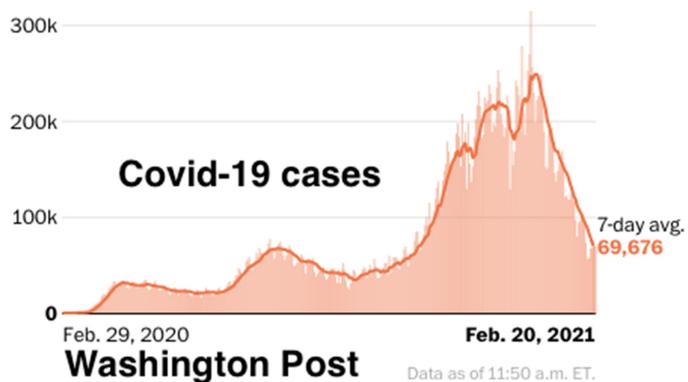


## U.S. Political Update #30. 19 February 2021. By Charles E. Morrison

### A New Normal?

In the month since the last Update, the United States witnessed a peaceful transition of power on January 20, a raft of executive orders and other activities as new president Joe Biden quickly erased some of his predecessor's initiatives and put his own stamp on U.S. policy, and the second impeachment trial of Donald Trump. It has also seen a return toward some kind of "normalcy." New covid infections have dropped dramatically, vaccine inoculations have been ramped up, schools are reopening, consumer spending has risen, and even the Superbowl took place, although with an unanticipated result (a huge Tampa Bay win over favored Kansas City).

But most importantly, after the turbulent Trump years, the public seems to welcome a partial time-out from hyper-partisan politics. The lull in hard-edged political invective has much to do with Twitter's permanent suspension of the former president's account – he has been unable to tweet for six weeks. Trump may have recognized the mood change and, at least for the time being, is spending much of his time playing golf in Florida, without commenting much on Biden policies, although he remains angry with enemies in his own party.



For his part, President Joe Biden has pursued a lower-key, businesslike style. Despite having many grounds to excoriate his predecessor, Biden studiously avoided involvement with the impeachment process and hardly mentioned it, responding to a question at a town hall meeting on February 16 that he is "tired about hearing about Trump" and wants future attention on the "American people." With the trial over, Biden hopes to concentrate fully on his agenda, win over some Republican support, and to gain public support for his pandemic response and socio-economic initiatives. His model may be that of Lyndon B. Johnson whose legacy of a relatively short 5 years in the presidency was marked by some of the most consequential social legislation in post-World War II U.S. history.

This Update covers Biden's challenges, the pandemic agenda, initial foreign policy moves, the second impeachment trial, and the divisions within the Republican Party.

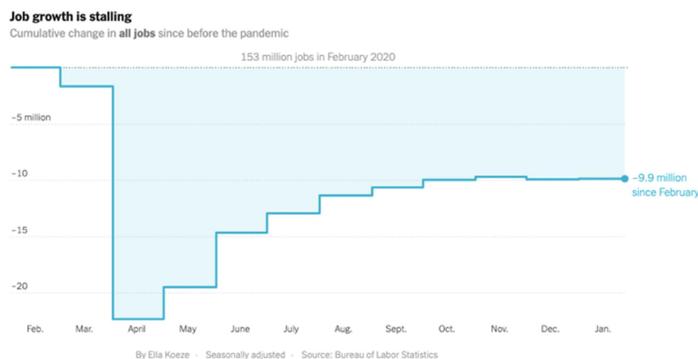
### The Challenges Facing the Biden Administration

Like former president Barack Obama whom he served, Joe Biden came to office at a dark period, arguably even darker than the Great Financial Crisis. Several challenges stand out:

- The continuing human and economic impact of the pandemic.
- The effort by the previous administration to deny legitimacy to its successor.
- The fragile control of Biden’s party in the Congress, particularly the Senate, now divided 50-50 between the Republican and Democratic caucuses.
- Need to maintain unity between the moderate and progressive wings of the Democratic party even as Biden seeks some Republican support for his legislative agenda in a very partisan era.
- A variety of external challenges, especially with respect to cybersecurity, the Middle East and China.

## The Covid-19 Relief Package

Biden’s early agenda has centered around the first of these – the pandemic. On the medical side, the new Administration has focused on the supply and delivery of vaccines, now at about 1.7 million doses daily. About 13% of Americans have received at least one dose of a vaccine; 5% two. At the moment bottlenecks in the production supply chains, for example, shortages of lipid nanoparticles, vials, and machines to fill vials, seem to be a bigger problem than delivery of vaccine into arms, although severe winter weather has slowed the delivery side too. Nonetheless, although hesitant to over-promise, Biden has accelerated his goal to provide vaccine to all adults who want it by the end of July.



At the center of both the medical effort and economic relief is the \$1.9 trillion “American Rescue Plan,” which supplements the massive \$3 trillion covid package in March 2020 and much smaller \$900 billion economic package in December. As this graphic from the New York Times shows, since September there have been only minimal declines in unemployment. A

good part of the job losses, about 40%, has come in the restaurant, travel, and entertainment industries, where the pandemic continues to have devastating impact.

The Biden team is convinced if they err, it should be not be for thinking too small. They are deeply concerned about the extent of social misery in the country and also believe the Democratic majority’s power and discipline in Congress will never be as great as at the outset of a term. Biden’ approval rating now is a positive 56% and a negative 39%, about the opposite of Trump’s as he left office, and it may never get higher.

Fiscal conservatives, including some in the President’s party, worry about the debt burden and potential inflation. The lack of consumer demand, they insist, is not the problem. The data is ambiguous; there has been a recent hike in consumer spending but also more people filing unemployment claims. Ten Republican senators came up with a counter proposal a third of the

size, and Biden invited them to the White House, the first group of senators he spoke with, to exchange views even though he did not agree with them.

To put the Administration in the strongest possible bargaining situation, the Democratic Congressional leadership moved to consider elements of the plan under the “budget reconciliation” process that allows budget-related items to be passed by majority vote, avoiding the need for 60 Senate votes to end any filibuster. Vice President Kamala Harris cast two tie-breaking votes to ensure this process in the Senate. It underscored how absolutely critical the two Democratic victories had been in the January 5 Georgia runoffs, giving the Administration an option to go it alone with Democrats that otherwise would not have been available. But the option may be more theoretical than realistic.

Beyond the vote to use the budget reconciliation process, the elements of the plan must be approved by legislation in each chamber. Both have been working on these, and the Democrats hope to have the legislation on the President’s desk in mid-March.

The American Rescue Plan will be an early test of Biden’s ability to keep his party behind him while also attracting Republican votes. Republicans are criticizing Biden for failing to compromise so far but Democrats in little mood for compromise. Right of center columnist David Brooks has observed that Biden may be the only Democrat willing to work with Republicans, and other Democrats, for some understandable reasons, don’t trust Republicans and have no interest in bipartisanship.<sup>1</sup> As a practical matter, Biden’s highest political priority must be to maintain unity within his diverse party. Only a single defection, for example, a Democrat from a strongly Republican state, could result in defeat of his legislation. But too much an effort to satisfy such a Democrat or attract a vote from the opposition party could result in defections from the Democratic progressive wing.

On this first major package, Democratic unity is likely to hold. It is popular, having something like 70% public support, and Biden has been pushing it with local and state elected officials and other interest groups. Republicans also support parts of the plan such as increased funding for vaccines, testing, disaster relief, and small business. Differences lie in the amount of payments of individuals, support for state and local governments, child tax credits, and increasing the minimum wage. After this first bill, the balancing act will become even more difficult. As part of its “Build Back Better” theme, the Administration will propose a more expensive infrastructure plan later, backed by unions. While some elements of that plan are also attractive to Republicans, the daunting costs and looming questions about whether and how to raise taxes are unlikely to win any Republican support and may create serious tensions within the Democratic party. Moreover, the budget reconciliation process must be used rarely and only for issues directly related to the budget. Other legislation, such as a new plan to provide an avenue toward citizenship for millions of illegal aliens, will be subject to the filibuster. As a

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<sup>1</sup> David Brooks, “Biden Right to Go Big,” <https://www.nytimes.com/2021/02/04/opinion/biden-stimulus-package.html>

matter of practical politics, both parties will need to fashion compromises to get anything done, and as always, this will become harder as the 2022 Congressional elections approach.

## **Foreign Policy**

Despite his long interest in foreign policy, it's now lower on Biden's priority list. As typical with the change of administrations, there has been a raft of recommendations coming from members of Congress, think tanks, foreign observers, and others as to what the Administration's priorities should be, both generally and for many specific policy areas. But aside from a few obvious measures, like rejoining both the Paris Climate Accords and the World Health Organization and cancellation of an impulsive Trump plan to withdraw troops from Germany, the Administration is mostly going through a review of issues and policies.

The events in the rest of the world won't wait. Some countries or leaders may be tempted to force the new Administration by taking actions to test their reaction (this is feared of North Korea, for example), or, in other cases, developments driven by local circumstances may force an Administration to take early actions that it did not anticipate. The anti-government demonstrations in Russia and February 1 military coup in Myanmar are examples of the latter.

In remarks at the Department of State on February 4, Biden emphasized that "America is back" in a global leadership role and that professional diplomacy is at the heart of U.S. foreign policy. He strongly tied America's responsibility at home with the effectiveness of its role abroad, arguing that having "moral authority" in the world at large required perfecting American society.<sup>2</sup> This suggests a foreign policy strongly influenced by the values which the United States shares first and foremost with its allies. Working with allies and multilateralism more generally play a strong role in Biden's foreign policy.

The biggest foreign policy shift so far has been toward Saudi Arabia and Yemen. The Biden administration is prioritizing dealing with the world's most serious humanity disaster in Yemen rather than power politics in the Middle East, and it has U.S. curtailed support for Saudi military involvement there and as well as lifted some sanctions on the Iranian-back Houthi rebels, hoping to shorten the war through diplomacy. Another high concern is nuclear weapon non-proliferation and restoration of the Iranian deal, nixed by the Trump Administration. Biden wants Iran to comply with the process first, but Iran insists that the U.S. must first lift its sanctions. On Afghanistan, the question is whether to continue the May 1 withdrawal deadline for the remaining 2500 U.S. forces there as agreed with the Taliban. Biden has long been skeptical of the U.S. military presence, but he fears a chaotic collapse of the Kabul government on his watch. He has kept on Trump's chief negotiator with the Taliban.

The important China relationship remains a major question. In his State Department appearance, Biden identified Russia and China as rival powers and problematic from a global

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<sup>2</sup> Biden often repeats that America will lead not by the example of our power, but through the power of our example.

order perspective. But he also insisted that the U.S. must engage them in its own interests where cooperation is essential. As a demonstration of this, Russia and the United States agreed on February 3 to extend for five more years the one remaining strategic nuclear weapons agreement. Russia had faithfully complied with the limits agreed to in 2010.

With China, the two foreign ministers spoke by phone on February 6, followed by a Biden call with Xi Jinping on February 10. Both sides emphasized their own perspectives on the controversial human rights, trade, technology, Hong Kong, Taiwan and other issues. The official U.S. read-out of the Biden-Xi call also noted discussion of shared interests on global health, climate change and nuclear non-proliferation and the value of “practical, results-oriented engagements” of benefit to Americans and their allies.

While this appears to be a partial restatement of a more traditional U.S. position on China, Biden labeled China as the “most serious competitor” in his February 4 statement and promised to confront the challenges it poses “to our prosperity, security and democratic values,” speaking in harsh terms about the specific challenges. American attitudes in both political parties and the public at large have hardened considerably toward China in recent years. While the new Administration is still feeling its way and probing the degree to which there may be possibilities for a reset, there is not a lot of optimism. The expectation is that Biden will continue many of the trade actions taken by Trump as well as be more sharply critical in areas relating to “rule of law” and human rights. Chinese attitudes to the United States have also hardened. The degree to which the two powers can cooperate in practical, outcome-oriented ways on some issues while disagreeing vigorously in other areas remains to be tested. Hopefully, the two countries can engage in frank, quiet dialogue to narrow gaps and improve the environment for cooperation.

### **The Second Impeachment Trial**

It was clear that there would not be the required two-thirds vote for convicting Trump in the Senate following the House’s second impeachment for “incitement of an insurrection.” It would have taken 17 Republicans to have joined all the Democrats and independents. Only 7 did, most of the others, including Republican leader Mitch McConnell finding it convenient to accept the argument that it is un-Constitutional to convict a president who has already left office. The Senate and many legal scholars had determined that since the impeachment in the House was while Trump was still in office, the Senate needed to do its duty. But a highly divisive trial was avoided by compressing the time given to it.

Despite the failure to convict, the House may have accomplished some of what it had hoped to. The youngish House managers, led by Maryland Congressman and law professor Jamie Raskin presented a riveting minute by minute video and oral account of what happened, trying to link Trump’s actions with the attack on the Capitol. Although they could show that Trump had invited the crowd to Washington on the day of the electoral certification, that many in the crowd felt enabled by Trump to invade the Capitol, and that the former president had reveled in the violence rather than immediately trying to stop it, they had no direct statement of Trump

was calling for insurrection nor clear-cut collaboration with the mob. In contrast, Trump's hastily assembled defense team was focused less on Trump's actions and more on procedural issues. They claimed the former president was exercising his rights of free speech, that he explicitly called for peaceful protests, that he had not been given "due process" by the House, and that the impeachment was another political witch hunt.

While an impeachment trial has the trappings of a legal criminal trial, it is a political process that part of the Constitutional system of checks and balances. The Senators may be jurors, but they were also victims in this case. Many had expressed their verdicts before the trial started. One presided. The defendant's legal team conferred during the trial with Republican jurors, and the defendant telephoned at least one. No one goes to jail; the most serious sanction Trump faced was to be banned from running again. But the trappings of a legal trial made it easy for the defense to argue that due process was violated.

The House managers seem to have hoped that superior argumentation and evidence as in a courtroom trial might win over the jurors. But these jurors were not impartial peers but political actors with their own interests at stake. Few Republicans, whatever their real feelings, could ignore the pressures of their constituents or their own political futures. Most feared being outflanked in a future primary election by a pro-Trump opponent.

In the end, both sides could claim they won (even if it was not a win-win): Trump since he was not convicted and the House Democrats in that they had made a good case with wide viewership, and the result was the most bipartisan conviction vote in history.<sup>3</sup> But Democrats were unable to hold Trump accountable. As a substitute, Speaker Nancy Pelosi is proposing to establish a "9/11-type commission" of distinguished citizens to examine the events of January 6. This would be able to operate in a less politicized atmosphere and take account of information yet to become available, but unless it has bipartisan sponsorship, is comprised of mostly nonpartisan commissioners, and addresses broader developments of the entire election year of interest to supporters of both candidates, it won't have much impact.

### **Future of the Republican Party**

The trial increased the growing tension within the Republican Party between its populist pro-Trump wing and its traditional conservative wing, exemplified by Senate Minority Leader McConnell. According to political analyst Henry Olson, surveys show that Republicans generally share dedication to small government, free markets, and traditional values. But Trump Republicans differ sharply from other Republicans in their very high esteem for the former president, disbelief in climate change, and denial of racism as a serious problem.

Trump and McConnell, once political allies if not personal friends, now stand as opponents in a struggle over the party's future. McConnell, who was disgusted by the former President's

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<sup>3</sup> This was in fact also achieved by the first impeachment of Trump as in February 2020, Mitt Romney became the first Senator ever to vote for impeachment against a president of his party.

post-election behavior, voted against impeachment but immediately afterward derided Trump “as practically and morally responsible” for the riot and noted he was still accountable for any wrongdoing through the criminal justice system. Trump was outraged, especially when McConnell followed up with a Wall Street Journal opinion article. He broke his political silence to excoriate McConnell in vicious personal and political terms.<sup>4</sup> Both blamed the other for losing the Georgia runoff elections, which cost McConnell his majority leader position. Both have promised to back Republican candidates in the 2022 elections, but Trump will back candidates promising to follow his agenda, while McConnell wants Republicans of any stripe who are electable. Beyond personal animosity, the underlying difference is whether the party is based on personal loyalty or on shared principles.

Trump obviously remains a powerful force in the GOP, both because of his fan base and the massive funds he raised under the pretext of “stopping the steal.” He is far more popular among Republicans than McConnell. Pro-Trump and Trump-appointed Republican officials at the state and local levels have been censuring those Republican House and Senate members who voted in favor of impeachment.<sup>5</sup> However, 3 of the 7 Republican Senators are not up for election until 2026 and two others are retiring in 2022. The House members are much more vulnerable, and thus their true views and voting behavior differ. Only 10 of 211 House Republicans voted in favor of impeachment, but when the same members used a secret ballot to decide whether to strip Congresswoman Liz Cheney of her leadership position for voting positively, she was retained overwhelmingly, 145 to 61. That vote was again a contest between Republican Party unity and Trump loyalists, led by the Freedom Caucus.

### **Party Realignment?**

A recent Gallup poll<sup>6</sup> showed that public support for a third party at an all-time high, especially among Republicans, 63% of which say they do. Favorability toward the Republican Party has dropped to 37%, in part because of the January 6 attack on the Capitol. In January, Trump was reported to be considering forming a “Patriot Party,” but once he abandoned that idea as unnecessary, traditional Republicans have reportedly been talking to each other about forming a third party, fed up with the rightward direction of the party which had started years before Trump’s 2016 election and, of course, Trump himself.

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<sup>4</sup> Trump’s remarks were reportedly toned down from what he originally wanted to say, and they were delivered as a statement rather than orally to prevent him going “off message.” Many Democrats would probably embrace Trump’s description of McConnell as a “dull, sour, and unsmiling political hack.”

<sup>5</sup> This is particularly hypocritical because these officials claim to support the Constitution. Since the Constitutional assumption is that Senators are supposed to be impartial jurors of the charges, they are censuring Senators for fulfilling their Constitutional responsibility. Censuring has little practical meaning since neither of the two not retiring or just re-elected would be easily hurt through primaries. This is because Lisa Murkowski runs in 2022 under a new system in Alaska without partisan primaries, and Mitt Romney, who faces voters in 2024, has an independent base of support.

<sup>6</sup> <https://news.gallup.com/poll/329639/support-third-political-party-high-point.aspx>

The American first-past-the-post voting system,<sup>7</sup> has never favored a viable, competitive third party, although independent candidates for president have appeared episodically around charismatic individuals, notably former president Theodore Roosevelt in 1912 and businessman Ross Perot in 1992, in both instances mainly dividing Republican voters and giving the election to the Democrat.

But could there be some realignment within a two-party system? Although the chances for party realignment seem greater than at any time in recent American history, they are still slim. The Gallup poll referenced earlier found a higher percentage of dissatisfied Republicans favor a more conservative, not more liberal party, and the opposite is true among dissatisfied Democrats. This may suggest room for moderates of both parties to link together, but “moderate” is a term relative to others in their parties and does not mean they would feel comfortable together in the same party even if they may cooperate on specific issues. Moreover, there are many costs to individual politicians in changing or just leaving parties. Most Republicans who supported Trump’s impeachment, including governors such as Larry Hogan of Maryland, have continued to emphasize their loyalty to party.

The bigger question about the future of the party system lies now with the Republicans because of Trump’s polarizing personality and poor performance – under his leadership the Republicans lost the House (2018), the presidency (2020), and the Senate (2021), a feat last accomplished by Herbert Hoover in the early 1930s. But Trump is still favored as leader by two-thirds of Republicans. While record numbers of Republicans are deregistering themselves as party members, it is still tiny relative to the total party membership.

How vigorously Trump will try to carve out a political role for himself or whether he is even able to remains to be seen. He faces numerous legal challenges resulting from his business, political and personal behavior, including a new lawsuit brought by a member of Congress for inciting the riot. If he continues to dominate his party, the next question will be the success rate of the Republican candidates he supports in 2022, a year in which gains would be expected by the party out-of-power. If his candidates cannot deliver, Trump’s influence should decline even though he himself, as a failed but charismatic leader, is likely to have true believers for years who will be a continuing obstacle for party renewal. But in politics, anything is possible, and especially with Trump, we have learned to expect the unexpected.

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<sup>7</sup> Only two less populous states, Alaska and Maine, have ranked voting.