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BY EDWARD PURCELL, JR., OPINION CONTRIBUTOR — 05/19/21 03:00 PM EDT

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OPINION: Trump's 'big lie' is just a ploy

By [ousting](#) Rep. Liz Cheney (R-Wy.), a three-term congresswoman with impeccable conservative credentials, the Republican Party has committed itself heart and soul to Donald Trump. Ostensibly, that is because they embrace his [patently false](#) claim that he won the 2020 presidential election but had his victory stolen from him. Consequently, much commentary has focused on the centrality of that “big lie” and its apparent acceptance [by 70 percent of Republicans](#).

While refuting Trump’s “big lie” has been necessary, focusing on a different and far more ominous issue is the compelling necessity. That “big lie” is not the animating force behind Republican strategy. It is instead only a cynical rhetorical front for the party’s 30-year-old campaign to restructure the American political system to secure its future dominance when it can no longer win national elections fairly.

The driving fact is that the Republicans have lost the popular vote in [seven of the last eight presidential elections](#). The sole Republican victory was the result of the extraordinary terrorist attacks on 9/11 and new wars in Afghanistan and Iraq. Those events spurred a temporary upsurge in support for the administration of Republican President George W. Bush, who had won the 2000 election despite losing the popular vote and who took office only after the Supreme Court’s five conservative justices intervened in [Bush v. Gore](#), ending the electoral count in his favor.

The party’s voter-restriction efforts began long before Trump emerged as its leader. Since the 1990s, the party has worked to restrict the ability of Democratic-leaning groups – particularly Blacks, Hispanics, college students and the elderly – to vote. By the early 2000s, Republican-controlled state legislatures in several states had imposed a variety of

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targeted measures that disadvantaged those groups. Indeed, the Republican majority leader in the Pennsylvania House [openly acknowledged](#) that his state's new voter suppression law was designed to enable Republicans to carry the state in the 2012 presidential election.

The party's current suppression drive represents only an aggressive expansion of that long-pursued campaign. By March of this year, Republicans had introduced [361 suppression measures in 47 states](#), and subsequently a half-dozen of those states, including Texas, Georgia, and Arizona, have already enacted some of them.

Trump's "big lie," then, is important only because it serves as other similar and infamous political fabrications served. It echoes lies that Catholic nuns and priests [engaged in sexual abuse](#) and infanticide in their convents; [antisemitic lies](#) that Jews killed Christian babies and drank their blood; [Southern racist lies](#) that Black men endangered racial purity by raping white woman; and [McCarthyite lies](#) that there were 205 known members of the Communist Party in the State Department. Trump's "big lie" is not something that knowledgeable Republicans and their media allies actually believe. It is only a new rhetorical tool to justify their decades-old effort to manipulate and repress voter rights.

The party knows exactly what it is doing and why. Revealingly, Senate Minority Leader Mitch McConnell (R-Ky.) defended the party's suppression push by drawing on another Trump inspired ploy. When charged with any sort of wrong-doing, just confuse and mislead everyone by accusing your adversary of exactly the same type of wrong-doing. Responding to Democratic attacks, McConnell predictably misdescribed the nature of his party's efforts and bounced the charge back against the Democrats, [claiming that they were the ones trying to change voting laws](#).

Today, moreover, the threat to constitutional voting rights is particularly grave because the conservative Supreme Court has found ways to give constitutional passes to the party's repressive electoral offensive. Since *Bush v. Gore*, its Republican-appointed justices have adopted the principle that the federal courts cannot invalidate "political" voter restriction and manipulation schemes, and they have made it clear that they will not set aside the party's politically-motivated electoral devices even when, as they have acknowledged, those devices contradict democratic principles.

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In 2013, the court stretched outrageously to [overturn a critical provision](#) of the Voting Rights Act of 1965 and thereby [threw open the door](#) for even more widespread Republican voter suppression drives, and just two years ago [they announced](#) that political gerrymandering, however partisan, did not conflict with the Constitution.

The preservation of popular constitutional government in the United States depends not on merely exposing Trump's "big lie" but on stopping Republican voter suppression across the land. The "big lie" is simply a cynical ploy designed not just to gain support from credulous partisans but to distract everyone from the party's potentially decisive thrust. The "big lie" is not the issue; instead, to borrow from an earlier Democratic campaign slogan, "it's voter suppression, stupid."

Edward Purcell, Jr. is the Joseph Solomon Distinguished Professor of Law at New York Law School and an author whose latest book is "Antonin Scalia and American Constitutionalism: The Historical Significance of a Judicial Icon."

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