

Trump Impeachment: Let's Wrap It Up

By Steve Bakke  February 21, 2020



We've been hearing "impeach Trump" or "impeach the *(BLANK)*" for over three years and it's time for America to "wrap it up." But that may be wishful thinking because democrats have weaponized impeachment and seem ready to try again.

The President's style is often outrageous. His comments represent a stream of unfiltered consciousness, often neglecting factual precision. Nevertheless, I'm wouldn't be far out on a limb by saying many of Trump's "sins" are common traits among politicians, but he's the rare example who's public about it. And for that he's paid a steep price. Impeachment proceedings wouldn't have occurred if he'd conducted himself with more discretion.

While moving toward conclusion, I have some "loose ends" I'll try to close.

First, consider a confusing comment from Alan Dershowitz when answering Senate questions. It was about Trump's attempt to investigate the Biden/Barisma situation. Democrats claim Dershowitz gave the president permission to do anything he wanted as long as there was an element of public interest. That, of course, is absurd and wasn't the point being made.

Dershowitz stated, perhaps in tortured fashion, that doing something that serves a public interest isn't automatically off limits just because it also serves a president's personal interest in some way. Dershowitz also emphatically stated that a president isn't allowed to be criminally corrupt, even if it also serves the public interest. Upon examination his message makes sense.

Next is the issue of hypocrisy. Democrats challenged the validity of having Senate proceedings without witnesses. During the 1999 Clinton impeachment hearings, Joe Biden wrote a private memo to the Democrat Caucus stating: "The Senate may dismiss articles of impeachment without holding a full trial or taking any evidence.....the Constitution does not impose on the Senate the duty to hold a trial.....even if the House wishes to present evidence and hold a full trial." That's politics. Opinions depend on "whose ox is being gored." (I should add that in the Trump trial, the Senate did receive the testimony of over a dozen House investigation witnesses.)

Democrats, led by Representative Jerry Nadler, strenuously objected to Trump asserting executive privilege, or preparing to do so in court. This objection became the Obstruction of Congress impeachment charge. Recall the 2012 “Fast and Furious gun running” scandal during Obama’s administration. AG Eric Holder wouldn’t provide requested documents, and Obama asserted executive privilege. Republicans did take this to court. In a hearing leading up to Holder being declared in criminal and civil contempt of Congress, Nadler joined a walk-out in protest of the vote. Once again, it’s about “whose ox is being gored?”

Finally, consider the claims of unfairness in the House investigation. There’s only one way to explain the puzzling strategy used by House democrats – for example, the feverish rush to vote on impeachment rather than satisfying their appetite for more witnesses using the courts as leverage. Democrats knew they wouldn’t remove Trump in the Senate, so they must have been merely getting a jump-start on the 2020 presidential campaign. The fact that the impeachment hearings were merely a cover for a campaign strategy explains many other confusing tactics used by democrats. If you find something you can’t understand, try attaching the “campaign” label, and see if that clears things up.

In conclusion, I’ve wondered about the Framers vagueness in dealing with impeachment procedures. The Constitution provides little guidance on how to do it. I believe the Framers avoided providing specifics for the process because of their uncertainty about future cultural and political developments.

I believe the Founders left it for future generations to finish the job by filling in procedural “blanks.” We now have enough experience for Congress to clarify the impeachment process by defining goals, terms, rules, and standards for things like due process, evidence, and standards of proof.

We’ll be facing these issues again, so next time let’s be better prepared.