

U.S. Political Update #25. October 28, 2020. By Charles E. Morrison

The November 3 U.S. election just 4 days away, and since half the expected electorate, which may be a record, has already voted, it can be said that it is half over. Despite the many events of the past 10 days – the final debate, the confirmation of a new Supreme Court justice, and new allegations of corruption or questionable activities – there have been no basic changes in the political dynamics of the election, which still favor the challenger. Nothing short of the death of a candidate or a war will alter the equation at this point. Because of this, we will use this eve of the election update to respond to some reader questions. These have been addressed in part in earlier updates but bear some reiteration.

1. Is Joe Biden a Shoo-in?

Or put another way, can Donald Trump still win? Given what happened in 2016, virtually no pollster or analyst has wanted to say that the election is over. But it is hard to see a clear path to victory for Trump. The election model of the political site, FiveThirtyEight, now gives him an 11 percent chance, a figure that has dropped slightly with each passing day. The Las Vegas betting odds cited by another site, RealClearPolitics, show a third chance. Biden is thus a likely winner, but no shoo-in.

The likelihood of a Biden victory is attested by several factors:

- The stable, steady lead he has had in the polls. State polls are less reliable than national polls, but also show him ahead in most traditional battleground states and near even in some states that were not considered battlegrounds earlier. Trump would have to win most of these battlegrounds to get to an Electoral College majority. This is possible, but unlikely.
- Both Trump and Biden forces are behaving in some ways that suggest their private polling also shows the election outcome as favoring Biden. The former Vice President's campaign feels assured enough of the critical "blue wall" (Wisconsin, Michigan, and Pennsylvania) that Biden, running mate Kamala Harris, and now chief surrogate Barack Obama are spending some time in less likely places for victory including Georgia, Texas, Iowa, and Arizona. Partly this is to help down-ticket candidates, but it would not be done if the campaign did not feel comfortably ahead. On the Republican side, while Trump is maintaining a frantic pace to shore up support in states he previously won, the Republicans and his administration are increasingly acting as were there no tomorrow. This is most obvious in the rushing of the Supreme Court nomination before the election, but there has also been a crush of executive orders to try to embed preferred changes before the end of the administration. (These can be overturned, of course, by a new administration just as

the Trump administration revoked many executive actions of the Obama administration).

- The funding picture has strongly favored the Democrats in both the presidential contest as well as in battleground Senate contests. This reflects both poor funding controls earlier in the contest by the Trump campaign as well as political misjudgments such as pushing the Supreme Court nomination that called attention to the Senate's role and triggered a flood of new Democratic money to their Senate candidates.
- High early voter turn-out, many more Democrats than Republicans. More Republicans are expected to vote in person on election day.
- The failure of the "October surprise." Voter attitudes toward the Trump administration jelled early and were even more firmly set in place by the pandemic. This is different from the 2016 election. A "surprise" in October thus would affect only a thin slice of undecided voters at best, and the Hunter Biden material, if a surprise, did not make an appreciable difference. This is elaborated below.
- Trump's failure to change the dynamic in either of the presidential debates. Trump hurt himself badly through his boorish behavior in the first debate. The second appeared more of a stand-off, but Trump had no break-through moment which he needed.

If anything, a strong Biden victory seems increasingly possible. By that we mean a popular vote margin of 5% or more (compared to Hillary Clinton's 2% margin) and an Electoral College margin at least equal to Trump's in the previous election (304 to 227). Both seem well within the range of the possible.

But a Trump victory cannot be ruled out. The Republican candidate would need a massive hidden or shy Trump vote (people unwilling to tell pollsters their true preferences) resulting in misleading polling and lots of luck at getting at least narrow victories in most battlegrounds. This was the key to Trump's 2016 success. While a hidden Trump vote is usually estimated to be no more than 1-2%, in areas or among groups where the President is unpopular, it is possible more are deterred from expressing their preference openly.

In the final days, some individual polls have countered the main narrative. For example, the Republican-leaning Rasmussen Reports, which three weeks ago had Biden up by 12% in a nationally now has Trump leading by a statistically meaningless 1%. This is not a credible trajectory since virtually every other polling organization has seen Biden's lead widen or remain quite stable over the same period. It is best not to take any particular poll, whatever its claims of having predicted accurately before, but to use the average of all polls. Most cluster around a 7 to 10 percent Biden lead nationally.

2. What Has Been the Impact of the Hunter Biden Laptop Materials?

Based on the questions, it appears that the Hunter Biden story has had more visibility in some of the foreign press than in the mainstream U.S. press. The U.S. mainstream papers have generally reported it in a context of their inability to verify the material and the unlikely elements of the story of how it came to light, and so it has had, from a Trump perspective, disappointing resonance in the broader public debate. It is as if there are two separate press bubbles since the right-wing press has given it enormous coverage and accepted the materials and circumstances of its coming to light as completely credible and factual. But even if one were to accept this, there is no direct or irrefutable evidence of Joe Biden's involvement, and he is the candidate.



This cartoon may illustrate one reason that the Hunter story found so little resonance outside the conservative media, including the widely watched Fox News. The same partisan cast, Rudy Giuliani, Steve Bannon, and the Trump campaign, who have been searching for dirt on Biden for the past two years brought it to the fore rather than independent new sources, reducing its credibility as anything but a pre-election "dirty trick."

According to a story in the New York Times, some of the professionals in the Trump campaign had a carefully thought out strategy to interest the Wall Street Journal, a more credible source, in an exposé using the Hunter Biden materials. The Journal was suspicious of the timing of the story, the provenance of the materials, and the question of whether they showed anything other than Hunter trying to trade on his father's name as opposed to direct engagement by the former Vice President himself. Hunter trying to trade on the family name would hardly be a new or urgent story.

As the Journal was reviewing the materials, Giuliani and Bannon pushed it with the tabloid New York Post without coordination with the campaign, upsetting the planning. Ultimately the Journal found the material less than convincing and did only a short story about the accusations of Tony Bubolinski, a Hunter Biden partner in a proposed 2017 deal with some Chinese. Bubolinski showed up as Trump's guest at the last debate, but in doing so, did not give much credence to his claims as a disinterested public-minded source of information. As part of the ultimately short Wall Street Journal story, it noted that none of the corporate materials it had seen showed a role for Joe Biden. Moreover, Biden in 2017 was a private citizen, not vice president.

Despite the long obsession of Giuliani and others to tarnish Biden, the Trump campaign had little to show for this other than engendering Trump's impeachment, although he was not removed from office. The effort was misguided from the start in that Trump's main problem was his own image, and he should have put more serious effort into burnishing that rather than diminishing the character of his rival. Moreover, unlike Hillary Clinton, Joe Biden had a long-time reputation among many Washington Republicans as well as Democrats as a straight, if somewhat inept, shooter. In the final debate, he quite deftly turned Trump's effort to bring up Hunter into an attack on Trump's tax record and China bank account, putting the President on the defense.

3. Will the U.S. Election Be Fair and/or Violent?

As described in Update 23,¹ the fears of unfairness have been nurtured on both sides, and Trump, as he did in 2016, has raised the specter of violence by his supporters (it didn't materialize in 2016 because he won). A short recent blog post by analysts associated with the Brookings Institution believe the risk of violence is high <https://www.brookings.edu/blog/fixgov/2020/10/27/why-the-risk-of-election-violence-is-high/>, citing Trump rhetoric, political and racial divides, and covid-19 related anxiety. Fearful of this, social media companies have sought to purge violence-laden rhetoric and, sadly, local police forces have had to consider how to protect voters from potential intimidation or violence without themselves being an unintended source of intimidation.

Nonetheless, despite Trump's rhetoric suggesting that the only way he could lose would be by fraud (he said the same in 2016), the probability either of widespread election fraud or violence is very low. More likely are isolated cases of it well within the ability of local agencies to handle. The danger is highest if the margin in the election is very close and disputed in one or more critical states and violence is egged on by the President. However, even in that event, it would be politically foolish for a candidate to try to incite violence as it would undoubtedly turn public opinion against him.

It should also be remembered that the President in the United States does not control the police forces or the state national guards (except that of the District of Columbia), which, with one legal exception (The Insurrection Act), cannot be used by the Federal government for domestic law enforcement. As was demonstrated earlier this year, the military has a strong

¹ This observer believes that the opportunities to manipulate the outcome after the election remain very limited. This is partly a consequence of the decentralization of the election machinery and the strong norm in state election commissions of ensuring a fair outcome and of the military not to allow itself to be engaged in domestic conflict. But perhaps even more important is the public mood. The American presidential elections are a long and excruciating process, tiring not just for the candidates but also the public, especially in the battleground states. There is little tolerance for prolonged debate on the outcome, as the 2000 election showed. Unless the counting is very controversial in one or more critical states, the results will probably be known, if not on November 3, at least within days. If he loses, Trump will manufacture an excuse for his loss, but he will leave the White House. But neither he nor Trumpism, the movement he empowered and leads, will be leaving politics in the foreseeable future.

aversion to use in domestic politics. Thus, in the case of a close election, the courts are more likely to be the recourse rather than the streets, and indeed, this is what courts are for.

What is of greater concern is the level of violence in post-election America over a longer period, no matter who wins the 2020 Presidential election. One should remember that there were outbreaks of racial violence during the Obama administration, not just the Trump administration. Should Biden win, the social and racial tensions that underly such violence, and the kind of incidents that catalyze outbreaks are not going to magically disappear.

4. How Will Foreign Policy, Especially Toward Asian Countries, Change Under a Biden Administration?

This question appears a little premature prior to the election result, but the major changes signaled by Biden have been quite clear: (1) he will put the United States back in the Paris Climate Accord, and climate will be a major feature of U.S. foreign policy as well as policies to promote a domestic transition to a cleaner fuels. (2) A Biden administration will take a stronger and more consistent policy on human rights issues. (3) Biden is a multilateralist. It can be assumed that he will want to use regional and global institutions to restore U.S. leadership in the world, a high Biden priority. One can expect an effort to strengthen institutions like the World Health Organization, not to walk away from them.

Questions have been raised specifically about China-US relations and the U.S. potentially rejoining the TransPacific Partnership (TPP) trade agreement. One should not anticipate early significant changes in either area. There is a growing consensus across both U.S. political parties that China is an international and bilateral problem whose “bad behavior” needs to be strongly resisted. While a Biden administration will undoubtedly be more civil in its discourse and more multilateral in its approaches, there is little likelihood of rolling back the tariff increases of the previous administration. The best chances for improving China-US relations lies in more effective discussions and reciprocal actions agreed to by both countries and fully implemented by both.

The former TPP, now being implemented by the eleven remaining parties and styled as the “comprehensive and progressive agreement” for TPP (CPTPP) has provided models for updating several trade agreements during the Trump Administration. Initiated under the Bush administration, the Obama administration had viewed it as a strategy to embed China in the rules-based trade system by setting benchmarks among such a significant number of consequential trading partners that China would be almost forced to adhere to them to protect its markets and eventually qualify for membership. The Trump Administration’s cavalier dismissal of the TPP may have given it a little more cachet with some Democrats as an idea to be looked at again, but it is unlikely to receive early attention. In fact, it and freer trade generally is more popular with Republicans than Democrats.

Endnote

The real “update,” of course, comes from the American electorate, and hopefully we will know the result on the evening of November 3 (November 4 in Asia) or soon thereafter. One thing both sides agree upon is that this is a consequential election, and the voting turnout so far suggests high public interest and a record turnout. Given the highly polarized American body politics, the popular vote total for the winner may be about 51-53%, compared to 44-46% for the loser, a bare winning majority but hardly a strong mandate. Whatever the outcome, effective governance will require building a broader majority around issues beyond the voting base.