

Conversations with Bill Kristol

Guest: James Ceaser
Professor of Politics, University of Virginia

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I. Presidential Selection Then & Now (0:15 – 28:08)

KRISTOL: Hi, I'm Bill Kristol. Welcome to CONVERSATIONS. I'm very pleased to be joined today, again, I think this might be our fifth conversation, actually, by my friend Jim Ceaser, Professor of Political Science at the University of Virginia right down the road in Charlottesville and author of many important studies of American politics, American history, the Founding, current political events. And so it's great to have you again.

CEASER: It's good to be here.

KRISTOL: In my view, one of the best students currently existing of American politics. And I thought today is Super Tuesday, as it happens. So fourteen primaries, including Virginia, is happening today. And I thought it would be a good time to have a discussion about a topic you wrote about in your PhD thesis and a book that was published, a very important book that was published, I guess, over 40 years ago now, it's hard to believe, called [Presidential Selection](#).

Because beneath all of the exciting back and forth of these races, we are selecting a president and it's kind of a big deal in our system. And it seems to have changed – the way we do it seems to have changed a lot over the years and maybe not quite be what –

Just where are we? We'll go through how does it fit into the Founders' intention of the Constitution and the stages of the change. I think it's something that's very neglected. You get a lot of analysis every four years about the primary calendar or the delegate, proportional representation and very little stepping back and saying this is one of the most important things we do as citizens and as a country, right, select the next president. How do we do it and how did we get here?

CEASER: We're obsessed with it, I think it's fair to say.

KRISTOL: Right, in a very short-term way, though, in a funny way, right? So where are we? And how did we get here? And how are we supposed to be selecting a president at the beginning and so forth? Begin where you want – you're a teacher.

CEASER: Well, I'll just mention that we're beginning today with a lot of very old people who are running for the presidency this time. And if they serve, the Democrats win and they serve two terms, they'll be close to 90 years old at that point. It's a little bit of a Methuselah complex. It's a different world than we've had in the past.

But I think the most significant thing is the change in, let's call it the system or the character of the system. And that today, especially made clear in 2016 and looks like this in 2020, the political parties, or what's left of the political parties, have broken down and they're not capable of having an establishment which usually chooses the candidate it wants.

And I think people forget how rapidly this has taken place. They're accepting the new system. There are some people in Washington who are raising objections to this, Jonathan Rauch, Elaine Kamarck. They're trying to fight to maintain what's left of the establishment. And I can imagine situations under which they might have some success, but the fact is that for now, it's in an astounding change in our system.

KRISTOL: And I guess the evidence is Trump winning the Republican nomination as a total outsider running against a Republican, recent Republican presidents and recent nominees and the Republican establishment –

CEASER: With no, at the point of the convention, still almost no support from, let's call it the establishment of the party. I mean, there were a couple of people who supported him, but the major politicians were not in favor of his getting the nomination.

KRISTOL: And the American system does not – and then on the other side Sanders getting 40 – whatever it is – 43 percent of the vote – as a total outsider who had refused to join the party, right, because it was too corporatist and all that in 2016. And now we'll see what happens, but certainly one of the two finalists or three finalists this year, which is pretty impressive.

CEASER: Yeah. I mean, last time even though he lost, he was able to change the rules of the system more to represent what he wanted, which was pushing the super-delegates off to the second ballot. I don't know that it's a normal thing for the loser to determine the rules the next time. And then he comes back, he rejoins the party, and now is one of the top two candidates. Who knows how it will turn out? But he has a good chance of getting the nomination.

KRISTOL: And I'm struck when I just talk to people about it, you know, we've all – it's like the fog on the water – it's happened not slowly, quickly, but still gradually in the sense of well, "okay Trump's the President, and of course that's that. And Sanders ran last time so he's running again."

But when you think about Trump and Sanders as nominee and president on the one hand, and a co-front runner at least on the other. I mean, people aren't struck by how unusual that is, I guess. And that the whole system seems to have been set up in a way not to present this kind of outcome, and now it seems to have changed pretty radically.

And other people, Bloomberg getting in late, and we'll see if he makes it, but he at least for a while looks like a plausible finalist. Spending hundreds of millions of his own dollars, with not even having been a Democrat most of his political career, which itself was confined to New York City, and was sort of apolitical in a way. I mean it's a very unusual when you think about it. It's a big change.

CEASER: Yes. It's a huge change. I would say it's a – we'll discuss this – it should be considered a constitutional change. It's the most important change in our political system I would say of everything that's happening. People talk about excess of presidential power, decline of Congress, a rise in the administrative state.

I say it's all secondary to how we choose our president when you think about it. We don't think of it as a constitutional problem because we don't see the connection of nominating to anything that's in the

Constitution, which is a huge error. But I would say this is the major issue, a constitutional issue of our time.

KRISTOL: Well, that's fascinating. So let's walk through that. I guess just go back to the beginning and talk about that. So, the presidency is in the Constitution.

CEASER: Yes. I mean it's true that much has escaped the Constitution. But when you look at the Constitution, you see that the original intent of the Founders in setting up the system of presidential selection, was not just to have a final election, what we call the Electoral College today, but to handle the nominating process. Or, since nominating is usually connected to the parties, let's say the winnowing process.

The system was meant to constitutionalize the entire process from beginning to end. And this, just in passing, makes another interesting point about the Constitution. Actually we have four national institutions, not three – the President, Congress, Courts. But look at the Constitution, you'll see the whole system of presidential selection is spelled out in some degree of detail. It has as much space given to it as the Court. It was meant to be a constitutional issue. They had great hopes for what could be done.

KRISTOL: This is the Electoral College in particular?

CEASER: The whole Electoral College you could say. That system beginning with the selections of the electors, all the way through to the final choice, is spelled out in the Constitution. So they had an idea. They thought it was way too important to leave this just to chance.

KRISTOL: Right.

CEASER: And so the electors – what we call electors today – they were in the business not just of frequently giving us a final choice, but of winnowing or nominating the candidates. They were like the party conventions if you will. That's the place that they had inside of the system, is to winnow down the candidates and then choose among them. So that part of course escaped early on, for a variety of reasons, but it shows what the Founders were interested in.

And they looked at elections in a very different way than we do today. It's true that the presidential election system is fairly popular. We could go back and forth as to how much. It's fairly popular, reflecting the will of the people. And yet, there was always an opportunity in this system to stop a dangerous candidate and the Founders spent a lot of time worrying about dangerous candidates. What is it, they asked, that killed the republics of the past? And the answer that they gave was a dangerous popular leader or a demagogue. That's the problem of democracy. So whatever else you do, you have to be able to block and stop those sorts of candidates. And this was one of the intentions of the electoral system, to somehow handle this, by the way the system was set up.

And in addition to this I think they looked at the men running for president at the time, that would run for president. They looked at that as a way of channeling the ambition of the most prominent citizens. After all, who wants to be president? Someone with a concern for glory or fame. These would be men of high energy.

So the question they asked was, how can we channel their ambition away from something dangerous and towards something that is helpful? And the trick, part of the trick, was there was never supposed to be a campaign. The idea of a campaign, of someone promising something in advance to the American people, of going out and trying to sell himself, that didn't exist. That wasn't supposed to exist.

In fact, presidential candidates by and large never campaigned for nomination of the presidency until the 20th century. They stood back, they refused to do so. There were a few exceptions, but that wasn't the system.

So I think that they tried to channel the ambition of the candidates into establishing some record, serving in government, some record upon which people could then assess whether they were good or bad looking back to what they had done. So a lot of them were Secretary of States as it turned out. But that was, I think, the basis of the system forced them to do something that was respectful for the country, and then choose among those who had achieved that plateau.

KRISTOL: Yeah, it's so interesting. I was struck – and of course we're looking over [The Federalist](#) papers on the Executive, in which Hamilton wrote, I guess numbers 67 to 77, and looking more at and the rule of law type issues, congressional, presidential prerogative versus Congress. And a surprising number of those papers, a surprising number of those pages of those papers, is devoted to the selection of the president, and to a long defense of and explanation of the Electoral College.

And so this is a major part both of the Constitution itself and of the defense of the Constitution and great hopes and weight is put by Hamilton on this is going to protect us, as much as anything can protect us, from unscrupulous demagogues. You worry about a president who is unfit, you know. Well, this is why we've set it up this way.

He's obviously answering also 'democratic' with a small 'd' objections to the, let's say, non-popular character of the Electoral College and so forth. But it is – I was just sort of struck, having not thought about it for a while, at how much of the defense – how much of that conception of the presidency or then their defense of the way they set it up – was tied to the way in which the president is selected, which makes sense, right?

CEASER: Yeah.

KRISTOL: And that of course went away very quickly, right? So that's the way. And I guess when you think about it, am I wrong, the way the judiciary, the Congress, the presidency – in its operations not in its selection – those are kind of still moored in the Constitution? There's been a lot of developments over two centuries. Whereas in a way the nominating process has been utterly – for better or worse, but I mean it's been utterly changed.

CEASER: Yeah.

KRISTOL: And it's the one part of the Constitution in a way that's just totally –

CEASER: Completely apart from the Constitution. And not thought of, by the people, as being constitutional because of this. But you know up until the time, the early part of the 19th century, even people realizing that the Constitution was no longer operative thought in Constitutional terms. How can we get back to or away from what the Founders wanted?

So, the Founders' thought on this was still important. And I think the most important election on this was 1824. That's not one that many people remember, but it was the key election, and brought into focus the most important founder of the American party system – permanent party system, not just using them temporarily; permanent party system – was Martin Van Buren.

KRISTOL: Right.

CEASER: And what happened in 1824, this was the end of the Era of Good Feelings. What was the Era of Good Feelings? It didn't mean getting up and exercising at 6 a.m. or anything like that. The Era of Good Feelings was there was no longer any mechanism for nomination.

All of the parties had ceased to exist, because there was only one party and when you have one party you really have no party. So they did away with the caucus system, which was a nominating device. And they just said, run as you wish.

And what's interesting is, all of the big important people in Washington seemed to think this was a great idea. We're going back to the Founders in some way. Because they never had parties, so why should we have parties? That was John Quincy Adams felt this way. James Monroe felt this way. Andrew Jackson, who was coming on, also felt this way. Everyone was against, or most everyone was against, parties or anything like parties.

And here's this Senator coming from New York, Martin Van Buren, who raises the idea, we need to have political parties. Because when you look at what the Founders wanted, you'll see that there's no way of getting back to something like what they wanted without establishing political parties. That was the gist of his critique.

And he looked at 1824, and sure enough, since there was no nominating device, people could start – I won't use the word 'campaigning', but traveling around. So there was no starting point. It's somewhat like today: people start two or three years in advance. Whereas when you had a nominating process, that puts a certain time at which the campaign began.

But more important for Van Buren is he thought the various candidates – there would be four or five in that election – that they would appeal to a certain sector of the American populace, and run by demagogic means.

And Van Buren made the point that – I think this is the most important point – that this demagoguery in the selection of the candidate would destroy the country. No doubt about it in his mind. People would appeal to sections, the sections would split apart and eventually the country would fall apart.

And he also argued, and I think there's lots to be said, that if that system had remained, and everyone thought it was going to remain in 1824, this would be the way we would choose our president in the future. So it's only by accident that he somehow accomplished this extraordinary change of bringing about in, say eight or twelve years, American political parties.

KRISTOL: And I suppose political scientists – you are a political scientist – but a political scientist might say, well look, the original system really couldn't have outlasted the generation of the Founding Fathers each of whom succeeded each other, or you know, in terms of Madison and Monroe and also couldn't have survived the democratization of life. And that parties are the way in which in modern democracies the populace is organized in ways that makes it possible to channel their wishes and votes into a couple of funnels, or may be in multiparty systems four or five funnels. Which then have leaders and then end up in one system or another producing a president. Right? I mean maybe it was less –

CEASER: Yeah. I mean we look back and we say parties are inevitable –

KRISTOL: Yeah, but we don't – totally, yeah.

CANDIDATE: But we don't know the form it would have taken. And Van Buren had a whole system of trying to establish – in fact he was trying to amend the Constitution without a Constitutional Amendment.

KRISTOL: Now, what you're saying is that he really – his reform was in the spirit of the Constitution, or he thought it was.

CEASER: Mostly.

KRISTOL: That more democratic way maybe.

CEASER: That was what he was aiming for, to somehow contain this vice of popular leadership and demagoguery, and do it through what became the convention system. So what did the convention system do? It drew on these things called parties, which really didn't very much exist.

He created the parties, the two parties at the time, or helped create them, by starting the Democratic Party. But really – and the Whig Party formed in response – but really Van Buren was less interested in the Democratic Party than in establishing a party system.

He thought somewhat as a – you could say as a constitutional reformer without using the Constitution. And so you had the state, various people in the states forming the body of the convention. Each political party then nominating someone with the safety of political leaders, not just the masses.

They would do the job of nominating and putting up candidates. Each would be national in character, so that would avoid this problem of the sections. And you could look forward then to putting up safe candidates. That was his hope. Also making the campaign shorter because no one could campaign for the nomination. You had to wait to see at the convention who was selected. There was no such thing as campaigning for the nomination two years in advance. It just didn't happen.

KRISTOL: The party leaders, right?

CEASER: Yeah. The party leaders were doing it.

KRISTOL: But you could if you were wished to be a candidate; you could go pay your respects to the Governor of Pennsylvania or –

CEASER: Yeah, make yourself available, as it was said. Politely available, but not campaign. And you didn't know that your campaigning would help anyhow. Why would you go campaigning to the people when the people didn't make the choice?

KRISTOL: Right. So there's really a party leader for presidential selection.

CEASER: Yeah. It was a – we could say organically this thing called “the Party” which meant the leaders, the main people in it. They were the ones who did the nomination. It wasn't a perfect system, but this was meant to fulfill the role that in a sense the Electoral College in its first phase had been implemented to do.

KRISTOL: And these were elected – a lot of the leaders, or most of them – were elected officials. So there was a democratic element to it. If the Governor of Pennsylvania says, I think we should nominate this person, and a Senator from so-and-so, it's not – it's indirectly democratic, you might say.

CEASER: Yeah, and the parties were fairly democratic.

KRISTOL: And they want to win. So they're not going to sort of –

CEASER: Exactly.

KRISTOL: – just go off on some tangent presumably.

CEASER: That's how they would think. They would think in pragmatic terms about how to win. And most of them were politicians. That's another thing Van Buren liked. He was the first, when he ran for president, a number of years, he was the first who was not a hero or a Founder or the son of a Founder.

And he liked parties because it was a way to allow the politician to become a presidential candidate, rather than someone who had some huge reputation. We could bring a politician up. And the country needed that because we were finished with the era of Founders and sons of Founders running for office.

KRISTOL: And so basically this party system which is what someone – maybe it's changed – when I was in college, who you once studied as the kind of – the kind of quintessential American Party System: the conventions, the party bosses, the party leaders, two parties kind of conglomerating as you say. It might not have – if it had been left to its own devices, there could have been five parties, there certainly would have been sectional parties.

CEASER: Right.

KRISTOL: It would have been very different – or eight parties. And as that does lead to the kind of demagogic appeals. But a system that seemed to channel things into the leaders. And so that really is what – the system from what – 1840 to 19 –

CEASER: '68.

KRISTOL: Yeah. So, despite all the changes, the Whigs go away and the Republicans come in, and Woodrow Wilson does his thing.

CEASER: And the Progressives lay the marker for something different. But that was basically in its pure form from the 1840s to, say, 1912. It was modified a little bit thereafter by the beginning of primaries, but not enough. So that when Hubert Humphrey became the nominee in '68 he never entered a primary.

KRISTOL: Right.

CEASER: That's almost unbelievable. How can you become a nominee without entering a primary? So the primaries were different in character. They were beauty contests, they used to call them, which is, you would vote for someone in a primary, but the delegates really wouldn't be constrained to vote for them at the convention.

But it was a way for the political – many times for the political leaders to see the popularity of a candidate. For example, John Kennedy in 1960: can someone win a primary as a Catholic in West Virginia? Well, a lot of people didn't think so. He did, and opened things up. But it really isn't until 1972 that you have the beginning of the triumph of the primary system.

I would say though, it's an important point that the parties are peculiar institutions. Because we can speak of parties performing this role, but they didn't always. Because I think the best way to look at parties is they're sort of Janus-faced institutions. Sometimes they do their job of just moving people up. But every so often, the party is still the institution we use to try and set the direction of the nation. So every so often in this process, movements would emerge in the United States, and pressure or capture a political party, or begin a new party, as was the case with the Republicans, in which the direction of the country was far more important than this idea of ensuring a safe leader.

KRISTOL: Right.

CEASER: And 1860 and 1856 the example of the Republicans. What was the Republican Party was devoted to some purpose, which was far more important than this idea of just getting politicians together and choosing a nominee. So parties have always had this Janus-faced character to them.

KRISTOL: And I suppose some of the important ideological, or if that's not the right word, fights on principle and policy, take place at or are reflected at these party conventions.

CEASER: Yeah.

KRISTOL: Hubert Humphrey in 1948, the Civil Rights plank, and the Southerners walk out. And so you know, the conventions which are ultimately presumably – I mean they're very few primaries, but the way that the delegate is selected is sort of ultimately it goes back to the public, right? In some way or another.

CEASER: Yeah. It's this mixture of the parties and of doing a job of getting someone pushed forward as I said, but also reflecting currents of the populace.

KRISTOL: Right.

CEASER: And when I looked at the literature on parties, I feel they either take one side of party or the other, they don't put it together and realize that both took place at the convention, with many people at the convention trying to say how do we meld these two? In the sort of practical way of finding a winner, but also – Reagan is another example of someone who came in somewhat from the outside and had to bust his way in. Goldwater was another example of this. So parties always had this part to them.

KRISTOL: Right. But yeah, Goldwater is, in a way. But at the time people were – and I'm just old enough – I was 11 years old, but I sort of – maybe afterwards remember reading about it. But it was shocking to people. It was the end of the Eastern establishment's hold on the party.

CEASER: Right.

KRISTOL: It was a rebellion. Still, it's not as if – I mean, Goldwater was a sitting Republican Senator and had been for a decade I think.

CEASER: And he had worked –

KRISTOL: And he was prominent, and was – you know, he was a leader of a part of the party.

CEASER: Right.

KRISTOL: Now, it's a different part to the part that had dominated before, say with McGovern. So that's a sort of – but that was I guess the beginning of the breakup of that old party system to a more popular one maybe, I don't know.

CEASER: Somewhat. In Goldwater's case you could say he was the leader of a faction within the party. And all of these parties at the time had different factions, which were testing their strength. And it was a pretty big change when one faction could change the dominant faction.

KRISTOL: Right.

CEASER: But at least he had prepared the way inside the party. And the same with Reagan, you know, became the leader of the conservative faction, and pushed this against Ford, and then finally won the nomination. So it wasn't from nowhere that these people came.

KRISTOL: Right.

CEASER: Today it's a different kind of story.

KRISTOL: And actually, in a funny way, after Goldwater, McGovern, Reagan I guess you could say, Reagan was an eight year Governor of California. But still who were all sort of outsiders or sort of challengers to the establishment. For the next 30 years we actually weirdly reverted to very establishment picks, when you think about it.

Vice Presidents succeeding Presidents. You know, people in the center of the party, favorites of sort of party leaders, who were a little different in character at this point than the old party leaders I suppose. But anyway, the Bushes, the Doles, the Clintons, the Romneys. That doesn't feel like a whole bunch of whacky outsiders suddenly showing up.

CEASER: They were challenged and there was a couple of people, one from UCLA and others who were all political, the book called *The Party Deciders*, sort of the rival to my books during this period. And when they looked at it, they looked at the outcome of these nominations and they said well look, at the end of the day the party decides and you can have whatever system you want, that's the reality, or so they said.

Whereas I looked at the people who were making an important imprint even though they weren't winning, beginning with Jesse Jackson and others. These guys came from nowhere and started winning. Almost

won, Howard Dean, almost won. So I was looking more at the possibilities rather than the actualities. So we dueled in various ways, the two books, but I think by 2016 they surrendered.

KRISTOL: And so what would you call that system from '72 to 2016 let's just say and how does it happen, how does it come into play?

CEASER: It's structurally open that you can always have had someone coming in from the outside and taking it and some came very close. And under certain circumstances the possibilities were there. The system allowed it. But it was true that the party was able to more or less control the outcome, more or less, and assure a safe choice in the end. I would say with luck. So that's what they put there, emphasis on the party decides, it's like party control. They define party in different ways, but basically what we call the establishment.

Whereas beginning in 2016 this possibility that you could go around the party, became a reality with Trump. He was the one who saw or took advantage of this and brought it to fruition.

And we see the same pressure happening inside the Democratic Party. I don't suspect in the future, I don't know what will happen, that it might go back to a system of some kind of new establishment forming around the Trump-ean Republican Party or something like that. The Democratic Party, who knows? It will depend on who wins, what will happen.

I don't say every time you're going to have someone who challenges from the outside. That's a ridiculous position to take. But the possibility is there. The examples have been established. And the American people are willing to accept it. As we said at the beginning, there's something to be said for this, but there's a lot to be said against it.

KRISTOL: I suppose just to finish up on this 1972 to 2016 system, I mean it's much more primary-heavy than caucuses and conventions obviously, state conventions. So it's more popular, more democratic.

CEASER: And even the caucuses, that we call caucuses, because that goes back to the method by which delegates had been chosen in the 19th century. But the caucuses were completely different in character. The caucuses instead of being the party professionals controlling them, many of the caucuses were the most ideological. Who's going to come and sit in the room for five hours unless you're pretty much devoted? And that was shown in some of these caucuses when people sponsored their candidates. They weren't the same thing.

II: A System without Guardrails (28:08 – 57:54)

KRISTOL: So from 1972 to 2016 you get a sort of, I don't know, a party system which is much more open, more democratic with a little 'd'. But still maybe onerous enough to get through, and enough that elected officials could influence voters' choices, that establishment or quasi-establishment candidates – Obama was presumably not the establishment candidate against Clinton, against Hillary. But it was important to him to get the support of Teddy Kennedy and some of the established figures. And that really does fall apart as you – and you had seen that coming in a way.

I guess if you combine that, the loss of power of the party establishment with the new campaign finance rules and the self-financing possibilities that Trump took advantage of literally – not spending that much of his money. But Bloomberg and others have really shown what – I mean that opens up the door to just –

CEASER: Oh, yeah. I mean there are all these taxes and financial things.

KRISTOL: Because there were these informal – I guess the way I'd put it is from '72 to 2016 my sense is that when I came to Washington obviously and sort of saw it a little better, there were informal versions of establishment – control is too strong, but – the influential donors. You had the invisible primary. You had to show in the year before that you could raise money, that you could get some endorsements. Well,

who'd you raise money from? Well, you raised it from the big shots who had been party donors for the last ten or twenty or thirty years. Maybe you found some new donors who were more ideological or something, like Goldwater did or McGovern. But still it had a certain kind of process where you couldn't just show up yourself and say, I'm doing it.

CEASER: Right.

KRISTOL: And it did disadvantage ultimately outsiders probably compared to people who've been around some and spent a few years cultivating these people and so forth.

CEASER: I would say. And you know, you have these accidental things when we look back. But certainly the internet did it in this way.

KRISTOL: Yes.

CEASER: You could win a primary. It used to be, you won a primary, and could you get momentum? Well you'd have to wait two or three weeks for a check, somebody to put a check in the mail and the mail to arrive. But after the internet got going, people started giving money and overnight you could raise millions of dollars, as has happened.

You win something, you suddenly have money to go to the next step. That was another important change. And all sorts of other changes like this that people can list, the role of social media and whatnot, that have combined to make the character of the system we have now.

KRISTOL: Celebrity culture.

CEASER: Celebrity culture, right. Everything we could mention.

KRISTOL: Yeah. So, now this new system which we're just I guess in the first – or second, you know, election of that system maybe, when historians look back on it. I mean how does that – well, could one just say, okay, fine. So it's another change, just like '72. And so, you know, we should change campaign finance rules maybe to stop giving self-funders such a big advantage.

But at the end of the day it's also responses to people. Maybe it opens things up a little more. We'll end up with two nominees. It doesn't really destroy the party system exactly. Trumps was a super outsider, but he's had greater control over his party than some of these presidents who were produced by the party.

So that suggests it's not like everything's falling – I guess that's what I'm saying – it's not like everything's falling apart. As I vaguely recall the political science literature says we need these parties because otherwise we're going to have a totally atomized society and no one's going to aggregate interest groups or sentiments.

But Trump's aggregating sentiments pretty well, I guess you could say. And I don't know, I'm just curious. How does this play? Is this not – is this stable? I mean can we now have 40, 50 years of this new system?

CEASER: Yeah, and this has relations to the old system. As I mentioned, that you can have establishments form for a while under this. But of course people are struggling to go back. I don't put that much stock in it, but I admire Johnathan Rauch and others that they look at the thing and they said, well, what we want to do is increase the number of super delegates, allow them to vote on the first thing, go back to the older system.

Generally, going back against the movement of democracy is very difficult. Not impossible, but difficult. I could see it happen this time that, say in this case Bernie Sanders would lose, as one possibility. The

Democrats would draw the conclusion, we lost because we ran this guy; now let's go back and reestablish the establishment and more super delegates.

All things are open, but it's hard to pull back democracy. And we see, maybe unfortunately, that America is passing its system along to Britain and France where you see, we're the wave of the future. And a lot of French and British people say, well now we're copying the United States as if it's a necessarily a good thing. I'm not so sure it is a good thing. A few things could be said about it.

But that's the direction it seems to me that we're moving, if I had to guess. And all sorts of things could come out of this. Will the two parties remain in control, or will it split into more parties? You could have seen Bloomberg going in a number of different directions. So, it's a sort of open field. I hesitate to predict the future because I've always been wrong about it. But that's –

KRISTOL: Me, too.

CEASER: But those are my sentiments about where things are going.

KRISTOL: They do seem to be these sort of shells that you just – people just compete to take over, rather than actual institutions that select or nominate in a way, right?

CEASER: Yeah. I mean an institution is designed to put a stable pattern – that's what we mean sometimes by an institution: there's something that forms and gives it character and direction. And what we have now is not much of an institution. We have rules, but we don't have an institution that regularizes behavior.

And at least going back to Van Buren and to the Founders, they saw this as extremely dangerous. Because as I mentioned, this problem of popular leadership, for something as important as the President of the United States, that kind of mixture is dangerous.

But basically the Founders looked at an election as presenting a good opportunity for things to happen. But you always have to watch elections. They're dangerous and above all, elections for president. You've got to tend to it and make sure that they're patterned in some ways.

Today the basic view is elections are great; you might not like a particular candidate, but boy this is the way to do it. The more democratic the better. No one pauses to think that we're missing something institutionally. And yet when we step back and see what's happening to the American system, like Trump or dislike him, you've got to admit it's a huge change. And the same with Bernie Sanders – it's a huge change. Do we want to keep trying this experiment on and on and on? Is that a desirable system?

KRISTOL: I mean, I think it's a very shrewd point about the rules. We have the rules, but not the institution that in a sense was behind the rules and was supposed to sort of – the rules were just reflecting the institution.

I think we – I was just thinking to myself about how I think about it – I think one doesn't see the radicalness or the thoroughness of the change, because the rules look the same. Hey, it's Iowa then New Hampshire and now South Carolina's moved up. And there are now 14 states on Super Tuesday instead of 11. But that's all, you know, looks like classic, just tinkering with schedule and order. And there are a few more primaries and few more caucuses.

CEASER: That's what it is, yeah.

KRISTOL: But it's fundamentally different if this is just a kind of random set of rules that have been inherited, but there's nothing behind it. It just happened – it's like a schedule, you know? But it's not – and people will tinker with a schedule, to see it, to try to help their faction of the party I suppose, or their preferred candidate.

Some people in a public spirited way might try to – let's have four regional primaries because it's too random to have these little states give people such a boost, and so forth. But yeah it's disconnected from an actual real party with real party leaders. It's a little hard to know even what rules you should have.

I mean, what are you trying to achieve, you know? Just a fair kind of one man, one person, one vote kind of situation? Why shouldn't you just have a Democratic – a primary on June 4th, where every Democrat – like a lot of countries have – where every Democrat in the country – like Israel just had in their – every Democrat in the country votes in the Democratic primary, and every Republican votes in the Republican primary. And that's that. Right? I mean why do we have this – I guess the federalism kicks in and so we have it by states.

CEASER: Yeah, there's lots of reasons why we don't. It's difficult. But when you look at the people who write about this, "we're going to fix this system," and it amounts to a tinker. Less front-loading, more front-loading.

KRISTOL: Right.

CEASER: And every four years we've really changed the system a little bit, the rules; but we haven't materially changed the system. The system is open to these possibilities, and now these new possibilities have broken through. And none of the things that are being proposed that I see today represent an understanding of what we want to do, and to change in a direction that we want to change to make it an institutional process.

That's the part that you would have to convince the Americans to look at and say, do we really want this? I mean, democracy is a good thing. We were never a fully democratic country. That's why we have a two year term for a House rather than one year. And ultimately it's supposed to be democratic, but not on every issue.

And we've allowed ourselves to slip into a totally democratic process, the most radical kind, for the most important office that you can imagine – the president. It's the most democratic, all things considered, in its nominating system. And we've just shrugged and pushed ahead.

KRISTOL: And I suppose the argument would have to be that we are paying a price, or could pay a price. Maybe we got lucky a couple of times. And that the price is that there was a virtue to having people who were themselves political leaders, knew personally many of the people who might be running, have an outsized say you might say, in the selection of – and also a continuity within the parties.

So someone runs once, and then he meets more people, gets a VP nomination, runs the next time, that sort of thing. That we're losing all of that. Now, I guess people might say in response, well was that really so great?

CEASER: Right.

KRISTOL: Just a little back-scratching and a lot of party bosses paying each other off. And they'll, you know, let's nominate someone from Ohio because that's a key state. So we get Warren G. Harding. I mean there's a fair amount you could say the other – people did say, right, the other way, I guess, against that system.

CEASER: Yeah, this system was never foolproof. But when you talk about nominating people for an office, no system is foolproof. That's what I would start for building a systems thing. Look, no system that we're going to adopt is going to be right all the time. It's a question of which one's more right over time, and which one's less right.

Of course people only look at the last election. They say, oh, we made a mistake, we've got to change everything. That's the way people look at it. But that's the thing that you can expect from institutions in the nominating process.

And look, I mean, some people condemn the various candidates. I've condemned them too. But in a way by the time you got to 2016, if you look at Trump, you could condemn him. Lots of things that he did that were demagogic into popular leadership. But he in a way saw what this system was like and give him credit or take it away, he seized the opportunity.

And I don't know whether you should blame the candidates as much as you blame the system. He saw what the system was like, and to the surprise of many, took the prize. And people were left in a way scratching their head, well he can't do this; he's not part of the establishment. Well, he did it. And now we're experiencing maybe the same thing on the Democratic side or at least the possibility, with Bernie Sanders.

KRISTOL: And I suppose so the more precise question though is, so what is – and what you're saying in a way, is that the thing is the Founders feared the most, kind of demagoguery and a kind of populism I guess maybe is a word for people, not a word they knew but a word that I think might capture it. Those were originally – the original presidential nominations in particular leaned against them, I guess you might say.

CEASER: In many ways.

KRISTOL: Excessively perhaps rewarded, you know, being an insider or having been Secretary of State, you know, and so forth.

CEASER: Right.

KRISTOL: But now we've swung so far to the other side that there's no constraints or checks. I mean it's sort of as if – it's true when you think about it, normal institutions would not do this. A major university, a major corporation, a major baseball team, would not just say, you know, let's just select the next manager or the next CEO, we'll have some sort of slightly random sequence of people voting, and maybe the employees or the shareholders, and just kind of – you know?

CEASER: Even the Washington Redskins would have a –

KRISTOL: Whoever shows up gets to vote, and whoever wins by three percentage points in this primary gets a huge bump. I mean no one would actually think – in seriousness. The military doesn't work this way. Most parts of our society don't work this way. It is slightly, I suppose, funny that the most important job, office, in our whole country does work this way.

CEASER: And arguably the world is subject to this unstable selection system. But that's what we have.

KRISTOL: But could you have a more stable one that's also democratic, that doesn't require it. Because I agree with you, people don't want to go back. I don't think you can go back to the smoke-filled rooms. But could you have a system that filtered democratic decision-making in a reasonable way? So it was fully democratic, if I can use that term, in the sense that the people vote, but a little less susceptible to mood swings and pure money and so forth? I guess I don't know.

CEASER: There's probably something – I'll leave that to you, Bill, to take up.

KRISTOL: No, I was just thinking out loud.

CEASER: It's in a way a difficult thing if –

KRISTOL: I guess super delegates was a sort of clumsy attempt to do this.

CEASER: Yes.

KRISTOL: These people have been elected.

CEASER: That's right.

KRISTOL: They are part of the party. It's a little whacky to say that because one person gets 24 percent and one person gets 22 percent in some state if it's winner take all, that the governor who was part of that 22 percent doesn't have any say in the next president?

CEASER: Exactly.

KRISTOL: And so, let's have these people go to the convention. But it's funny, when people talk about the super delegates, they don't think of it that way. They think it's just sort of like the party people putting themselves in the convention so they can have a good time. There's no institutional kind of argument, you know?

CEASER: Yeah. You would have to have a defense for what they do. Not just that they're there on the books, but that we have an understanding of this process which can justify it. And you looked at the super delegates in the past in the Democratic Party, they were afraid frequently to vote the way they wanted.

KRISTOL: Right.

CEASER: And even when they supported Hillary in 2016 and everything, they were embarrassed sometimes to say so and then immediately gave ground afterwards. You have to have not just the rules but the understanding behind the rules. That's what we don't have, people willing to stand up and say, look, this is not a perfect process, this is the best way to do it. And these people have the right to a certain say which is a little bit more unfortunately than you, Mr. Citizen. They know something about it.

But we don't have that today. And until we could begin to reestablish this understanding that an election, a democratic election, is not the be-all and end-all. That there has to be some restrictions. Until we have that understanding, I think we're fated to keep going down this process even if we have the super delegates, who will probably be following public opinion.

KRISTOL: Yeah.

CEASER: We'll see a fight. But you saw what happened in 2016 in the Republican establishment – they gave way. The Democratic super delegates we have – who knows what will happen this time? They may stand and fight if it's close. But if one candidate has a decided advantage, I'd be surprised if the super delegates step in.

And after all, at that point too, if the super delegates come in and say, we want – say Joe Biden rather than Bernie Sanders, after Bernie Sanders let's say is 20 points ahead, what good is that going to do? If the party will be split? It's a very difficult problem.

KRISTOL: So there are these rules that we've just inherited, and it's too hard to change, so Iowa goes first, then New Hampshire, so maybe Iowa won't go first next time. As you say those are the tinkering.

What about the two party system itself? That seems such a fundamental aspect of American politics. Maybe it grew up accidentally, maybe not. Maybe Van Buren wanted two parties, which aggregate interests better. But it's been one of the chief distinctive characteristics of our system I would say, ours and a few others. Is that also – is that just an empty shell at some point, and someone just decides, at the presidential level at least, to just run for president?

Or I guess there the electoral system still militates against that, right, first past the post and the Electoral College?

CEASER: It definitely leads in that direction. I mean you could say regional third parties helped, but basically that's the case. What would change this would be if we changed the Electoral College. That's a whole other discussion. But a change in the Electoral College could have a decisive effect on whether we continue to have two parties.

KRISTOL: So, explain that just a bit. Leave aside the change, but why is the Electoral College so pro-two party?

CEASER: If you have another system the people would be able to push the election maybe into the House of Representatives if there were three parties, to take advantage of it in that way. Or in most proposals that I've heard for changes in the Electoral College, they say, the one who receives a plurality, provided the plurality is more than 40 percent.

No one wants to sort of let someone come in and be president with 35 percent or something like that. So, that in a way gives someone the incentive to say, vote for me in the first round, and then I'll be the kingmaker between the other two in the second round to try and push everyone below the 40 percent margin. All sorts of things can happen if we abolish the Electoral College.

KRISTOL: So you get France or something, with many candidates, and then –

CEASER: Yeah, two rounds.

KRISTOL: In two rounds, like Israel.

KRISTOL: Like Israel.

CEASER: Most of the proposals have gone for two rounds, or somewhat like the Southern primaries.

KRISTOL: Right, run-offs.

CEASER: You have two rounds. And it makes sense. You don't want people being elected with the largest plurality, but not a majority supporter in the –

KRISTOL: And I guess the key that holds us from that, you think is more the Electoral College than anything else.

CEASER: That's one key component.

KRISTOL: Well, and the Electoral College meaning 'winner take all'.

CEASER: Winner take all is an important feature.

KRISTOL: For part of that, right?

CEASER: Yeah. I would fear if we had changes in that on a large scale.

KRISTOL: Because then you'd be tempted to run and get your 21 percent in Pennsylvania, and you'd get X number of votes in the Electoral College. And right now it would I think go to the House, and that's a little less attractive and maybe it'd then be a Constitutional amendment, to vote, we have to have a run-off.

CEASER: Right.

KRISTOL: We can't let the House select it. And suddenly you are France or something like a system like that.

CEASER: Yes. Everyone hates the existing run-off system we have, which is, it goes to the House. And every State, of all the bizarre things, every State gets one vote.

KRISTOL: Yeah.

CEASER: And if a state happens to have an equal number of Republican and Democratic representatives, the state can't vote. No one liked this, going back to the 1820s. Van Buren looked at this, he said we can't really keep sending this to the House. This is an undemocratic system. Madison didn't like this. I don't quite know how we got that, but so we have it.

KRISTOL: But that is sort of helping to make it harder to see how, if you started a third party who ran as an independent for president, Perot type of thing, you could get over the hump and actually win.

CEASER: Yeah.

KRISTOL: I mean, I'm struck by that in some of these third party independent candidates, discussions in 2016 and starting up again. And especially if Sanders were to be the frontrunner and Bloomberg, that's not a great choice for some people, Trump/Sanders. And what about a centrist?

You get yourself 20 percent of the popular vote, then you win, maybe you win a state or two, maybe none, like Perot. And what have you done? Someone spent a fortune and –

CEASER: And got nothing from it. So what these people in the third parties are aiming for initially is to decide the election between the top two candidates. And that's a big thing – vote for me and I'll decide between the top two. That option is not very much open to them under the Electoral College system.

KRISTOL: Right, that's more the feature of France or Israel or something like that.

So you would tend to bet absent – and the Electoral College could only be changed by Constitutional amendment. The winner-take-all aspect of it is not, of course, Constitutional.

CEASER: Right.

KRISTOL: And states could change it, but it's not in their interest to, mostly.

CEASER: Almost all change they – in the South, they were thinking of changing when the Democrats saw that their majority at the state level was about to be lost and that the states were going to all become Republican. And they all got together and many of them got together and said let's change it to a proportional system. And it was close in many states – we almost had a huge change at that point of what happened in the '80s.

KRISTOL: And I suppose there could be other changes, like that which we haven't even thought of.

But yeah, and if you were advising, if you thought it was worth having a third party, I mean, how would it even happen? Would it happen, sort of start in one state or a few states and then grow up, or would it just be one presidential candidate sort of showing up and blowing everything up.

CEASER: The modern third parties have not grown up organically. They've grown up more or less from the top, beginning with Teddy Roosevelt; you can't really have much of a party without Teddy Roosevelt in 1912. And the same with Ross Perot and maybe even John Anderson.

Some of the other parties, which hold some weight, like the environmental parties and the libertarians, they're growing from the bottom, but they haven't gotten very far. They could.

KRISTOL: So you'd probably need a moment like a 1912 or a 1992. There's an unusually charismatic or popular or famous or something candidate *and* the two parties are not adequately representing somehow some pretty big chunk of the population or a certain concern of –

CEASER: Like I could imagine Mike Bloomberg doesn't seem to be doing this well this time, but – still too early to say – but he easily could have chosen a third party candidate if that had been more possible this time.

KRISTOL: Anything else we should be watching for in the next cycle or two? I mean, leaving aside who wins and all that, what would you expect 2024 to look like? More of the same, but be more of the same, so to speak? I mean, more Tom Steyers?

What strikes me, once Trump wins, don't you think every billionaire in America thinks well, I don't know, if he could do it, why not me? And of course, we've had Steyer, people now forget that we had Howard Schultz, looking at the independent side of things.

CEASER: Yeah.

KRISTOL: We've had Bloomberg, obviously. We'll see if that's in any independent stuff that comes up. There are rumors about one or two people looking at it if it were Sanders, Trump. That would seem like a possible real disruptor.

CEASER: It's possible. Although Trump, if he proved anything in 2016 is that money doesn't matter.

KRISTOL: Totally.

CEASER: So we'll see. Steyer got nothing from this, other than his face on TV, but he wasn't the main billionaire. That was Bloomberg.

KRISTOL: Schultz, though, I think is an interesting case because he wasn't a ridiculous, I mean, in a way he founded a genuinely massive American company, Starbucks, which is popular company, so far as one can tell. Is a reasonable guy and seemed like there room for moderate in between a Sanders inflected Democratic Party and a Trump-y Republican Party – and he just went nowhere. Maybe he could have gone somewhere, but the two parties is surprisingly sticky.

CEASER: It is.

KRISTOL: Well, I guess the two parties now do really stand for something, distinct from each other. But in presidential selection, internally they don't have much – it's a funny situation, right? I am struck, do you think it would be the case, I'll just close with this and this is slightly sort of off-topic.

But I mean, for me what you emphasized was how much Trump was an outsider. Absolutely no support from the elected officials and so forth until very, very close to the convention when he locked it up. And now total control of the Republican Party. I mean, if he loses that may all go away. Maybe it's kind of a very temporary thing, they're scared of him in primaries.

But that's a pretty interesting, sort of bizarre situation where it could be easily penetrated by an outsider who then doesn't just have temporary strength, which is kind of what you might think. But actually can, at least short-term, get a stranglehold on it and maybe change the character of the party. I guess the question is, do we have that kind of – that would give you a big incentive to run, to take over one of the two parties, I guess, right?

CEASER: Yeah. I would say from a certain point of view, you could say it's Trump winning, but also Trump being, in a way, successful. Think what you will, there are lots of ways in which he can say "I may have done crazy things and said a lot of crazy" – many ways in which he is satisfactory to Republicans who are rethinking some of the positions that we once had in the Republican Party and looking at it as a

success for the time being. Those two things together have given him this extraordinary appeal within the party.

KRISTOL: Yeah, if he hadn't passed pro-business tax cuts and if he weren't nominating conservative judges, I don't think he would have the control he has.

CEASER: Yeah, and the great economy, et cetera, et cetera.

KRISTOL: Right.

CEASER: So there are lots of contingent factors.

KRISTOL: But what that means, just to close this discussion on this selection process, is that you don't pay much of a price. I mean, the party doesn't even exact retribution against you if you win. I mean, I suppose if you lose, they might turn on you or something like that.

But every four years it's just a new contest, I guess. There's no, like institutional memory somehow. Maybe there is – Sanders, of course, ran last time. But on the other hand, people do emerge awfully quickly and –

CEASER: There's always a winner and a loser. You'd be surprised how much of this is determined by the fact of who won and who lost. If you win, everything is great. If you lose, everything is not so good. That's why the winner seldom wants to change the nominating process. I won, why should I change it? The other side thinks of making the changes. And then it happens, the opposite way when the parties switch control.

KRISTOL: Right, so whoever loses this time might be more interested in making some changes, I suppose. Though maybe not because it's been so close, they've each won, the parties have handed the presidency back and forth. So they each think they have a chance of winning, I suppose. But yeah, who cares?

The problem is, I suppose, well the final point, I mean, I suppose if you have a more celebrity based entrepreneurial, if that's the right word, individualized politics, you don't have the kind of people below the presidential candidates who in the old days, one supposes, had a certain kind of interest and stake in the party.

Even the people who have become governors, a lot of them are themselves wealthy or they're prominent businessmen or maybe they make their way up, but they often, they haven't labored in the vineyard. They don't think I'm going to spend my time thinking about how to strengthen this party.

CEASER: No, because the party doesn't help them.

KRISTOL: The party is something for them and not even that important for them, except for getting on the ballot.

I guess that's the other thing. If in terms of finances, work, you'd do better having some powerful interest groups behind you, and powerful organizations behind you, than the party organization, which is often very weak itself. And now with internet fundraising and stuff, you don't need the party to raise the money, you don't need the party to bundle. So they're both extreme – they're both very, yes, so they're weak, but there they are, important for getting on the ballot and for winning. So they're hugely – you know, they're very important to capture, but they don't have much institutional weight on their own, I suppose.

CEASER: Agreed.

KRISTOL: And that's not great, you think. I mean, it's not a healthy or stable situation somehow. Maybe it will be stable, but – okay, and the Founders wouldn't have liked it?

CEASER: I'm speaking for the fathers –

KRISTOL: The last word here on behalf of the Founders.

CEASER: They would have had some difficulty with, I would say, most of all with the absence of any theory behind our nomination process. Forget what conclusions you come to; there really is no theory behind it today other than acceptance of democracy. No one raises the question, is this a good idea? Or very few do.

KRISTOL: And good idea, when you read the *Federalist*, key to what good idea means for presidential selection is increasing the odds – nothing is certain, obviously, but increasing the odds – of, as Hamilton puts it over and over, a fit person, a capable person, a respectable person, a non-demagogic person becoming president. I mean, that almost doesn't even enter the discussions about how to reform the system.

CEASER: That's right.

KRISTOL: Okay. Well, this has been extremely illuminating – maybe not ending on exactly on a wildly optimistic note, but why should we? Reality is reality. Jim Ceaser, thanks very much for joining me again today, and thank you for joining us on CONVERSATIONS.

[END]