

# Bill Kaplan: Moore, Pocan mistaken on impeachment

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75 House Democrats and 1 dissident Republican support “an impeachment inquiry against Trump” (New York Times). Wisconsin Democratic Representative Gwen Moore is blunter: “we need to impeach him” (Trump). Wisconsin Democratic Representative Mark Pocan said: “Regrettably, the President’s most recent actions and continued disrespect for the Constitution are forcing us down the road to impeachment. ... Stonewalling Congress on witnesses and the unredacted Mueller report only enhances the President’s appearance of guilt, and as a result, he has pushed Congress to a point where we must start an impeachment inquiry.”

Pocan’s statement clarifies that an impeachment inquiry as opposed to impeachment is a distinction without a difference. In analyzing the refusal of former Trump aide Hope Hicks to testify before the House Judiciary Committee, Washington Post blogger Jennifer Rubin said: “Democrats advocating impeachment may be frustrated and disappointed with the results of the Hicks interview. However, if the hearings had the title ‘impeachment’, they would be in exactly the same position. Courts, so far, have not found that the absence of formal impeachment proceedings should be held against the House”, i.e., getting a federal court to compel a witness to testify.

Only eight federal officials have ever been impeached by the House (majority of those voting) and convicted by the Senate (two-thirds of those present). Note: Presidents Andrew Johnson and Bill Clinton were impeached, but not convicted. President Richard Nixon resigned after the House Judiciary Committee approved three impeachment articles. Committee member Wisconsin GOP Representative Harold Froehlich voted to impeach Nixon and lost reelection in 1974. Froehlich later said: “You have to put politics aside and vote your conscience for the good of the country” (Los Angeles Times). Today, only one lonely Republican, Michigan Representative Justin Amash, is channeling Froehlich.

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The impeachment looming over Nixon was bipartisan, with seven GOP representatives, including Froehlich, voting for impeachment. Afterwards, a group of GOP congressional leaders told Nixon he had no support. Nixon resigned. Not imaginable today! Moreover, a Senate conviction would require twenty Republicans to join all Democrats (if every senator attended). An impeachment and conviction must not be seen as a reversal of the 2016 presidential election. It would tear the country apart. Only a bipartisan majority of the American people supporting an impeachment process would engender widespread acceptance of the result.

House Speaker Nancy Pelosi does not support an impeachment inquiry. Pelosi is not blind to Trump's misdeeds and obstruction of justice. However, she is shrewd: "What I believe is that when we go forward, if we go forward, it has to go deep. It can't be that the Democrats impeach in the House; the Senate, in (Trump's) view, exonerates". Moore and Pocan should listen to Pelosi.

There has never been a magic solution to the existential threat that Trump poses. Not impeachment, the Twenty-fifth Amendment (presidential disability) or lawsuits. Only winning the 2020 presidential election will work. That will require a big-tent Democratic candidate who appeals nationwide and can govern. We are Americans and can do this.

*-Kaplan wrote a guest column from Washington, D.C. for the Wisconsin State Journal from 1995 - 2009.*