

EDITORIAL

The impeachment inquiry: Untangling the GOP's spin

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President Donald Trump and Senate Majority Leader Mitch McConnell. DREW ANGERER/GETTY IMAGES/GETTY IMAGES

As Congress begins impeachment hearings, the president and his defenders have been trotting out one disingenuous argument after the next to deflect from the president's

misconduct. Here's a brief guide:

The United States attaches conditions to foreign aid all the time, so what's wrong with the president holding back \$400 million in military aid to force Ukraine to investigate the Bidens? It's true that the United States often puts conditions on foreign aid or earmarks it for designated uses. But when it does impose conditions, the purpose is to support a public policy goal, not for the personal benefit of the president.

The president was just trying to get Ukraine to take corruption seriously. The United States has traditionally urged Ukraine to crack down on corruption. That's appropriate advocacy. But asking the Ukrainians to launch specific investigations — ones that happen to overlap with the president's own political interests — is asking them to engage in corruption, not fight it.

Trump didn't break any laws, so how can he be impeached? It's unclear whether Trump broke any laws, but also irrelevant. Impeachment is not a criminal process. A legal act can be impeachable — and an illegal one may not always require impeachment. The question for Congress is whether Trump abused the powers of his office.

How can it be corrupt if the aid was eventually released? The administration released the Ukraine aid in September, without Ukraine making the public announcement that it had sought. That doesn't change the fact that the president tried to use his power corruptly for months. And his own insistence that his interactions with Ukraine were "perfect" is a warning that he's prepared to use aid in this fashion again.

Removing a president amounts to overturning an election. If the House impeaches Trump and the Senate removes him, he would be replaced by Vice President Mike Pence, not his 2016 opponent, Hillary Clinton. It is true that Trump won an election; but every member of Congress won an election too, to an office whose responsibilities explicitly allow them to impeach or remove a president.

This is a coup. Coups are illegal. In contrast, the impeachment process is authorized by the Constitution.

Whether the president's conduct was inappropriate should be for the voters to decide in the 2020 election. The purpose of the president's abuse of power in the Ukraine call was to corruptly influence the outcome of the 2020 election. By saying the call was "perfect," he makes clear he would solicit foreign aid again if he remains in office. The president's allies can't both cite the 2020 vote as the arbiter while also allowing him to subvert it.

Trump hasn't received due process. There is no such thing as due process in impeachment. The trial takes place in the Senate, not the House, where the president would be entitled to defend himself.

The whistle-blower should come forward. Congress first learned of the president's misconduct through a report from an anonymous whistle-blower. Whoever the tipster was, his or her allegations have now been backed up by testimony from officials, making the initial report redundant. Focusing on the whistle-blower is an attempt to change the subject.

Why not just censure the president? Perhaps a formal censure, in lieu of impeachment, would make sense if the president had acknowledged his wrongdoing

and Congress could be confident that it wouldn't happen again. The opposite is the case here: The president insists he has done nothing wrong, and would take exoneration as a license to extort foreign leaders for his personal purposes again.

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