

## **Endorsement of Vice President of the United States Kamala Harris**

Almost four years ago now, on January 6, 2021, a stake was driven through the heart of America's Democracy, and on that day American Democracy was left teetering on a knife's edge. On that day, the prescribed day for choosing the American president, there was not a peaceful transfer of power in the United States of America — for the first time in the almost 250 years since the Founding of the Nation.

As a consequence of the former president's continued denial of that appalling day, and his defiance of America's Democracy to this day almost four years later, millions of Americans still believe that the 2020 presidential election was "stolen" from the former president, despite the fact that he lost that election fair and square in what has been proven over and over to have been the freest, fairest, and most accurate election in American history.

Because of the former president's continued, knowingly false claims that he won the 2020 election, millions of Americans no longer have faith and confidence in our national elections, and many never will again.

Because of the former president's knowingly false claims, many Americans — especially young Americans, tragically — have even begun to question whether constitutional democracy is the best form of self-government for America.

The 2020 presidential election of course was not "stolen" from the former president and he knows that. It was the former president who attempted to steal the 2020 presidential election from the American People, not they from him. To attempt to steal an election in the United States of America is to attempt to steal America's Democracy.

For the former president to continue to persist in the knowingly false claim that the 2020 presidential election was stolen from him is a profound affront to American Democracy and to the Constitution of the United States — an affront without any precedent in all of American history.

In his utterly inexplicable obsession to this very day to deny, attempt to justify, even to glorify January 6, and to bludgeon Americans into believing that the 2020 presidential election was stolen from him when he knows it was not, the former president has corrupted America's Democracy.

Yet, to this day — to this day still — not only does the former president, and now the Republican Party of which he is again the standard bearer, continue to falsely claim that the former president won the 2020 election. He and his Party defiantly refuse even to pledge that they will honor and respect the vote and the will of the American People in the upcoming presidential election. In this defiant refusal, the Republican candidate for the presidency and the Republican Party have literally taken America political hostage, threatening the Nation with the specter of another January 6, 2021 on January 6, 2025, if the former president again loses his campaign for the presidency by a vote of the American People.

Until January 6, 2021, there was a peaceful transfer of power from one President of the United States to his successor for almost 250 years. The peaceful transfer of power from one President of the United States to the next and the commitment of presidential candidates and their respective political parties to the peaceful transfer of power in the next election are fundamental tenets of our constitutional Republic. Adherence to these tenets is essential to American Democracy, American governance and government, and to the Rule of Law in the United States of America. Without the peaceful transfer of power, America would have no democracy.

The politicians tell us that America's Democracy and the Rule of Law are too "abstract" to "resonate" with American voters. If that was ever true in the past, which I do not accept, it is emphatically not true today. For reasons we all know too well, there could not possibly be any more concrete and consequential issues for the Nation and the American voter today than America's Democracy and Rule of Law. America's Democracy, and along with it the Rule of Law, were almost stolen from us on January 6, 2021, by the former President of the United States, who is, today, asking us to return him to the Highest Office of trust in the land.

America's Democracy and Rule of Law are the defining features of our Nation. It is America's Democracy, Constitution, and Rule of Law that have made America the envy of the world and the beacon of democracy and freedom for the world for almost 250 years.

This presidential election is a test of Americans' commitment to America's Democracy, the Constitution, and the Rule of Law. It is so because the former president and the Republican Party have shamefully made it so.

The often lofty, at times even noble, policy differences that have been the hallmark of American Politics and partisan debate for almost a quarter of a millennium pale in comparison to the foundational national policy issues of America's Democracy, Constitution, and Rule of Law. American Democracy, the Constitution, and the Rule of Law are the stakes — the only real stakes — in the upcoming election.. Having made them so, these foundational issues of our times cannot now be wished away by the former president and his Republican Party, as they would have it. And they must not be wished away by the American People.

The fact remains to this day that even the loftiest and noblest of policies and policy differences will be comparatively inconsequential unless and until we Americans bring to an end the war on America's Democracy that was instigated by the former president and his allies on January 6, 2021. For their part, the former president and the Republican Party have determined to prosecute their war against America's Democracy to its catastrophic end. As a consequence, for our part, "We the People" must bring this unholy war to an end – now.

The Founders of our Nation and the Framers of our Constitution feared most of all this very moment in American history, when the American People would be tempted by the seductive demagoguery of a modern-day populist demagogue. In a letter to George Washington in 1792, over 230 years ago, Alexander Hamilton warned of this day and this demagogue, who would "mount the hobby horse of popularity" and whose "objects" "may justly be suspected to throw things into confusion that he may 'ride the storm and direct the whirlwind.'"

Thomas Jefferson agreed with Alexander Hamilton about very little, except about the existential danger to the Republic of a populist demagogue. “If once elected, and at a second or third election outvoted by one or two votes, he will pretend false votes, foul play, hold possession of the reins of government, be supported by the States voting for him,” Jefferson presciently wrote to James Madison in 1787.

The time for America’s choosing has come. It is time for all Americans to stand and affirm whether they believe in American Democracy, the Constitution, and the Rule of Law, and want for America the same — or whether they do not.

The former president and the Republican Party have cynically framed this choice as a Hobson’s choice and they have cynically forced their supposed Hobson’s choice upon the Nation. But they have chosen as their standard bearer the one man who is singularly unfit to embody and represent not only to the Nation, but to the world, America’s sacred Democracy, Constitution, and Rule of Law.

In a word, for America and Americans, this is no Hobson’s choice at all.

America’s two political parties are the political guardians of American Democracy. Regrettably, in the presidential election of 2024 there is only one political party and one candidate for the presidency that can claim the mantle of defender and protector of America’s Democracy, the Constitution, and the Rule of Law.

As a result, I will unhesitatingly vote for the Democratic Party’s candidate for the Presidency of the United States, Vice President of the United States, Kamala Harris.

In voting for Vice President Harris, I assume that her public policy views are vastly different from my own, but I am indifferent in this election as to her policy views on any issues other than America’s Democracy, the Constitution, and the Rule of Law, as I believe all Americans should be.

In the 2024 election for President of the United States, there are no more important issues for America.

It is our Democracy, our Constitution, and our Rule of Law that bind us together as Americans. We Americans must never allow ourselves to be put asunder from this that binds us by the siren calls of the politicians and the political sophists, the mercenaries and the opportunists, who entreat us that the only thing that matters in this presidential election is the candidates' different positions on the sundry policies of the day. All, as if nothing had come before.

We Americans know all too well what has come before. We understand what the political class does not want us to understand. That in the presidential election of 2024, the candidates' policy differences are the least that matters to the United States of America.

J. Michael Luttig