

WisDems: Democracy “nearly died in Wisconsin,” the Supreme Court race is critical to defending it

Posted on Tuesday, Dec 13, 2022

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MADISON, Wis. — *Mother Jones*' January/February 2023 issue cover story looks at how Wisconsin Democrats staved off a dangerously close Republican attack on democracy in 2022 by re-electing Governor Evers and averting a Republican supermajority in the legislature. Now, Democrats will have to defend democracy again in 2023 by rejecting the extremist candidates in the Wisconsin Supreme Court race.

“The stakes are impossibly high,” Democratic Party of Wisconsin Chair Ben Wikler tells *Mother Jones*.

This year's Supreme Court race comes down to the future of voter power through redistricting and access to the ballot box.

The conservative state Supreme Court has upheld decisions that only served to entrench GOP legislative power including, [the banning of absentee ballot drop boxes, restricting family from dropping off one's absentee ballot](#), and upholding an extreme gerrymander where Wisconsin Republicans only needed to secure [44% of the vote statewide to win a majority in the state assembly](#).

“Republicans have created this kind of self-perpetuating machine that is voter-proof. It creates a world where there's essentially no accountability to the vast majority of voters in our state,” Wikler said.

Wisconsin Democrats are ready to stop them.

Read more on how Wisconsin Democrats will protect democracy twice in two

years [here](#), and check out excerpts below.

[Mother Jones](#): “How Democracy Nearly Died in Wisconsin.”

[...]

On November 8, Vos’ first plan failed. Evers was reelected by 3.5 points—triple his margin in 2018 and practically a landslide by Wisconsin standards—marking the first time [since 1962](#) that Wisconsin had voted for a Democratic governor while a Democratic president was in office. But Vos’ backup plan almost succeeded: Despite Democrats winning four out of five statewide offices, Republicans picked up the state Senate seat they needed and ended up just two Assembly seats short of a [supermajority](#), coming remarkably close to nullifying the power of the twice-elected governor.

In a year in which seemingly the entire GOP radicalized against democracy, Republicans in Wisconsin were on the cutting edge of attacking free and fair elections. Donald Trump had made the state the focal point of his obsession to [decertify the 2020 election](#); nearly three-quarters of Republicans in the legislature acted to [discredit or overturn](#) the results; and critics of the way elections are conducted in Wisconsin ran for governor, attorney general, and secretary of state. That was just the beginning of their plans. The GOP hoped to wrest control away from the bipartisan commission that [supervises elections](#) and turn it over to the ultra-gerrymandered legislature, which could give it more power over how elections are certified. That could’ve allowed Republicans to toss aside election results in 2024 through more sophisticated and ostensibly legal means than Trump used in 2020.

[...]

The legislature can’t control state politics on its own, nor can it gerrymander every office. But by systemically limiting the influence of Democratic constituencies, GOP legislators have not only enhanced their own power but also made it easier for Republicans to win control of other offices—most notably, the [state Supreme Court](#), which has upheld nearly every move by the legislature to entrench its power. “Republicans have created this kind of self-perpetuating machine that is voter-proof,” Wikler said. “It creates a world where there’s essentially no accountability to the vast majority of voters in our state.”

[...]

To fight Republican gerrymandering, Democrats had to hold the governor's mansion and preserve Evers' veto power. Mission (barely) accomplished. The third and most important part of their plan now revolves around winning an [open seat](#) on the Wisconsin Supreme Court in April, which would flip the balance of power due to a conservative justice retiring. Democrats could then file a new lawsuit challenging the gerrymandered maps.

"If we're able to flip the state Supreme Court in the spring, there is an opportunity for us to attempt to get fair maps sooner than 10 years from now," Neubauer said. "Because we believe the 'least change' principle is illegitimate. And then we could challenge these maps."

It will be a tough battle. Wisconsin Supreme Court elections are technically nonpartisan, but justices tend to align with one party or the other. Though liberal justices have won two of the last three elections, Democrats lost a winnable race against Hagedorn in 2019, when conservative groups [spent heavily](#) on his behalf.

The state Supreme Court race will receive a fraction of the coverage of the governor's race, but it could decide the future of redistricting, voting laws, and abortion rights in the state. And that will go a long way toward determining the [fate of democracy](#) in Wisconsin and beyond. "The stakes are impossibly high," Wikler said.