Twitter Thread by Teri Kanefield



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January 6th will be a freak show. Biden will become president because the only way to stop it would be for the House to agree, and that won't happen.

Going forward, the GOP becomes even more dangerous and radicalized.

> What do you see as an outcome of this Teri?
>
> — AnimalsIntuit (@copplestonearts) January 2, 2021

A few hopeful points:

The GOP could very well lose control of the Senate.

Because these GOP Senators will force a vote, the GOP may fracture, with moderates forced out. While this radicalizes the party, they lose numbers.

https://t.co/pb95rlJpqA

> What do you see as an outcome of this Teri?
>
> — AnimalsIntuit (@copplestonearts) January 2, 2021

A few reasons. As @ProfBrianKalt points out, refusing to seat them because they say the election wasn't valid gives credence to the lie that the election wasn't valid.

Moreover, there's no authority to refuse to seat an elected rep for telling lies. . .
https://t.co/dhbJeCHU8F

> Why won\u2019t the Dems in Congress give some consequences? Like refusing to seat those participating in sedition?
>
> — Teacher Sarah (@cmommy77) January 2, 2021

. . . which is what refusing to seat them would amount to.

The Democrats say, "You are doing really bad things so we won't seat you."

See the problem with that?

(1) It's illegal. The House doesn't get to decide who is seated. The states send their own reps.

moreover . . .

(2) If you say, "The House gets to refuse to seat a person who tells a lie about the election," where does that lead?

If things continue this direction, the political divide will not longer be liberal v. conservative.

The divide will be pro- democracy v. anti-democracy. . .

. . which means at least one party has to stand up for rule of law, which means that Pelosi can't take it on herself (and the Democrats can't take it on themselves) to decide who gets sworn in.

The states decide. Period.

The states elect their own representatives. They certify their elections.

There is no legal authority for the House to say, "You are breaking the law (or lying or inciting violence) or whatever, therefore, we won't seat you."

There are consquences. . .
https://t.co/DJhmgAVmAk

> Agree, but not sure what you mean by the states decide?
>
> — HH (@truthjusticehph) January 2, 2021

But because of due process and rule of law, the consequences are not quick or easy.

Quick and easy consequences happen only in authoritarian regimes. The autocrat decides. It's easy. No due process. No process.

See the appeal? Process is slow.

There are procedures for indicting a person and charging a person with a crime.

We don't decide as a group.
Pelosi doesn't decide.
There are things the house can do, but refusing to seat them isn't one of them.

What if . . .

https://t.co/MWeOg2c86q

> I get that we can't do it for telling lies. They are ACTIVELY working to overthrow the current government because their side didn't win. Why isn't there punishment for that? They are seeking to install Trump. That's anti-democratic. Why aren't there consequences?
>
> — Merritt Kelly (@MerrittKelly1) January 2, 2021

. . . the elected representatives are acting at the direction of their constituents?

What if voters deliberately choose to elect a person who has vowed to end democracy?

See the problem?

People want easy fixes, but the problem is that a lot of Americans don't want democracy.

Yes.

Also, in a two-party system, it's hard for a party without a majority to maintain control of the presidency. If the Democrats win the Senate next week, they can take steps to reduce the ability of a minority party to hold power beyond its numbers. https://t.co/YxnxIPz8YR

> Is there a chance that going forward the GOP is more radicalized and also irrelevant? The party of Q does not have the broad appeal that the party of Reagan had.
>
> — LLS (@LauraSparrow13) January 2, 2021

People who claim to be pro-democracy want the members of the House to overthrow rule of law and take it on themselves to ignore elections and decide who can and cannot be members of Congress.

Careful.

Rule of law means following all laws . . .



. . . even those in the way of what we think is best right now.

If both sides disregard rule of law to get the results they want, say goodbye to democracy. Neither side will be defending rule of law.

Moreover, the "both sides are equally bad" argument will be proven true.

The Fourteenth Amendment Section 3 does not give the Speaker of the House unilateral power to decide who can be seated in Congress and who cannot.

Can you imagine if that were true?

The issue is how this is defined and enforced.

https://t.co/wyMcOYeQCi

> So you don't find the 14th Amendment sc.3 applicable?
>
> — JayVee (@Ulfhirtha) January 2, 2021

I can't imagine reading the text to mean:

"The Speaker of the House has the authority to refuse to seat members of Congress who the Speaker has determined violated this section."

See the problem? Read carefully. What is "insurrection"? What if the person never held office?

> Section 3.
>
> No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You all won't like this, but the Constitution contains a provision for removing House members who behave badly and against the interests of democracy.

They have short terms. Vote them out.

The problem is that so many voters support what they are doing.
https://t.co/BYJqkjZQze

> That being said, I think there needs to be some negative consequences for those attempting to subvert our democracy. If there's no consequence for misbehavior now, what will stop them the next time? No suggestions for a particular penalty, but these actions cannot go unpunished! https://t.co/DNhIeweY1N
>
> — Suzanne (@SuzanneFLCPA) January 2, 2021

You won't like it because you want a quick fix, but there are no quick fixes.

If a majority of voters sent Representative A to Congress to enact an agenda which the majority perceive as contrary to the best interests of democracy, you can't refuse to seat that member.

He is supported by a majority of Senators, who in turn, are supported by a majority of voters who are anti-democracy

https://t.co/JhSk8JVEsO
McConnell is thus enacting an anti-democratic agenda.

Do you see a problem with urging the Democrats to follow his example?

> So why\u2019s it seem McConnell has so much unilateral control to obstruct?
>
> — LizzieShore\U0001f637 (@lizzieshore) January 2, 2021

The party trying to jettison rule of law has an advantage over the party trying to uphold rule of law.

The party trying to uphold rule of law must follow the rules.
The other is free to disregard laws and norms.

Fortunately, a majority of Americans want democracy.

The way to save democracy is not to imitate the party trying to destroy democracy.

The way to save democracy is with more democracy.

What do I mean?

See my list: https://t.co/Er6v4syFQS