

# [***Biden tries to lay to rest age concerns, but may have exacerbated them***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6B94-1N11-DY7V-G00F-00000-00&context=1516831)

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**Byline:** Analysis by Stephen Collinson, CNN

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**Body**

(CNN) &#8212; A probe that spared President [*Joe Biden*](https://www.cnn.com/politics/joe-biden) from criminal charges paradoxically dealt him a threatening political blow.

Special counsel Robert Hur's [*report released Thursday*](https://www.cnn.com/2024/02/08/politics/white-house-special-counsels-report-response/index.html) on Biden's handling of classified documents effectively ended the matter. But his assertions that Biden was elderly and forgetful ignited a political firestorm that cut directly to the heart of the president's chief vulnerability in the 2024 election.

The White House knew it had a huge political problem on its hands.

After hours of Republican claims that the report showed he wasn't capable of serving as president, Biden appeared at a hastily scheduled news conference Thursday evening, apparently seeking to turn the page on what turned into a disastrous day.

"I know what the hell I am doing," Biden fumed in the Diplomatic Room of the White House, as he defended his faculties and bristled with anger. Biden also pointed out that Hur's report drew distinctions between his handling of classified material and [*Donald Trump*](https://www.cnn.com/politics/president-donald-trump-45)'s allegedly criminal and obstructive conduct on the same issue over which the ex-president faces a future criminal trial.

Biden appeared fired up and passionate. But at the same time, his angry demeanor and an event which appeared to quickly spin out of his control, with reporters shouting questions as he struggled to interrupt, may have ended up exacerbating the very questions about his age that it was meant to dispel.

When CNN's MJ Lee pointed out that many voters have questions about his age, Biden pointed his finger and forcibly said, "That's your judgment."

The press event also raised new questions about his sharpness in a week in which he has twice confused the names of a serving and recent European leader with those with whom he interacted in the 1980s. At one point in his Thursday night appearance, Biden was referring to the president of Egypt in a comment about the Middle East crisis but mistakenly said "the president of Mexico." This is the kind of mistake any overworked politician might make. And even when he was much younger, Biden had a reputation as a gaffe machine and for verbal slips. But in the context of Biden's declaration that his "memory is fine" his political liability over his age and coming as it did during an event meant to demonstrate vitality and accurate recall, it was an unwelcome trip-up, to say the least.

An emotional moment

There was also a poignant moment where [*palpable grief came to the surface*](https://www.cnn.com/2024/02/08/politics/biden-special-counsel-beau-death/index.html) when the president condemned Hur for suggesting that in an interview he struggled to remember the date of his beloved son Beau's death. It's hard to think of a more painful thing for Biden to have to read since he remains deeply affected by his son's passing from brain cancer in 2015. "How the hell dare he raise that?" Biden asked, before breaking off, apparently close to tears.

Overall, Biden left an impression of a president who feels he's been deeply wronged, is bitter about the way he is covered by the media and treated by Republicans and still believes deeply he is the best option to beat Trump in November - an opponent that he views as an anti-democratic anathema to everything America stands for. The president's defenders often get frustrated when the political conversation is dominated by Biden's age - rather than Trump's repeated challenges to the rule of law.

But at the same time, his age and acuity really do matter to voters and he is under increasing pressure to address this and demonstrate his capacity as the general election approaches. Sure, Biden's likely Republican opponent is a twice-impeached 77-year-old with a volcanic temperament who is facing 91 charges and tried to thwart US democracy three years ago. But Biden is the president now, and despite the preferred framing of his campaign that 2024 is a direct comparison between him and Trump, he will be judged on his own record and capability to serve as commander-in-chief for a full four years, especially as Vice President Kamala Harris has her own questions to answer about her experience, popularity and suitability to serve in the Oval Office.

In a [*CNN/SSRS poll*](https://www.cnn.com/2023/11/07/politics/cnn-poll-trump-biden-matchup/index.html) published in November, only 25% of Americans believed Biden had the stamina and sharpness to serve effectively, while 53% said Trump did. In another CNN poll last week, 46% of Democrats were concerned about Biden's age.

This is a delicate issue that has not been fully tackled either by the White House or the Biden campaign and is often rationalized away by Democrats and in Washington in a way that does not fully reflect the depth of feeling about it in the nation as a whole. The fact that Biden delivered his remarks on Thursday night shows that his team now recognizes the president has a significant liability in this area but his performance also suggests that he's yet to fully work out how to put voters at ease.

A painful issue

Age and the question of diminished capacities as a person heads into their twilight years is a deeply painful and sensitive one. It's something that many families have to wrestle with and so understand intuitively, a factor that may be reflected in public opinion on the matter as it relates to the election.

Many of the attacks on Biden by Republicans certainly reek of ageism and come across as cruel. As Biden knows however, ***politics*** is a nasty, personal business. In mitigation, he has kept up a rigorous schedule on the campaign trail in recent weeks traveling coast-to-coast and last year conducted several grueling foreign trips that would have tired a much younger man. But the pressures of the presidency are unrelenting and offer little time for true mental relief. This is underscored by the fact that Biden is for example dealing with two wars in Ukraine and Gaza that constantly threaten to spill out of control and embroil the world in a much wider conflict.

Biden's fans may also have a case that he's being unfairly compared with Trump. The ex-president - despite a few recent glaring gaffes himself - notably [*mixing up his GOP rival*](https://www.cnn.com/2024/01/20/politics/nikki-haley-donald-trump-mental-fitness/index.html) Nikki Haley with ex-House Speaker Nancy Pelosi - has not had the same scrutiny over age even though he'd be into his 80s by the end of his own second term if he wins in November.

Trump's often nonsensical remarks, verbal gaffes and frequently unhinged demeanor are often cited by Democrats and raise questions about his age and capacity. But Trump's manic energy tends to dampen such questions among his supporters, although there are arguably great red flags about his fitness for office raised by his four looming criminal trials and his open autocratic tendencies and vows to use a second term to enact personal "retribution" against his political enemies.

Hur's report rebuked Biden for willfully retaining classified information, including top secret documents after he left the vice presidency. But he said no charges were called for because there was insufficient evidence of willful intent to prove guilt without reasonable doubt. He also also drew a distinction between Biden's handling of classified material after documents were found at his home, his garage and in an office that he used and Trump's hoarding of classified material at his Mar-a-Lago resort. Biden cooperated with his probe while Trump is alleged to have done the opposite, according to a criminal indictment that also accuses him of obstruction.

The facts show that there are huge differences in the cases of Biden and Trump - even if the nuance will be blurred in the heat of a campaign as GOP leaders complain of double standards in the justice system.

But the GOP's real opening came when Hur suggested that Biden would come across to a jury as a sympathetic, well-meaning elderly man "with a poor memory." Hur suggested that he had frequent memory lapses during his interviews with investigators, including not being able to recall when Beau died or exactly when Biden was vice president. The special counsel also said the president could not remember details of a debate over Afghanistan that appeared very important to him.

Biden's lawyers lashed out at such details as inappropriate. Biden's allies suggested that as Hur was appointed as a district attorney in Maryland by Trump he may have a political ax to grind. In private, the findings touched off a furious response from Biden, with the president angrily and profanely asking how anyone could believe he would forget the day his son died, CNN's Kevin Liptak [*reported*](https://www.cnn.com/2024/02/09/politics/biden-fury-special-counsels-report/index.html).

Many of the Republican attacks on Biden were biting. Florida Sen. Marco Rubio suggested on Twitter for instance that he was suffering from dementia.

North Carolina Republican Sen. Thom Tillis was kinder but his comments over Biden's age were also cutting. "I'm not one who gets personal. But when it's so profound, that you have a prosecutor take note of it, I think it's something to pay attention to," Tillis said. "I'm not trying to take a cheap shot. ... Let's say that was the CEO of a company. What would their board of directors be asking for this evening?"

The reality of an unprecedented election

Democrats moved quickly to dismiss concerns about Biden.

"In my interactions with the president, which I have regularly, I've not experienced anything like that," said Arizona Sen. Mark Kelly. "When I came back from Ukraine the last time, I spent a good amount of time with him on the phone, talking about Ukraine and the details, and he was sharp."

But the fact Democrats even have to address this, points to Biden's big political problem.

And the entire situation is replete with irony.

Biden acted aggressively Thursday to try to prevent a report that lifted the threat of criminal prosecution from him but already appears to have damaged him politically because of questions about his age. Trump meanwhile is facing four criminal trials that paradoxically appear to have benefitted him politically - at least with his deeply loyal base which has bought into his claims that he's a victim of political persecution.

That may not seem fair. But for Biden, it comes with being an incumbent president in his 80s who is facing genuine questions from the public about his capacity to serve.

This also reflects the sometimes warped reality of ***politics*** in the age of Trump and an unprecedented election between two elderly likely opponents in November, each of whom have served an Oval Office term and have defied the efforts of a younger generation to succeed them.

Analysis by Stephen Collinson, CNN

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