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USA

Will Trump Be Disqualified from Running for Office?

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As 2023 comes to an end, former president Donald Trump dominates the media just as he has for the last eight years. Two states, Colorado and Maine, have ruled that Trump cannot appear on their state ballots because he engaged in an insurrection on January 6, 2020, which makes him ineligible under the 14th Amendment to the U.S. Constitution. At the same time, two other states, Michigan and Minnesota rejected arguments based on the same fundamental legal argument and are allowing his name to appear on their state ballots. And some fifteen other states are also dealing with similar challenges. So, it seems inevitable that the issue of Trump's eligibility will go to the U.S. Supreme Court for a decision.

The 14th Amendment was passed in 1868 following the end of the U.S Civil War. Section 3 was intended to keep former political and military figures who had engaged in insurrection or rebellion against the United States from running for office if they had previously sworn an oath to uphold the U.S. Constitution. The Amendment has rarely been used since and never against a presidential candidate.

Trump's lawyers argue that he didn't engage in any insurrection, that there was no insurrection on January 6, and that he was engaged in the exercise of free speech when he called upon his backers to go to the capitol and "fight like hell." The challenges to Trump appearing on state ballots have come from dissident Republicans, Democrats, and independents. All of Trump's Republican rivals stated that they opposed Trump's name being removed from the ballot, arguing that the voters should decide.

President Joe Biden and other leading Democrats have not been directly involved in these legal challenges to Trump. Biden said, let the courts decide. David Axelrod, a former close advisor to president Barack Obama said he believed that a decision to keep Trump off the ballot would rip the country apart and that the Democrats should concentrate on beating him in the election.

The Supreme Court has not yet indicated its plan to deal with the issue, but would presumably do so before March 5, Super Tuesday, when 16 states will hold their primary elections and will choose about one-third of all delegates to party conventions. The Court's decision on Trump's eligibility would likely determine the matter for all states and for both the primary and general election. Many believe that the conservative Court will not want to disqualify him for office because it would lead to widespread opposition and perhaps violence from his millions of supporters.

While these expensive legal battles take place in the states and head for the Supreme Court, the left has been involved in the revitalized union strikes, the movement calling for a ceasefire in Gaza, and in supporting state resolutions to defend abortion rights. The left is divided three ways. First, there are those who will support Joe Biden's presidential campaign in order to defeat Trump, but their numbers have been reduced because of Biden's continued support for Israel as it reduces Gaza to ruins and a vast cemetery under them and by his right turn on immigration as he seeks to turn away would be asylees. Second, there are those who will either support the Green Party candidate Jill Stein or independent Cornel West. Finally, others hating Trump and disappointed and angry with Biden, and seeing no hope in the small third parties, will simply sit this one out.

It seems like this will be a rerun of 2020, Trump v. Biden. Still, much could change in this new year, 2024 in the court cases and in the social movements.

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