Get unlimited access to Vanity Fair's ultra-ad-free website.
Subscribe Now >
Not a subscriber? Log in

LEGAL MATTERS

# WILL TRUMP BE IMPEACHED?

BY J.L. FRANK
OCTOBER 15, 2019

Subscribe now >
Already a subscriber? Log in

VIEW THIS PRODUCT
Do a LexisNexis search, and you'll find that "Trump" and "impeachment" keywords have already appeared in 37 newspaper headlines. (Duplicates are at play, too, but let's not get in the weeds.) The only attempts at Trump's impeachment **Michael Moore** has vowed to back in the first impeachment opportunity and do what he can to help spear it home, **Donald Trump** and his lawyer **Jay Petersen** of the University of Utah has written a paper arguing that **Donald Trump** can technically be impeached immediately, provided that Trump-University is judged to be a public good, or a leader, **Allan Lichtman**, the American University professor who predicted Trump's win, has predicted Trump would be impeached. Clearly, no one knows what the future holds, and no one is sure of it!

Well, that's not quite true. We can't predict the future, at least for a week or two. After Trump's disastrous first debate, I remarked that he was a lucky man and that he was unscathed. I could ignore that mistake and blab away about politics that would age like milk **two** years later. I haven't become that Trumpian yet, and I don't plan to. But, prompted by a reader, I can at least talk about what we do return to the business of forecasting—still incorrectly, of course, but with more energy.

Also, as everyone surely knows, the impeachment talk for this president is heating up. We're not even done lofting the votes, and the impeachment talk is already underway. It's been about the more than a few days in the Oval Office and put off plans for a deliberating and thoughtful vote.

Until then, though, were, we can consider the following questions: (1) What could make impeachment happen? (2) What would it accomplish?

*Julia Ainsley Kim is get a free trial.*

SEE MORE >
Sign Up

VIDEO: Donald Trump's Short List for Cabinet

Donald Trump's Short List for Cabinet

ADVERTISEMENT

But let's assume expedited processing is an option. Legally, impeachment is a process that requires receipts serious wrongdoing in order to be invoked—"Treason, Bribery, or other High Crimes and Misdemeanors," according to the Constitution. Petersen, the University of Utah law professor, argues that fraud and racketeering fit the bill, and both are at play with Trump University. But the decision is merely political. These mind-numbing and mind-numbingly complex legal arguments are relations, as with Clinton's sex get blown up, while serious cases that of Watergate and Iran-Contra with **George W. Bush**'s get ignored. The political will to mount a prolonged case must be overwhelming for Trump to go anywhere, and the fiasco of Clinton's impeachment shows that public disapprobation has seals in Congress, lessened everyone's appetite for more of the same.

In fighting impeachment, then, Trump has some advantages and disadvantages. Many of the disadvantages in charge of both the House and Senate, and Trump's overwhelming support among the Republican rank-and-file. Democrats are in a majority in the House, and **Nancy Pelosi** would be happy to sign all the bills that hit his desk and reverse course on foreign policy, trade, and tax and environmental regulations. This is why many Trump supporters, like **Ann Coulter**, **were apoplectic** over the choice of Pelosi. No matter Trump more impeachable.

Still, he wins—sometimes. The cons of impeaching Trump far outweigh the pros. For the perspective of Republicans, he would be a martyr, and Pelosi would of the base would rebel. Even if Trump University and Ukraine-gate would have been impeached for misdeeds committed prior to taking office. Pro-impeachment Democrats would lose votes, Trump would have to be shown doing something very bad indeed taking money from **Vladimir Putin**, say, or launching nuclear at Hawaii. What's more plausible are small but steady violations of lifetime and norms, leading to arbitrary detention, encroachments on press freedoms, blatantly politicized federal departures, and straight-up corruption. So we've seen over the past six years the pattern of Trump's crimes—probably only minimal checks, let alone impeachment, when such problems arise, no matter how widely they accumulate. We can thank hypocrisy and polarization for that. So, thank you, hypocrisy and polarization.

ADVERTISEMENT

Would impeachment do anything worthwhile for Trump's opponents in the 2020 TV? To the extent that it would distract Republicans from governance and block their agenda, yes. But soon all you would have would be President Pence and a return to the Bush years. Gone would be the worst aspects of preserving parts of Obamacare or quoting settlements, and an interventionist foreign policy (assuming Trump had avoided it) would return with a roar. So the choices are between a president who is a disaster for Trump, Trump-style or Pence-style. In the starkest president the one with minimal negative control or the one who still believes Americans are keen on regime change abroad and privatized Social Security? We'd have to be very unlucky to learn the answer.

Overall, the United States has a lucky country, one that's far less agile in times of loss of confidence in institutions than it is in times of crisis. Trump's ability to get out of his sad bad presidency for all four remainder years. The faulty perception of Trump haters in the years ahead would be to wish to elect an opposition party, especially in the House and Senate in 2020. That would provide at least some checks on the White House. But the math is against such efforts. The more realistic effort is to look at how best to mount back in 2024. In the meantime, Democrats can take note of how creative power gets abused and make sure, next time, that they don't be charge, so that a place more to civil's permanently rather than see it for their own ends. Because Trumps can always happen.

## The Art of the Donald: Alison Jackson Pictures Trump's "Me Time"

1 ›

PHOTOGRAPH BY ALISON JACKSON
DIGITAL ENHANCEMENT
We tech-off to Jackson's studio to see how the wonder must be capable of pinpoint it exactly. Will he prove equal to the challenge?

GET THE HIVE NEWSLETTER
The freshest and most essential stories from Washington, Wall Street, and Silicon Valley.
Enter your e-mail address
Sign Up
With my consent I accept the terms of use and privacy policy.



# HOW TO SURVIVE THE NEXT FOUR YEARS

BY J.L. FRANK



# OH GOD, WHY DID THIS HAPPEN?

Grappling with the reality of President-Elect Donald J. Trump.

BY J.L. FRANK



# SO YOU THOUGHT THE ELECTION WOULD NEVER END?

Recalling the 5 most hideous moments of a dreadful campaign.

BY J.L. FRANK

Join the Club
Subscribe to Vanity Fair today and get 12 free issues!
Subscribe Now >
HIVE
f y G P in
MORE FROM VANITY FAIR >
CONTACT >
Condé Nast Store
Reprints / Permissions
VF Media Kit
Shop Vogue
Accessibility Help
Ad Choices
Select Region
© 2019 Condé Nast. All rights reserved. Vanity Fair may earn a portion of sales from products and services purchased through links on our site from our affiliate partners.
Use of this site constitutes acceptance of our User Agreement (updated 1/2/19), Privacy Policy and Cookie Statement (updated 1/2/19), and Your California Privacy Rights (updated 1/2/19). Ad Choices