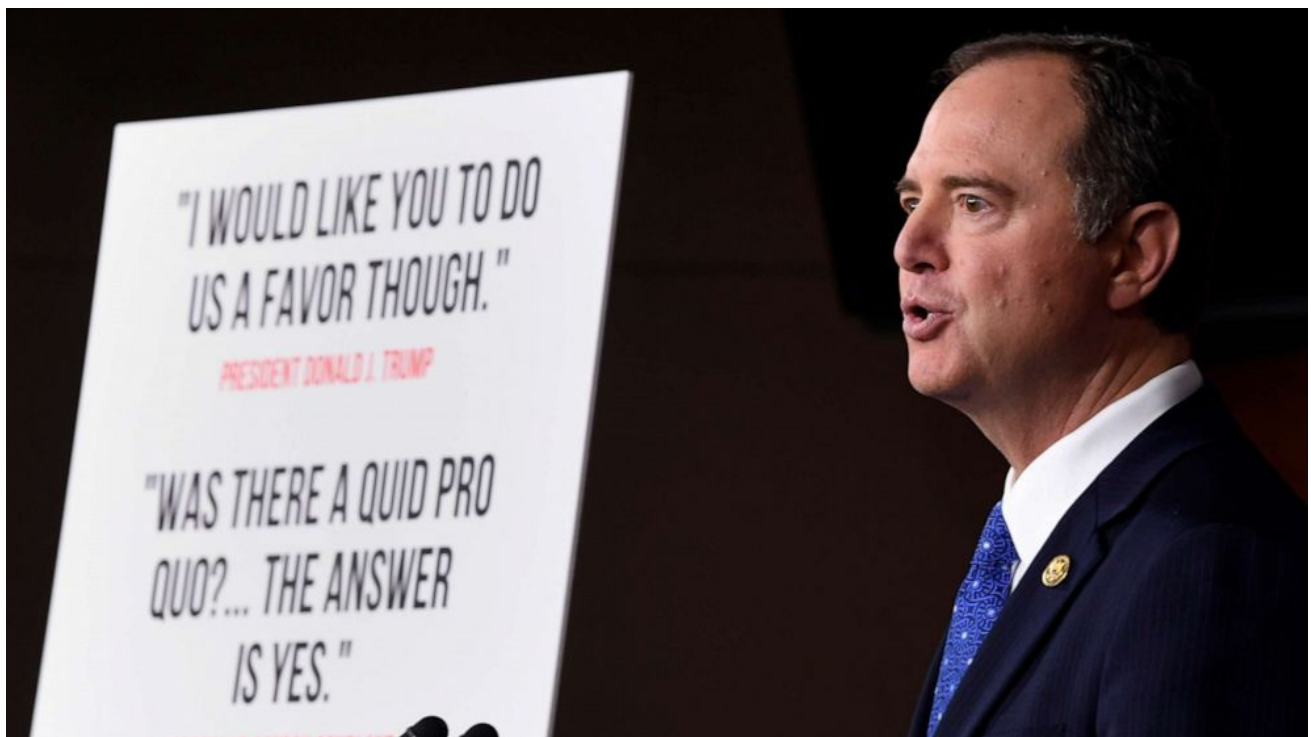


The impeachment effort will blow up in the Democrats' faces

The Democrats lost ground in the polls with the House hearings, with fewer favouring impeachment and more opposing it as the process unfolded

by Conrad Black



Given the almost total failure of the Canadian media to overcome their stylistic distaste for U.S. President Donald Trump, and the recently expressed ideological leanings of two-thirds of Canadian voters as well to the left of anything in the U.S. except the Sanders-Warren wing of the Democrats, I offer a critique of the Trump impeachment controversy as a public service. This is an analysis of the established facts and their legal implications, not a commentary on the Trump presidency. The compulsive five per cent of cyber-correspondents who write whenever I mention Trump (and on some

other occasions), accusing me of being a Trump stooge, a convicted criminal, and a traitor to Canada, and the carrier of many more exotic afflictions and shortcomings, are encouraged to sit easy at their keyboards.

The Constitution of the United States provides for the impeachment of high federal office-holders including the president, if the majority of the House of Representatives votes articles of impeachment charging "high crimes and misdemeanours" such as "bribery (and) treason," and the president is removed if two-thirds or more of the U.S. Senate, after a trial presided over by the chief justice of the United States, finds the accused guilty. The allegation that is emerging from the current proceedings is that the president offered and solicited the bribe of the government of Ukraine of conducting a hostile investigation of former vice-president Joe Biden and his son Hunter for their conduct in Ukraine, in exchange for the release of material assistance that the Congress had voted for Ukraine. This representation of the events as a bribe was determined after focus groups engaged by the Democratic National Committee concluded that the allegation of bribery would be most influential and because a bribe is specifically mentioned in the Constitution as an impeachable offence.



U.S. House Speaker Nancy Pelosi holds a news conference on Capitol Hill in Washington, on Dec. 6, 2019. Pelosi has asked a House committee to draft articles of impeachment against President Donald Trump. Loren Elliott/Reuters

There is also much talk of claiming abuse of office, obstruction of justice and illegal solicitation of foreign intervention to corrupt the American presidential electoral process. Since no president has been removed, only two (of the 44 holders of that office) have been impeached, and one other has had articles of impeachment pass the committee stage, the jurisprudence is thin. The wording in the Constitution is not exclusive and the fact is that anything the majority of the

House chooses to be impeachable is impeachable. This raises the danger that Alexander Hamilton in particular among the prominent co-authors of the Constitution warned of – that the process could degenerate into a shabby and extra-legal escalation of partisan or inter-branch policy differences. It is evidently a political question, and the only check on the majority in the House of Representatives in these matters is public opinion. And the war for public opinion is very intense.

Unconfirmed but uncontradicted media reports say that the House Democrats have committed to vote impeachment along some or all of the grounds above. No polls now show a majority of Americans favouring removal of the president and only a few show a narrow majority in favour of impeaching him. The president's defenders reject the charges of obstruction as former special counsel Robert Mueller specifically testified that he was not obstructed in his investigation and because the failure of the House intelligence committee to observe normal rights for the defence to call and question witnesses and contradict claims vitiated it and relieved the president of any obligation to co-operate with it. The Intelligence committee chairman, Adam Schiff, congressman from Hollywood, claimed for two years that he had evidence of collusion between Trump and the Russian government in rigging the 2016 election, which proved to be false, and denied that his office had had contact with the so-called whistle-blower who initiated the complaint about Trump's conversations with the president of Ukraine prior to the complaint being filed, which was also inaccurate. The Republicans have explicitly labelled Schiff as compulsively untruthful, a man who couldn't lie straight in bed and who is probably lying when his lips aren't moving and certainly is when they are. The president described him on Monday as "mentally deranged and motivated all his adult life by complexes for obvious reasons." The battle lines have been drawn clearly; the Democrats lost ground in the polls with the House hearings, [National Post](#).