Twitter Thread by Frank Bowman



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1/10 With respect, multiple straw men here:
A) If you mean by "legally questionable" either that Senate is barred by constitution from trying an official impeached while in office, or that there are even very strong arguments against it, I have to differ...

> Some argue that if the Senate declines to hold a legally questionable, resource-sucking trial, Trump would be getting a free pass. That assumes criminal authorities do nothing and citizens can't be trusted to evaluate. Censure and focus important work?
>
> — Ross Garber (@rossgarber) January 22, 2021

2/10 Constitutional structure, precedent & any fair reading of original intent dictate that argument for jurisdiction is far stronger than argument against. On original intent, see https://t.co/9hN7SPKpVU

3/10 If you mean argument against jurisdiction is plausible, sure, it's plausible. It's just weak. In practical fact, Senate can try Trump now, find him guilty & disqualify him from future office if there are sufficient votes. And no court would presume to overturn that result

4/10 b) The argument from resources is awfully hard to take seriously. Fewer than a dozen House members act as Managers for a few weeks. They are staffed, as are Senators hearing case, by folks whose job it is to do stuff like this...

5/10 Yes, Senate floor time will be taken up. But it's past time for us to stop thinking of members of either house as feeble, fluttering, occupants of a nationally-funded convalescent home. There are nearly 500 of these people with 1000s of staff and a bunch of big buildings...

6/10 They can do two, or four, or a dozen things at once if they have the will.

c) Assumption that "criminal authorities will do nothing" - at least w/ respect to Trump himself re: Jan 6 riot - is a pretty sound one. Pres. Biden & his DOJ may investigate Trumpian crime, but...

7/10 DOJ is exceedingly unlikely to indict Trump for his conduct on and before Jan 6 relating to election. Far too political-seeming a prosecution to be attractive to the new Administration.

8/10 d) And no, "citizens can't be trusted to evaluate" Trump. If you mean trusted not to re-elect him--it happened once & nearly a 2d time. We nearly lost democracy because of it. Trump is a demagogue. Source of his power, and his danger, is direct appeal to fear & hatred.

9/10 The risk someone of his ilk could use that power again & return to to White House is PRECISELY why Framers inserted disqualification remedy into impeachment provisions. They gave that prophylactic power to Congress, not electorate, to prepare for the present situation.

10/10 The Republican Party may be too compromised to do its duty when that duty stares it in the face. But let us not gin up specious excuses for their self-interested calculations.