

VOLUME XXIII, NUMBER 4, FALL 2023

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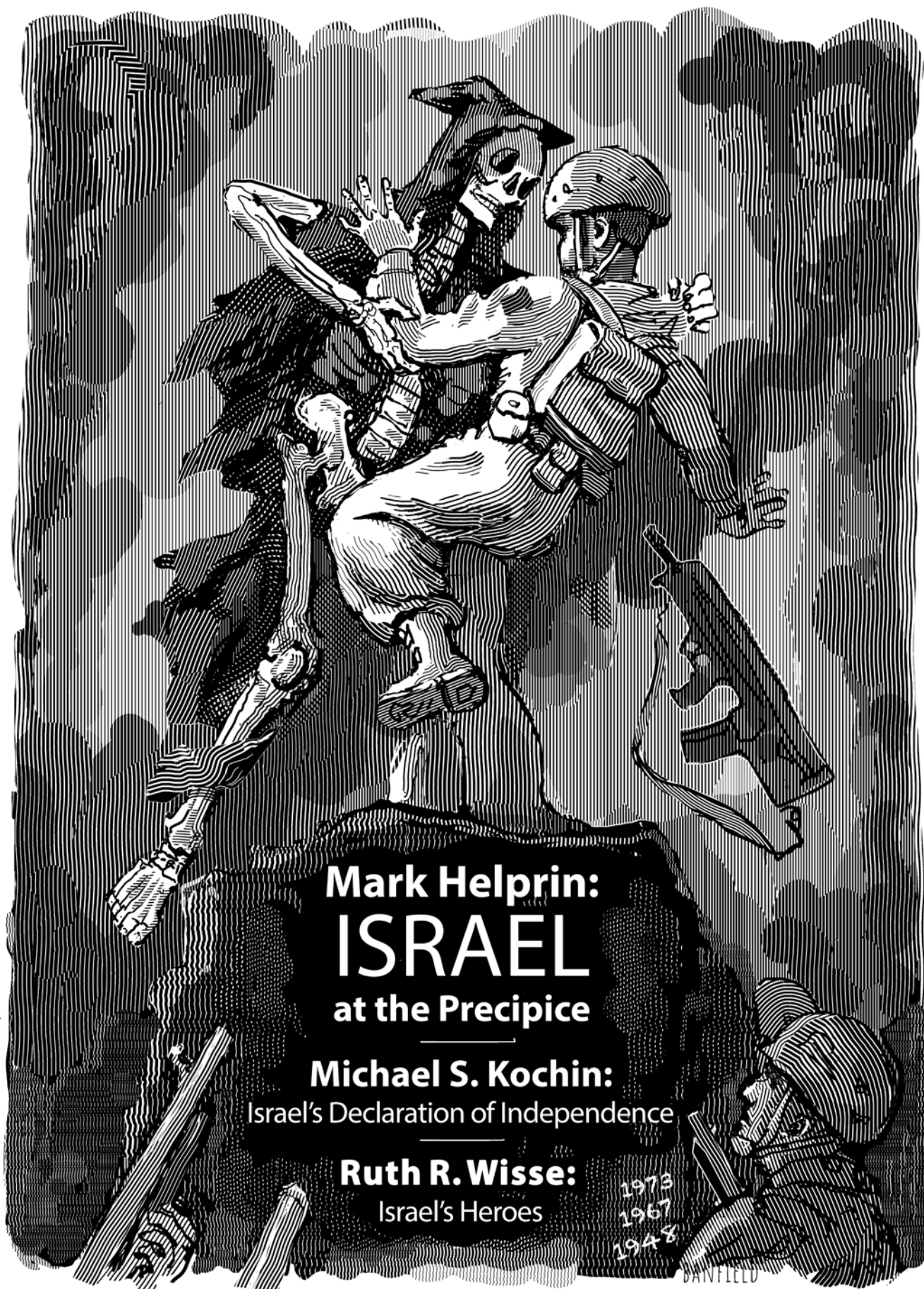
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A Publication of the Claremont Institute

PRICE: \$9.95

IN CANADA: \$14.95

Essay by Jeffrey H. Anderson

AN ELECTION LIKE NO OTHER

Possible twists and turns on the way to November 2024.



“What’ll it be?”

WHO COULD HAVE PREDICTED EVEN a few years ago that by the end of 2023, the Democrats would be poised to renominate a fading 81-year-old incumbent who has presided over the worst inflation in four decades? Or that the leading Republican candidate would be a man with a 40% favorability rating who lost the last election; or that a Kennedy would be running as an independent? Yet here we are. This election campaign, remarkably still in its early stages, is already bizarre—and it seems unlikely that the path ahead will be smooth from here.

So far, this has been the “briar patch” election. Democrats, desperate to run against Donald Trump because he’s the one candidate they think Joe Biden can beat, have cheered on Democratic prosecutors who have issued myriad indictments against the former president. They are effectively saying, “Please, Republicans, whatever you do, *please* don’t nominate Donald Trump!” Republican voters, angered by these politically motivated indictments, are responding, “We’ll show you, Democrats. We’ll nominate Donald Trump!”

The result, however, might not work out as well for the Democrats as Br’er Rabbit’s trickery did against Br’er Fox. Biden is such a weak candidate—with a vice president who’s even weaker—that Trump just might win. Then again, maybe the Democrats are secretly fine with that result, too. Rather than giving voters four more years to sour on Biden as he moves into his mid-80s, they might figure that a Trump win would bring them a more satisfying victory in the long run—four more years to stoke and cultivate the faculty-lounge Left, while still remaining confident that independents’ inevitable backlash against Trump would yield a big Democratic victory in 2028. Given incumbent officeholders’ track record of success, that win could easily yield another in 2032—without the Democrats ever having had to tuck to the political center, as parties often do following defeats.

But all of this assumes a Biden-Trump matchup, which is far from a foregone conclusion. With the Iowa Republican caucuses set to kick off the official proceedings on January 15, there are a great many variables in play that could affect the outcome of this race.

The (Governors’) Debate

ON NOVEMBER 30, FLORIDA GOVERNOR Ron DeSantis and California Governor Gavin Newsom are scheduled to compete in a nationally televised, 90-minute, one-on-one Fox News debate moderated by Sean Hannity. This debate—between the governors of two of the nation’s three largest states, one a presidential candidate, the other supposedly not—is itself a sign of the campaign’s peculiarity. The very fact that it is slated to occur represents a serious anomaly, yet it has the potential to alter the race. Featuring two men in their prime (DeSantis is 45, Newsom 56), the showdown will contrast DeSantis’s pro-Main Street, “we’re open for business” governance in the Sunshine State with Newsom’s fondness for authoritarian lockdowns and mandates in the Golden State. If either (or both) of their performances generates a great deal of buzz—a sense of “I wish these two guys (or one of them) would be on the ballot in November”—then it could help reshuffle the race on the Republican side or, on the Democratic side, focus the pressure on Biden to exit the stage.



DeSantis has faced steady fire from the Democrats (who view him as a formidable foe), from Trump (who views him as his main GOP competition), and from establishment Republicans (who hold out hope that an establishment candidate will prevail). Yet he remains the most viable Republican alternative to Trump, as he's the closest thing to a consensus GOP candidate. The Republican electorate's overwhelmingly populist, anti-establishment mood was made clear through a recent poll question commissioned by the American Main Street Initiative (which I run) and conducted by Echelon Insights. Following the first GOP presidential debate, likely voters were asked, "Which person are you hoping will *not* win your party's nomination for president?" In addition, the poll asked the conventional question about which candidate each respondent supports.

Among those with more than 1% support, only three GOP candidates had a higher percentage of Republican-leaning respondents rooting *for* them than were rooting *against* them: Trump, DeSantis, and tech entrepreneur Vivek Ramaswamy. In fact, those three each enjoyed at least twice as much support as opposition (55% supported and 27% opposed Trump, 16% supported and 8% opposed DeSantis, and 13% supported and 4% opposed Ramaswamy). In comparison, the anti-Trump or establishment wings of the party got clobbered: former Vice President Mike Pence (who has since left the race) had just 6% of respondents supporting him and 20% opposing him, while former New Jersey Governor Chris Christie had 4% supporting him with a whopping 35% opposing him. Former South Carolina Governor Nikki Haley, who tries to straddle the divide between the party's establishment and anti-establishment wings, represented the middle ground, with 4% support and 4% opposition. In short, this isn't Mitt Romney's Republican Party.

Meanwhile, a great many voters—especially independents—hope almost desperately to avoid a Trump-Biden rematch. When independents were asked which person they were "hoping will *not* be nominated by either party for president," more than three quarters (76%) answered either Trump (39%) or Biden (37%).

Newsom, for his part, is the most viable candidate-in-waiting among the Democrats. His debate with DeSantis will likely bolster that status, if he does well, or help mute Democratic opposition to Biden if he does poorly. Given independents' similar lack of enthusiasm for both Biden and Trump, Newsom's presence on the general election ballot would likely give the Democrats a significant boost,

much as DeSantis's presence would likely boost Republicans. Newsom recently completed a trip to Israel and China, where he was photographed one-on-one with Chinese leader Xi Jinping; if he were the Democratic nominee, it would make it harder for Trump to run against his opponent's frailty, poor policy record, and alleged pay-for-play schemes to enrich himself and his family. If DeSantis were the Republican nominee, it would make it harder for Biden to run against his adversary's coarse rhetoric and legal problems.

DeSantis is currently a country mile behind Trump, and Newsom isn't even a declared candidate. Still, it's worth considering who could have the edge in a hypothetical electoral matchup between the two governors—and recent Gallup polling suggests that Newsom might face some tough headwinds. In a question that Gallup has been asking since the Truman Administration, the GOP recorded its highest-ever rating (53%) as the party voters think "will do a better job of keeping the country prosperous." In another question that Gallup has asked for more than two decades, Republicans matched their highest-ever mark (57%) as the party voters think "will do a better job of protecting the country from international terrorism and military threats." Moreover, whatever issue respective voters said was the most important to them, Gallup's polling found that on average Republicans had an 8-point edge (44% to 36%) on that issue.

How, in light of these numbers, could 2024 not be shaping up as a banner year for Republicans? Perhaps the clearest answer was revealed a while ago in the 2022 midterm exit polling. For every eight voters who said that they had cast their vote *against* Biden, seven said that they had cast their vote *against* Trump. It's hard to imagine any prior midterm election in American history in which seven eighths of the anti-incumbent vote was neutralized by those casting votes against someone *not even holding office*.

The Old-School Liberal

ONE OF THE GREAT LINGERING QUESTIONS in today's politics is whether old-school liberals will flex any remaining muscle that they might have and reassert themselves in a Democratic Party now dominated by the illiberal Left. Robert F. Kennedy, Jr.'s campaign provides something of an answer to that question, as it suggests that old-school liberalism no longer has a home in the party of his uncle and father. The Echelon Insights poll found that RFK, Jr. was far and away the candidate that Democratic-leaning voters *least* wanted to win the party's

nomination. That's not great news for those who consider woke revolutionaries to be a toxic influence on the American way of life, but it is clarifying.

Kennedy wisely took notice and, in a speech delivered across the lawn from Philadelphia's Independence Hall, declared his own independence both from the Democratic Party and from "tribal thinking." Overnight, he went from being a nonstarter in the Democratic race to a potential spoiler in the general election. Not since Ross Perot made his mark on the 1992 campaign—receiving 19% of the popular vote but no electoral votes—has an independent candidate appeared to have as much potential to make a splash. Kennedy's independent candidacy joins that of left-wing academic celebrity Cornel West, who will likely shave a few votes off the Democrats' total.

Those two might also be joined by a candidate backed by the "No Labels" movement, which though inclined to nominate an establishment Republican centrist might instead choose a far rarer specimen: a centrist Democrat. If No Labels were to pick a Republican (think Romney, former Maryland Governor Larry Hogan, or former Utah Governor Jon Huntsman), that GOP turncoat would likely have alienated enough people within the GOP that the probable effect would be for him to pick off a few votes from affluent suburban independents, Republicans, and Democrats, who otherwise would probably have split about evenly between the two parties' nominees. A No Labels candidate such as Democrat Joe Manchin, who has more working-class appeal, would create a different dynamic with perhaps a similar result—gaining the support of some less-affluent voters who likely would have swung in about equal measure between the two parties. Although it's hard to speculate too much about an effort that doesn't yet have a candidate, and might well never choose one, it seems quite possible that a No Labels candidacy would have almost no effect.

RFK, Jr.'s less-orchestrated effort is another matter. Although the mainstream press may succeed in killing his campaign through silence, a Quinnipiac poll released in early November had him at 22% in a hypothetical three-way race versus Biden and Trump, surpassing the likely 15% threshold required to make the debates (a threshold that wasn't required when Perot joined the debates in 1992 and used them to gain further support). Even more notably, like Trump and DeSantis but very much unlike Biden, Kennedy clearly recognizes the political potency of a Main Street agenda. His Independence Hall speech skillfully tapped into the concerns of everyday voters.



Criticizing the “pitched battle” between the parties, Kennedy recast the conflict as one between everyday Americans and “a smug elite.” He lamented that “the ranks of the dispossessed” now “include tens of millions of Americans” of all races, and he spoke of the “broad agreement that our nation has lost its way.” Sounding more like a Tea Partier than a 21st-century Democrat, he declared his “independence from the corporations,” from “Wall Street, Big Tech, Big Pharma, Big Agriculture], the military contractors, and their lobbyists”—as well as “from the mercenary media” and “the tyranny of corruption.”

Aside perhaps from a favorable reference to “Indigenous People’s Day,” it’s striking that there was nothing woke in Kennedy’s speech. To the contrary, he lamented the loss of “our sense of ourselves as a good and capable people” and noted that “it used to be the Democratic Party that opposed censorship...that wanted to rein in the military and the CIA...that fought corporate influence.” Now, he asked, “Who is left and who is right?” Rather than 1619, he invoked 1630, when John Winthrop arrived in the New World and the Massachusetts Bay Colony was established. Standing in the shadow of arguably the most consequential building in the New World, he cited the Declaration of Independence; George Wash-

ington; John Adams; Abraham Lincoln; Alfred, Lord Tennyson; and Jesus Christ.

Democrats are currently persuaded that Kennedy’s populist message would take more votes away from the anti-establishment Trump than from the establishment Biden. But that could swing the other way. An environmental lawyer by trade, Kennedy is at heart an old-school, big-government liberal, and—despite his failure to gain traction in the Democratic race—there are still far more old-school liberals among Democratic-leaning voters than among Republican-leaning voters.

On the other hand, the fact that many Trump voters were Democratic voters not so long ago suggests that Kennedy could probably take more votes away from Trump than he could peel off from DeSantis, who—while populist and independent-minded—is nevertheless more of a conventional Republican than Trump is. Otherwise stated, a three-way race between DeSantis, Biden, and Kennedy would likely favor DeSantis more than a three-way race between Trump, Biden, and Kennedy would favor Trump.

As for RFK, Jr.’s own chances, no independent has ever come close to winning. But voters also never picked someone who hadn’t been vice president, a governor, a senator, a cabinet secretary, a congressman, or a com-

manding general—until they picked Trump in 2016. When faced with a seemingly unacceptable choice among supposedly viable alternatives, voters, like water, will sometimes flow someplace else (imagine a Kennedy-Tulsi Gabbard ticket). It should perhaps open eyes that Oliver Anthony—whose political protest song “Rich Men North of Richmond” beat out Taylor Swift’s “Cruel Summer” to top the *Billboard Hot 100* chart for two weeks this past summer—has called Biden “most certainly a problem” and the Republicans on the debate stage “corporate-owned,” yet has been happy to pose for pictures with Kennedy.

And They’re Off

IOWA (JANUARY 15): BIDEN’S BEST EFFORTS notwithstanding, Iowa will again kick off the actual voting—at least for Republicans. Iowa Democrats will be reduced to mail-in voting, with results to be announced on Super Tuesday. DeSantis has mounted an aggressive campaign in Iowa and unquestionably needs a strong showing there. He needs that state’s voters to show the nation that this is a genuine race and not a *de facto* coronation.

For all of their anti-Trump talk, establishment Republicans have aided and abetted the

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James Pethokoukis

Center Street
October 3, 2023

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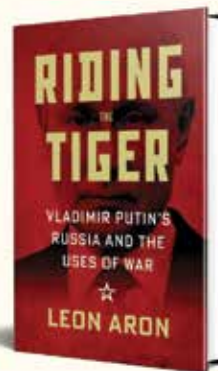
Riding the Tiger

Vladimir Putin’s Russia and the Uses of War

Leon Aron

AEI Press
October 24, 2023

In this chilling new book, acclaimed Russian scholar Leon Aron chronicles the transformation of Russian politics and society under Putin. Through hundreds of Russian-language sources, Aron shows how Putin uses militarist propaganda and revisionist images of World War II, Stalin, and the Soviet Union to forge a nationalist and loyal core of support for his regime. And the “new Russia” suddenly looks a lot like the old USSR. This bold and expert analysis helps us better understand the perilous road ahead.



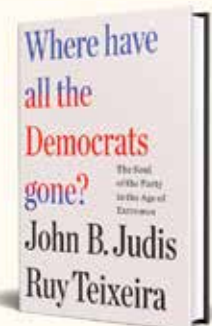
Where Have All the Democrats Gone

The Soul of the Party in the Age of Extremes

John B. Judis & Ruy Teixeira

Henry Holt & Company
November 7, 2023

For decades, American politics has been plagued by a breakdown between the Democratic and Republican parties, in which victory has inevitably led to defeat and vice versa. Both parties have lost sight of the people at the center of the American electorate, leading to polarization and paralysis. This book reveals the tectonic changes shaping the country’s current political landscape that both pundits and political scientists have missed, offering a razor-sharp critique of where the Democrats have gone awry and how they can avoid political disaster in the days ahead.



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former president by refusing to back DeSantis—much as they refused to back Ted Cruz in the stretch run versus Trump in 2016, pretending until the last possible moment that Ohio Governor John Kasich (who won his home state and nothing else) was a real candidate. Given this history, it seems likely that establishment Republicans will continue to back a fellow establishment Republican so long as one remains in the field. But if DeSantis, who recently received the endorsement of popular Iowa Governor Kim Reynolds, either beats Trump in Iowa or finishes a strong second, that would help bolster the impression that this is a two-man race.

At the same time, the Hawkeye State hasn't been remotely the harbinger of future success that New Hampshire and South Carolina have been. Cruz, Rick Santorum, and Mike Huckabee all won Iowa. In competitive GOP contests since 1980, the Iowa winner has gone on to win the nomination only 29% of the time, versus 75% for New Hampshire's winner and 88% for South Carolina's. So, it would not be enough for DeSantis simply to do well in Iowa; he would have to do well with a message that can resonate in the follow-on states. The guess here is that DeSantis will have a strong showing in the Hawkeye State, helped along by Trump's unforced—and unprincipled—error of calling Florida's Heartbeat Protection Act, the six-week abortion ban that DeSantis signed into law this spring, "a terrible thing and a terrible mistake."

New Hampshire (January 23): Next comes New Hampshire. Though things remain somewhat in flux, it looks like the Democratic National Committee will penalize that state for not yielding to Biden's demand that South Carolina should get to go first as a reward, or payoff, for handing him his key victory in 2020. As punishment, the New Hampshire primary likely won't count for purposes of allocating Democratic delegates, and Biden hasn't even filed to be on the ballot there. This means that Minnesota congressman Dean Phillips, or possibly even author Marianne Williamson—Biden's obscure Democratic challengers—could actually win the state. If one of them does so and subsequently succeeds in forcing a debate with Biden, it wouldn't bode well for the president's general election prospects. Incumbents who face intraparty challenges of any note are generally living on borrowed time.

Biden's absence from the New Hampshire ballot also means that most of the roughly 40% of independent voters in the state, who are allowed to vote in whichever one of the two primaries they choose, will likely vote in

the GOP primary—thereby watering down the influence of actual Republicans. GOP voters therefore *should* discount New Hampshire's results when the mainstream press inevitably tries to assign "momentum" based on those returns. But most Republicans nationwide likely won't understand just how much independents will have chosen their party's winner in the Granite State.

South Carolina (February 3 for Democrats, February 24 for Republicans): Next will come, in order, the Democratic primary in South Carolina, the Democratic primary in Nevada, the Republican caucuses in Nevada and in the Virgin Islands, and the Republican primary in South Carolina. In the Palmetto State, Nikki Haley—who's been enjoying some establishment-fueled momentum of late—will be on her home turf. South Carolina has a lot of establishment voters and a lot of what might politely be called Jacksonian voters, but not as many socially connected conservatives as one might expect. It seems like a more favorable state for Trump and the hometown girl than for DeSantis.

Historically, the GOP race has essen-

Incumbents who face intraparty challenges of any note are generally living on borrowed time.

tially been finished after South Carolina—whether or not people realized it at the time. The press usually manages by then to assign enough momentum to suggest inevitability, despite the fact that Republicans in the reporting states represent just 4% of the U.S. population. But this year could be different. Whereas in the past three competitive cycles there has been about a ten-day gap between South Carolina and the next primary, this time the Michigan primary will take place a mere three days afterward. Then, after a couple of intervening caucuses and the D.C. primary, Super Tuesday—involving more than a quarter of the states—will take place a week after Michigan.

Super Tuesday (March 5): Candidate filing deadlines vary by state, but generally speaking, they have already passed for the first few states. Super Tuesday states largely have cut-offs near early December, and the rest follow within the first couple months of 2024. So, any candidate who hasn't entered the race by shortly after Thanksgiving likely won't do so. Super Tuesday contests will include, among

others, Texas, California, North Carolina, Tennessee, and Virginia.

Known Unknowns

THEN THERE'S THE MATTER OF POSSIBLE unexpected developments that could happen after the primary field has already been set. By next summer, Biden will have exceeded the average life expectancy for a man with his birthday by more than a decade, according to the Social Security actuarial tables. It is therefore not gratuitously morbid to consider scenarios in which he is unable to finish out his first term due to illness or death. Or he simply could decide not to seek a second term, but fail to announce that decision until it's too late for the normal primary process to play out for his party. It's always possible that some state legislatures could scramble to change filing deadlines in that scenario, but many states surely wouldn't.

If Kamala Harris were to take the presidential oath of office prior to Election Day, the Democrats would have to balance the concerns of electoral politics against those of "equity" in deciding whether to embrace the new incumbent president as their nominee or ditch her. The chief alternative, presumably, would be Newsom, with Michigan Governor Gretchen Whitmer being a potential dark horse. Either way, the decision might have to be made at the Democratic National Convention—or at a special convention called by the Democratic National Committee after the regular convention.

Another scenario, floated by some on both the Left and the Right, is that the Democrats could nominate the former first lady—not Hillary, but Michelle. It has long seemed that Michelle Obama has no interest in taking on the grueling workload of being president, especially when she can be rich and famous without any distracting responsibilities. But Biden has clearly demonstrated that the presidency need not be the exclusive prerogative of workaholics. His example, plus the allure of not having to interact with primary voters, could potentially entice Mrs. Obama into the fray at a late date. If she were to be awarded the nomination, say through a special Democratic convention after the regular one, it would presumably add to the short list of times that she's been proud of her country.

But it's not just the Democrats who could need to scramble to find a late replacement for their nominee. Trump will be 78 years old next summer, older than Ronald Reagan was at the end of his presidency. He could fall into poor health. Or he could be thrown into jail. Or he



could be thrown into jail, then be released by the Supreme Court, and remain the nominee.

Trump is facing a quartet of criminal trials and one major civil trial. The exact dates of the criminal trials are difficult to predict with any certainty because they are largely subject to judicial discretion. The civil trial alone will surely distract Trump from the campaign, as the case has the potential to decimate his New York City business empire, potentially costing him control of Trump Tower and other prized properties.

In that trial, which is underway in Manhattan without a jury—apparently at the request of both sides—Trump is accused of grossly inflating the values of many of his properties. Former Assistant U.S. Attorney Andrew McCarthy says that New York law “empowers an abusive prosecutor”—like New York Attorney General Letitia James—“to put partisan enemies out of business.” Among other potential “remedies,” the state is seeking a quarter of a billion dollars from Trump.

Then there are the criminal trials. On the most credible (if also the most trivial) charge, that he mishandled classified documents, Trump faces a federal trial, with a favorable judge, in Florida. Partly because of the sensitivity of the documents involved, that trial will almost certainly drag out until after the Republican National Convention and probably past the general election.

Across the border in Georgia, Fulton County District Attorney Fani Willis has used the state’s Racketeer Influenced and Corrupt Organizations (RICO) Act to charge Trump with engaging in election fraud and organized crime. This rather nakedly political—almost comical—prosecution would surely result in an acquittal in

most locales. But the trial will be held in Atlanta, with a left-leaning jury. In exchange for their testimony, Willis has already granted plea bargains to several co-defendants, most of them former Trump lawyers, on far lesser, non-RICO charges that involve no jail time. This case will probably extend past the convention but could well be decided before the general election.

Trump also faces a trial in New York under the dubious legal theory that paying off stripper Stormy Daniels constituted a campaign expenditure that he didn’t disclose—even though the payment came from Trump’s private funds rather than from campaign funds. This is similar to the case brought about a decade ago against former U.S. senator John Edwards, who beat the charges. But Trump is facing a New York City jury.

At the other end of the Acela corridor—in perhaps the most blatantly political of these four politically motivated criminal prosecutions—Trump is charged with various crimes related to January 6. This federal case, like the classified documents one, was spurred by the Biden Justice Department and is being pursued by Special Counsel Jack Smith. In this case, Trump faces perhaps the most hostile judge he could possibly have drawn: Obama appointee Tanya Chutkan, who has thrown the book at January 6 defendants and has accused them of “trying to violently overthrow the government.” This trial is slated to begin right before Super Tuesday and could last several weeks, but Trump will probably be able to delay it some, possibly until after the GOP convention but probably not until after the general election. So this trial, rehashing the events surrounding the Capitol protest or intrusion (or “insurrection,” in mainstream

media-speak), could well be playing out during the campaign’s stretch run.

If Trump is convicted in that case, the federal appellate court in D.C., which now leans left, would have to decide whether he should be jailed while he awaits appeal. If the court decides he should be, and if he has won the GOP race, it would be an extraordinary and historic sight to see the Republican nominee locked up behind bars. Either before or after that point, the Supreme Court would almost certainly have to get involved, and it seems nearly impossible that the Court would require one of the two major parties’ nominees to conduct his campaign from a jail cell.

If Trump were to become the nominee and win the general election, and this case—or any of these criminal cases—were to result in his being ordered to serve jail time at *that* point, this would also essentially necessitate Supreme Court involvement. Most people would agree that our constitutional structure does not allow the government to imprison the president. If convicted of a federal crime, Trump could also try to pardon himself, another action on which the Supreme Court would almost surely have to weigh in, given that there’s no precedent to inform whether this would be constitutional.

So if this presidential campaign hasn’t been interesting enough for you thus far, stay tuned—a lot of twists and turns could well be ahead. While this race may prove to be dismaying for the republic, the last thing it should be is boring.

Jeffrey H. Anderson is president of the American Main Street Initiative and served as director of the Bureau of Justice Statistics at the U.S. Department of Justice from 2017 to 2021.

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