

Document 5: Impeachment Is an Act of Desperation

By Christopher Buskirk

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SEPT. 27, 2019- Impeachment proceedings will very likely be so good for President Trump and so bad for Democrats that they might have to report them as an in-kind donation to his campaign.

Perhaps the Democratic leadership thinks that this is a good way to raise money and to keep the base energized for next year's election. Maybe they're addicted to the intoxicating high of moral outrage. Or maybe they really believe that an impeachment just before a general election is the right thing to do both morally and politically. Regardless, the Democrats pushing impeachment, now joined by the speaker of the House, Nancy Pelosi, are doing everything they can to ensure the president's re-election.

Of course, that's not what Democrats think. They think that now, finally, in the president's call to his Ukrainian counterpart, Volodymyr Zelensky, they have Mr. Trump right where they want him. But we've all been down this road before. The Russia probe was supposed to end in impeachment. It didn't. Claims made in Michael Wolff's book "Fire and Fury" were supposed to end the Trump presidency. They didn't, either. Neither did the salacious stories of Stormy Daniels or the testimony of Mr. Trump's former lawyer, Michael Cohen. Neither did a litany of other allegations, slanders and stories, some true, some not.

This time is no different, and I think Democrats like Nancy Pelosi know it. She's been pressed hard to pursue impeachment by her younger, more radical colleagues — in and out of "the squad" — along with their activist supporters and many of the party's presidential candidates. She resisted until now. So Ms. Pelosi's decision to change course and proceed with impeachment is more likely the result of the combination of that pressure and the cumulative effect of frustration that none of the prior predictions came true.

None of the fuss did any lasting damage to Mr. Trump. His approval ratings have bounced around in more or less the same range since he took office. But frustration and anger lead to bad decisions and those decisions are likely to cost Democrats dearly.

Joe Biden bears the most political risk. Democrats are focused on the part of the phone call where Mr. Trump and Mr. Zelensky discuss a number of things, including the potential sale of Javelin missiles to Ukraine and the location of servers examined by the American cybersecurity firm CrowdStrike. (Mr. Trump is interested in the servers because he believes they could shed new light on the hacking of Democratic National Committee servers in 2016.) Mr. Trump also brings up Joe Biden, saying, "There's a lot of talk about Biden's son, that Biden stopped the prosecution and a lot of people want to find out about that so whatever you can with the attorney general would be great. Biden went around bragging that he stopped the prosecution so if you can look into it... It sounds horrible to me."

In that and other statements, Democrats see an impeachable offense. A lot of other people see one head of state asking another for an investigation into potential corruption involving the Bidens. Hunter Biden was on the board of Burisma, a gigantic natural gas company in Ukraine, earning as much as \$50,000 a month. Why was he there? At the same time, his father was overseeing American policy in Ukraine and later bragged about how he had [pressured Ukraine to fire a prosecutor](#) there.

Regardless of one's view, there is no way to look into the rectitude of Mr. Trump's call with Mr. Zelensky without also asking a lot of uncomfortable questions about Hunter Biden's business dealings in Ukraine during Barack Obama's second term and Joe Biden's actions while vice president. Those threads could lead to a review

of Hunter's dealings with China and the role his father might have played there. That's all bad for Mr. Biden and his campaign, regardless of what's found (or not found). Democrats want an investigation, they want hearings and they will get them. But the Bidens will be scrutinized.

Maybe Democrats have secretly given up on Mr. Biden and see impeachment as a way to satisfy the demands of the activist base and at the same time get rid of him and ease the path for another candidate. I suspect that a lot of Democrats in the superdelegate and donor class have concluded that Mr. Biden is not capable of reassembling the Obama coalition that won the White House twice, and are also increasingly uncomfortable over Mr. Biden's ability to withstand the rigors of a campaign against Mr. Trump.

Still, this remains dangerous political ground. Impeachment is a matter of the utmost national importance, and its success requires broad public support. The vote in the House to open impeachment proceedings against Richard Nixon was 410-4; against Bill Clinton it was 258-176. The actual impeachment votes against Mr. Clinton in 1998 were 228 to 206 on perjury and 221 to 212 on obstruction of justice. He was not convicted of either charge in the Senate trial.

Now, compare the political outcomes. The broad, bipartisan vote against Nixon led over time to a series of events in which conservatives, including the Republican candidate who preceded Nixon, Senator Barry Goldwater, abandoned the president, who ultimately resigned. The narrow, partisan votes against Mr. Clinton led to his acquittal. Al Gore narrowly lost the next presidential election while Democrats picked up a seat in the House. Hillary Clinton went on to become a senator, secretary of State and presidential nominee. In other words, when Republicans allowed their animus against Mr. Clinton to override their political instincts, they were hurt, but the Clintons were not.

Surely Ms. Pelosi must know that there are not 67 votes in the Senate to convict President Trump of anything relating to his phone call with President Zelensky. So it's just political theater. The problem is that as it plays out over the next year, everyone will get the joke: The House is just going through the motions to stoke its own base before the election, just as Newt Gingrich's majority did in 1998. That, in turn, will energize Republicans to support the president. But there is another danger for Democrats lurking here: that they will ultimately demoralize their most loyal voters when they realize the joke's on them. There will be no resignation, there will be no conviction in the Senate.

But there will be an election. And by focusing on their obsession with the person of Donald Trump, Democrats are giving up the opportunity to talk about wages, employment, the shrinking middle class or any of the other things that motivate normal voters. After two and a half years of hearing about Russia, Russia, Russia, there are vanishingly few swing voters who want to spend the next 14 months hearing about Ukraine, Ukraine, Ukraine.

For the Democrats, the political problem is that this is just more Washington psychodrama. And as engaging as that it is for people in politics, for the journalists who cover it and for people who are deeply ideological, it is uncharismatic and irrelevant to many voters who, rightly, just want to know what Washington is going to do for them.

In reality, everyone knows that Ms. Pelosi's pursuit of impeachment will not result in a conviction in the Senate and the removal of Mr. Trump from office. So it's hard to see this as anything other than desperation — an acknowledgment that there is no Democratic candidate likely to beat Mr. Trump head-to-head on issues like China's mercantilist trade policy, stagnating wages, the shrinking middle class and immigration. By choosing impeachment, Democrats are choosing the ground on which they want to fight the election. But the ground they have chosen is shaky. It imperils their current front-runner, and it avoids the very issues that motivate voters in must-win states.

That doesn't sound like winning to me.

Document #6: Trump Can't Take a Punch

By **Jamelle Bouie**, Opinion columnist

SEPT. 27, 2019- There are observers, including critics of President Trump, who are skeptical of the push for impeachment. Not because he hasn't earned the contempt and sanction of Congress, but because the politics are too risky. Will the public support an impeachment investigation in an election year, or will it turn away in disgust over "dysfunction" in Washington? Does Trump, who thrives on attention and chaos, want impeachment? Does he want his opponents to devote their time and energy to something that can only divide and polarize the public?

Before tackling those questions, let's look at what has happened since House Democrats committed to an impeachment inquiry.

In a frantic attempt to avoid it, Trump released a reconstruction of his conversation with the Ukrainian president, Volodymyr Zelensky. But instead of vindicating his claim to innocence, the transcript revealed an explicit attempt to coerce the Ukrainian government to meddle in the 2020 election by investigating Joe Biden, the former vice president and current Democratic front-runner.

The result was an even louder call for impeachment, which was itself amplified by the public release of an official whistle-blower complaint describing in greater detail impeachable offenses by the president, with help from his personal lawyer and the attorney general. "In the course of my official duties," the complaint reads, "I have received information from multiple U.S. Government officials that the President of the United States is using the power of his office to solicit interference from a foreign country in the 2020 U.S. election."

The president's staunchest allies have tried to defend him. "As to the whistleblower complaint — the transcript speaks for itself — no quid pro quo," said Senator Lindsey Graham of South Carolina on Twitter. "The Democrats bought a pig in a poke."

"Once again, the Democrats, their media mouthpieces and a cabal of leakers are ginning up a fake story, with no regard to the monumental damage they're causing to our public institutions and to trust in government," Representative Devin Nunes of California said during a House Intelligence Committee hearing on Thursday. But other Republicans have taken a "wait and see" approach. Senator Mitt Romney of Utah pronounced himself "deeply troubled" by the revelations. Likewise, Senator Ben Sasse of Nebraska pointed out that "Republicans ought not to be rushing to circle the wagons to say there's no there there when there's obviously lots that's very troubling there."

Public opinion has also moved away from the president. For months, impeachment opposition polled above support. Now, the trend is heading the other way. According to a recent NPR/PBS NewsHour/Marist Poll, registered voters support a formal impeachment inquiry, 49 percent to 48 percent. Politico/Morning Consult shows a tie, 43 percent to 43 percent. But that represents a major swing: just a week earlier, voters opposed impeachment, 49 percent to 36 percent. And in the latest YouGov survey, 55 percent of Americans said they would "strongly" or "somewhat" support an impeachment inquiry if Trump pushed Ukraine to investigate Joe Biden in exchange for military aid.

This gets back to our original questions about the risks of impeachment. The idea that Trump thrives in chaos — that controversy is an asset to his presidency — just isn't true. Despite his constant bluster, the president can't take a punch. As soon as it was clear that the House would go after Trump for his actions regarding Ukraine, he panicked — even trying to implicate his vice president in the scandal. "I think you should ask for Vice President Pence's conversation, because he had a couple of conversations also," Trump said at a news conference during the United Nations General Assembly meeting in New York on Wednesday.

Since then, he (along with personal lawyer and co-conspirator, Rudy Giuliani) has done little more than lash out, using Twitter to send angry messages about his political opponents. “IT WAS A PERFECT CONVERSATION WITH UKRAINE PRESIDENT!” Trump shouted in a Friday morning tweet. “The Democrats,” he added a few minutes later, “are now to be known as the DO NOTHING PARTY!” Noted.

Trump is at his weakest when he’s in this mood — erratic and angry, consumed by striking back at his political opponents. You can see this in the polling. His job approval is at its worst when he’s mired in controversy. If you are a Democrat, and if you are thinking strategically, you should see impeachment as a valuable advantage for the upcoming election, since it pushes Trump into the kind of behavior that has kept him from reaping the benefits of relative prosperity. It keeps him off balance at exactly the moment — a re-election campaign — that he needs to be steady.

Democrats should also heed the shift in public sentiment: not as a warning, but as encouragement. Given evidence of wrongdoing, voters can be moved. Further investigation may push even more Americans to back an impeachment trial in the Senate. And if that’s true, then the narrow inquiry apparently favored by Speaker Nancy Pelosi and some Democratic moderates might be the wrong idea. A broad, wide-ranging investigation — a series of methodical, Watergate-style open hearings — keeps the president’s corruption and wrongdoing in view, while putting pressure on an already struggling White House.

Few people who support impeachment believe Donald Trump will be removed from office. If, after inquiry and investigation, the House of Representatives votes to impeach the president, there’s no guarantee that the Senate will even hold a trial of the kind we’ve seen in the past. But Romney and Sasse are instructive. They are hedging their bets. They understand the simple fact that it does not help the Republican Party to defend impeachable activity by the president, and it may even undermine its ability to hold the Senate for another cycle. Democrats will have to fight hard for a Senate majority in 2021; tying the party to a lawless president might be the boost it needs to close the gap.

I admit much of this is speculation. We are in uncharted territory. Only three other presidents ever faced impeachment. Only two were actually impeached. Only one, Andrew Johnson, faced a trial on the eve of an election. There’s no way to predict how this will unfold.

But we aren’t completely in the dark.

We know Trump solicited the head of a foreign government to meddle in the presidential race. We know he tried to cover it up. We know that throughout his term he has used his office to enrich himself and his family with no regard for the public good. We know he abused the power of his office to protect himself from investigation. We know he has used his influence to incite racial and religious hatred against his fellow Americans. We know, in other words, that Trump is not fit to be president.

Democrats don’t actually have a choice. They have to impeach, regardless of the politics, regardless of where it leads. They have to hold Trump accountable, both on the merits and to set an example for future presidents. And if I’m right, and impeachment sends Trump into new lows (he has already joked about executing spies), then Democrats might help themselves next November by taking this inquiry as far as it can go.

Document #7: Yes, Trump Is Guilty, but Impeachment Is a Mistake

By David Brooks- September 27, 2019

Donald Trump committed an impeachable offense on that call with the Ukrainian president. But that doesn't mean Democrats are right to start an impeachment process.

Remember, impeachment is a political process, not a legal one. There is no obligation to prosecute. Congress is supposed to do what is in the best interest of the country. And this process could be very bad for America:

This will probably achieve nothing. To actually remove Trump from office, at least 20 Republican senators would have to vote to convict him. If you think that will happen because of this incident, you haven't been paying attention to the Senate Republicans over the past two and a half years.

Usually when a leader takes a big risk, it's because there's a big upside. But Nancy Pelosi is taking a giant risk and there is little upside. At the end of this process Trump will probably be acquitted by the Senate. He will declare himself vindicated and victorious in his battle against The Swamp. An ugly backlash could ensue — in both parties.

This is completely elitist. We're in the middle of an election campaign. If Democrats proceed with the impeachment process, it will happen amid candidate debates, primaries and caucuses. Elections give millions and millions of Americans a voice in selecting the president. This process gives 100 mostly millionaire senators a voice in selecting the president.

As these two processes unfold simultaneously, the contrast will be obvious. People will conclude that Democrats are going ahead with impeachment in an election year because they don't trust the democratic process to yield the right outcome. Democratic elites to voters: We don't trust you. Too many of you are racists!

This is not what the country wants to talk about. Pelosi said she would not proceed with impeachment unless there was a bipartisan groundswell of support. There is no bipartisan groundswell, and yet she's proceeding. According to a Quinnipiac University poll, only 37 percent of Americans support impeachment.

The presidential candidates all report the same phenomenon. Voters are asking them about health care and jobs and climate change, not impeachment. This week, while all this was unfolding, I was in Waco, Nantucket and Kansas City. I had conversations or encounters with hundreds of people. Only one even mentioned impeachment, a fellow journalist.

There is a big difference between the conversation Twitter wants to have and the conversation the broader populace wants to have.

Democrats are playing Trump's game. Trump has no policy agenda. He's incompetent at improving the lives of American citizens, even his own voters. But he's good at one thing: waging reality TV personality wars against coastal elites. So now over the next few months he gets to have a personality war against Nancy Pelosi and Jerrold Nadler.

The Democrats are having a pretty exciting and substantive presidential primary season. This is what democracy is supposed to look like. Why they would want to distract from that is beyond reason. Trump vs. Nadler is exactly the contrast Trump wants to elevate.

This process will increase public cynicism. Impeachment would be an uplifting exercise if we had sober leaders who could put party affiliation aside and impartially weigh the evidence. It would be workable if Congress

enjoyed broad public affection and legitimacy. We don't live in that world. This process is already devolving into the sort of mindless partisan war that causes Americans to be disgusted with Washington. Impeachment is no longer a rare and grave crisis in American life; it's becoming a device parties use when the House and the presidency are in the hands of different parties. Democratic House members have already introduced impeachment articles against Trump on at least four occasions. It's just another partisan thing.

This could embed Trumpism within the G.O.P. If Trump suffers a withering loss in a straight-up election campaign, then his populist tendency might shrink and mainstream Republicans might regain primacy. An election defeat would mean the people don't like Trumpism. But the impeachment process reinforces the core Trumpist deep-state message: The liberal elites screw people like us. If Trump's most visible opponents are D.C. lawyers, Trumpism becomes permanent.

This could distort the Democratic primary process. It's already obvious that impeachment upstages the Democratic primaries. In the months ahead, the Democratic candidates are going to have a harder time getting attention. Democratic policy debates are going to be obscured. Congressional Democrats will become the most visible party leaders.

Impeachment will doubtless roil the Democratic primary race in unpredictable ways. The most bellicose candidates may profit as the impeachment wars grow more vitriolic. The moderates may be further marginalized.

Democrats are running against a man whose approval rating never gets above 45 percent. They just have to be normal to win. Instead, they're rolling the dice in a very risky way. I get the need to remove this unfit man from office. But this process will not produce that outcome.

An election can save the country. An inside-the-Beltway political brawl will not.

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Document #8: Impeach Trump, Repeatedly

By David Blow, October 6, 2019

When the Democratic leadership was finally forced to formally back an impeachment inquiry, they faced a choice: focus broadly on all of Donald Trump's corruption and unfitness, which could drag on for a long time, or focus narrowly on the new revelations about Trump and Ukraine and do so quickly. They chose the latter.

I happen to agree with that strategy, if one assumes that you only have one shot at this. But, I also propose another scenario: Do both. Draw up articles of impeachment on the narrow case of Ukraine, but don't close the impeachment inquiry. Keep it open and ready to draw up more articles as new corruption is uncovered. Impeach Trump repeatedly if necessary.

There is nothing in the Constitution that prevents a president from being impeached more than once.

Trump and his administration are stonewalling in every way possible, refusing to produce administration officials for testimony and refusing to produce documents.

In many cases, Democrats in the House have taken the administration to court over its stonewalling, but court cases take time. It could be months, if not years, before there is a judgment in those cases.

But, as we are learning with the Ukraine case, Trump's contempt for law, propriety and process is boundless. He clearly abused the power of his office when attempting to pressure that country into investigating Joe and Hunter Biden.

And, we only know this because a whistle-blower stepped forward and said something. Now, The New York Times is reporting that a second whistle-blower in the Ukraine saga is considering filing a complaint. Mark Zaid, attorney for the first whistle-blower, said Sunday that he was now representing a second whistle-blower, but that he didn't know if it was the same person identified in The Times's report. Could there be three?

Whistle-blowers can draw courage from one another. There can be a positive copycat effect that snowballs.

The impeachment inquiry needs to remain open after the Ukraine affair, not only to allow the cases in the courts to be resolved, but also to allow future whistle-blowers' information to be immediately considered in the context of impeachment.

Barring a massive shift in public opinion, efforts to convict and remove Trump are destined to fail in the Republican-controlled Senate. Majority Leader Mitch McConnell said last week on CNBC that the Senate would have no choice but to have a trial if the House passes articles of impeachment.

McConnell put it this way:

“Yeah, it's a Senate rule related to impeachment that would take 67 votes to change. So, I would have no choice but to take it up. How long you're on it is a whole different matter, but I would have no choice but to take it up.”

This suggests that McConnell could “take up” a House impeachment but quickly move to dismiss it, thereby allowing the Republican Senate to cowardly back out of doing its duty to place patriotism over party.

I say, in that case, deluge them with new articles of impeachment as they present themselves. Force the Senate to continually hold trials and take votes defending Trump's wrongdoing all the way up to the eve of the election.

Some people worry that a single impeachment may strengthen Trump's hand in 2020. They will no doubt be apoplectic about the idea of doing it multiple times, deeper into the campaign season.

But I say, Trump — and his propaganda machine at Fox News — are going to spin every scenario to their best ability. Trump is not going down without a fight, even at the ballot box.

I believe that Democrats have to place their faith in something more fundamental: the power of the truth. There are politics involved in everything that happens in Washington. And impeachment is no different. In fact, it is a purely political act.

But beyond that, there is an apolitical truth: All political corruption, abuses of power, conspiracies, cover-ups and attempts to deceive and mislead the public are wrong. Many Trump loyalists will never accede to this point, but many more Americans, at the core, know this difference between right and wrong.

Trump deserves to be impeached for every offense he has committed against the office of the presidency and the American people. That means that the impeachment inquiry can't be constrained by electoral calendars or judicial machinations.

Precedent must be considered here. What precedent would it set if a president could simply stonewall and run out the clock in court, preventing Congress from performing its oversight and dodging any and all attempts to hold him or her accountable?

What precedent would it set if a president abused his power and broke the law but learned that he need only rile up his or her base to keep Congress at bay?

All of this would set a terrible precedent. Trump must be held accountable, fully and completely. The Ukraine development unexpectedly entered the conversation as a clear, neat package of wrongdoing that was easy for Americans to understand.

But that doesn't wipe away the many other wrongdoings — obstruction of justice for instance — that also must be addressed for history's sake.

I say, impeach Trump as often as necessary until all the corruption has been laid bare.

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