, particularly in races for state offices, where the rights battles are now centered. An array of Democratic governors and gubernatorial candidates are presenting Republicans as a threat to Americans’ freedoms.

“It has frustrated me that Republicans love to cloak themselves in this blanket of freedom and feel as though they own it somehow, when in fact what they are selling to the people of Pennsylvania, or the American people, really isn’t freedom at all,” Josh Shapiro, the state’s attorney general and Democratic nominee for governor, told me in an interview. “It’s far bigger government and more control over people’s everyday lives.”

One of the most dramatic expressions of this new thrust came last weekend when California’s Democratic governor, Gavin Newsom, who’s rapidly increased his visibility in national culture wars, ran a television ad on Fox News in Florida jabbing at DeSantis as a threat to liberty. In the ad, Newsom stands without a jacket or tie in the California sun as “America the Beautiful” plays in the background and declares,

“It’s Independence Day, so let’s talk about what’s going on in America. Freedom: It’s under attack in your state.”

Supposedly representing the party of smaller government, Republicans across red states have in recent months approved a wave of intrusive actions as they work to unravel the “rights revolution” of the past 60 years. These measures include authorizing vigilante lawsuits by private citizens against anyone involved in providing an abortion and state investigations of parents who approved medical transition treatment for their transgender children (both in Texas), as well as restrictions on how both teachers and private companies alike can talk about race and gender and how K–12 teachers can discuss sexual orientation (the “Don’t Say Gay” law, in Florida). DeSantis has penalized in various ways the Walt Disney Company, the Tampa Bay Rays baseball team, and the Special Olympics for objecting to his policies.

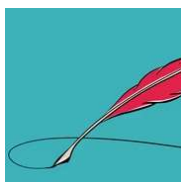
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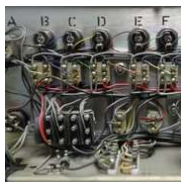
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In Ohio, the Republican-controlled House of Representatives passed a bill allowing “genital inspections” of high-school athletes suspected of being transgender (though the Republican State Senate leader says this measure won't make it into the final legislation). Other red states are considering proposals to authorize lawsuits against out-of-state medical personnel who assist women in obtaining abortions and restrictions to make it more difficult for women to obtain medication abortions. Texas legislators are exploring ways to punish companies that fund travel for employees to seek abortions out of state.

Besides Shapiro and Newsom, Governors Kathy Hochul in New York and J. B. Pritzker in Illinois are advancing similar arguments about freedom and government intrusion, as is the most likely challenger to DeSantis in Florida, Charlie Crist. Newsom and Crist have both described DeSantis's agenda as flat-out “authoritarian.” This new stress on liberty from so many state-level Democrats reflects the urgency among civil-rights advocates and party activists—which is also a register of widespread frustration at the inability or unwillingness of President Joe Biden and the party's congressional leaders to mount a more forceful pushback against the Republican offensive.

Sean Clegg, a senior strategist for Newsom, says the governor's decision to confront DeSantis in the ad should send a message to the White House and congressional Democrats who are planning to campaign for the midterm elections primarily on bread-and-butter economic concerns. “A lot of folks back there in D.C. don't want to make this cycle about what is actually happening,” he told me. “You cannot focus on kitchen-table issues when the table of our democracy is being lit on fire by the other side ... You've got to call it out.”

THIS YEAR'S intensifying campaign debate over the definition of freedom recalls the philosopher Isaiah Berlin's famous distinction between two types of liberty. Republicans have traditionally stressed what Berlin called “negative” liberty: the freedom to live without interference from government or others. Since the New Deal, Democrats have emphasized what Berlin called “positive” liberty, concerned with creating opportunities for individuals to fulfill their potential. That approach has infused Democratic proposals for generations—Social Security in the

1930s, Medicare and Medicaid in the 1960s, the derailed Build Back Better plan today—with a determination to use government to provide Americans with more opportunities.

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This traditional disagreement over the role of government remains a central divide between the parties. It was especially evident at the height of the pandemic, when most federal and state Republicans turned against the mandates and shutdowns that Democrats pushed as communal solidarity necessary to combat the disease. DeSantis referred to this resistance when he declared this year that Florida is “the freest state in these United States.”

In practice, the party's powerful cultural-conservative wing has always strained Republicans' claim to represent freedom from government interference. That tension has only grown as the GOP in the Trump era has become more reliant on blue-collar, evangelical Christian and rural voters who are motivated less by the traditional small-government touchstones of low taxes and less regulation and more by hostility to cultural and demographic change.

Bill Kristol, a conservative intellectual of the “leave us alone” GOP, now a bitter critic of the Trumpified party, explained in an interview that “the culture-war stuff was less important in the 1990s ... so the let-us-alone, free-market, and free-guns-and-no-nanny-state stuff was much stronger.” Today, he said, “the more they do the culture-war stuff, the harder it is to sustain that freedom message, which is a powerful one in America.”

THE RACE FOR Pennsylvania governor may be the contest this year that most clearly exhibits the new debate over freedom. Doug Mastriano, the GOP nominee, is a far-right state senator who has wholeheartedly embraced Trump's discredited claims of 2020 election fraud. He portrays himself as an unbending defender of liberty, and his campaign website is bannered “Restoring Your Freedom.” His platform elevates the usual “leave us alone” priorities: banning mask

and vaccine mandates; allowing state residents to carry concealed weapons without a permit; and cutting taxes and regulations. But Mastriano also supports a state ban on abortion without exceptions once a fetal heartbeat is detected (as early as three weeks into pregnancy, he's said); restrictions on how schools talk about race, gender, and sexual orientation; and a repeal of the state's universal mail balloting and other changes that would make voting more difficult. (Mastriano's campaign did not respond to a request for comment.)

That has created a large opening for Shapiro. "Mastriano wants to dictate how Pennsylvanians live their lives—that's not freedom," Shapiro said after Mastriano won the GOP nomination in May; on another occasion he said, "It's not freedom when he tries to tell the women of Pennsylvania what they can do with their own bodies. It's not freedom when he tells you what books your children can read."

Highlighting freedom "is not how Democrats typically talk," Shapiro told me, but "I find that no matter who I am talking to ... as I begin to explain what [Mastriano] talks about is the opposite of freedom ... you can see the heads start to nod."

Shapiro said that in his appearances, he emphasizes both definitions of liberty—not only *from* government as intrusive interference but also *for* government as a tool to create greater "opportunity in education, economy, public safety." One important example, he said, in his heavily blue-collar state is his promise to provide more vocational and technical training in high schools so that young people "have freedom to choose" whether to pursue college or enter the workforce.

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Grover Norquist himself told me that he doesn't worry much about Democrats' claim to champion freedom. "They can try this, but it won't go anywhere," he said. "It's fine for a TV ad—that's, what, 20 seconds—but who's for freedom and who isn't ... doesn't pass the laugh test." The longtime president of the anti-tax group Americans for Tax Reform conceded that conservatives might be on firmer ground if they sought to provide parents with vouchers to send their children to private schools rather than

try to control what books or lessons are available in public schools. But, he argued, Democrats support too many kinds of government intervention to convince voters that they stand for freedom. “The list of things [Democrats] do to violate the ‘leave us alone’ value is long [and] deep,” he said; the GOP has “whole organizations” dedicated to pointing this out.

Bill Kristol, too, thought it would be an uphill climb for Democrats to convince voters that they *alone* have become the party of freedom and liberty, even if Republicans have taken positions that could negate their traditional advantage. (Kristol said that, overall, Democrats have a better chance of tagging Republicans as extremists than as opponents of freedom, and that they should use infringements on freedom as a count in that larger indictment.) Michael Kazin, a Georgetown University historian and the author of *What It Took to Win*, a new history of the Democratic Party, agreed that the GOP has created a vulnerability by pursuing so many policies of “moral coercion that is sold as moral virtue,” but also argued that neither side can conclusively win the argument over liberty. “Freedom ... is essentially a contested concept,” he said. “It is always going to be a political football.”

The stakes in this struggle are rising. The GOP-appointed majority on the Supreme Court appears set on a course of reversing previously guaranteed rights, and states under Republican control are barreling through that opening to restore a pre-'60s world in which citizens' liberties varied much more, depending on where they lived. Even with unified Democratic control of the White House and Congress, Republican-led filibusters and defections within the Senate Democratic caucus have made it impossible for Congress to respond with legislation to consolidate a national floor of rights on such issues as voting, abortion, and LGBTQ equality.

Given this environment, the years ahead could produce even more divergence in the way that states define freedom, depending on whether they are controlled by Democrats or Republicans. That means gubernatorial races are becoming a new front line in determining Americans' basic rights. “Being a governor now is the most important job you can have in American government,” Shapiro said. “It is ... *the* place where we are going to have to defend these fundamental freedoms.”