



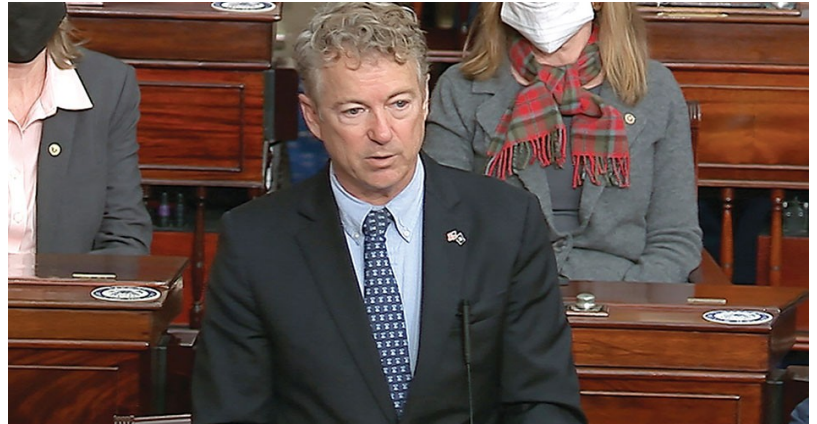
Written by [Selwyn Duke](#) on February 19, 2021

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## Violence for Me, Charges for Thee

In a rousing January 26 Senate floor speech calling Donald Trump’s impeachment trial a “sham,” Senator Rand Paul (R-Ky.) tacitly and rightly impeached the character of its Democrat authors.

Aside from illustrating the hypocrisy of charging the ex-president with inciting an insurrection, when Trump’s rhetoric had been tame compared to that of many rabble-rousing Democrats, Paul also filed a point of order objecting to the trial on the basis that it’s unconstitutional. While he lost on that 55-45, with five GOP senators voting with the Democrats, his words were not lost on those with ears to hear.



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Paul first briefly made two points about the trial’s apparent unconstitutionality: that the Supreme Court’s chief justice, John Roberts, will not preside, as the Constitution prescribes; and that impeachment is meant for public officials, not private citizens. These points are important, too, so much so that they warrant elaboration.

While preparing for a radio debate a few years back, I was speaking to commentator, former ambassador, and ex-presidential candidate Alan Keyes, who not only boasts a Ph.D. in government affairs but, more significantly, is brilliant. Discussing our governmental balance of powers, he mentioned that while judicial supremacy is extra-constitutional, the Supreme Court *did* have the power to protect a president by halting an impeachment trial. How?

All the chief justice need do is *refuse to be seated for it*, Keyes said.

In other words, under the Constitution, the chief justice’s presence is a prerequisite for an impeachment trial’s effectuation and legitimacy, according to Keyes. No chief justice — no trial.

Paul’s second point was addressed well by constitutional scholar Alan Dershowitz, a professor emeritus at Harvard Law School and, do note, a liberal who is no Trump fan. “Congress has no authority over any president once he leaves office,” Dershowitz wrote January 14 at *The Hill*. Addressing the motivation to impeach and convict Trump to prevent him from seeking future political office, the professor pointed out that if Congress had the power to impeach a private citizen for this (or any) reason, “it could claim jurisdiction over millions of Americans eligible to be candidates for president in 2024.” This would enable the party in power to impeach any popular candidate to eliminate him from running. Note here that if an ex-president is guilty of illegality, the proper recourse is remedy via the judicial system.

Yet the above is just the iceberg’s tip. According to Dershowitz, Congress’ impeachment fiasco violated the Constitution in five other ways as well (all quotations are his):

- It violated the First Amendment because Trump’s call to protest was protected under it.



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- The House violated the Constitution's substantive impeachment criteria, which limit "impeachment to 'treason, bribery or other high crimes and misdemeanors.'" And if "Congress can pass no law abridging free speech, then it certainly cannot pass one impeachment resolution abridging free speech of a president."
- Congress "violated due process by handing the president and his legal team no opportunity to present a defense or to formally challenge the article of impeachment. This sets a precedent for any future president."
- If "the Senate were to conduct a trial of a private citizen, including a former president, then it would violate both the spirit and the letter of the prohibition against bills of attainder. For Great Britain, Parliament had the authority to try kings, other officials, and private citizens." The Founders rejected such bills. Under our system, private citizens must be tried within the judicial branch, not the legislative.
- "Congress voted in favor of the resolution calling on Vice President Mike Pence to violate the 25th Amendment of the Constitution by falsely claiming that Trump is unable to continue to perform his duties." This amendment is meant to apply only to a president suffering severe physical or mental (e.g., advanced Alzheimer's) incapacitation, not merely one driving the opposing party to mental derangement.

One could perhaps quibble with a few of the above points. Considering them in their totality, however, it's impossible to imagine that the impeachment was even remotely constitutional.

Yet even more profound than these legal arguments was the moral dress-down Senator Paul delivered to his colleagues. His first salvo was calling the impeachment "nothing more than a partisan exercise designed to further divide the country." In this, do note, it shared its character with the Democrats' recent calls to blacklist and destroy Trump associates and even his supporters. The senator is counted among the latter, too, and he defended Trump against the charges of inciting the Capitol riot. "I know everyone here will soon march to the Capitol to peacefully and patriotically make your voices heard," said Paul, quoting Trump's January 6 speech, given shortly before the violence erupted. "Hardly words of violence," the senator stated, before asking rhetorically, "But what of Democrat words? What of Democrat incitement to violence?" "No Democrat will honestly ask whether Bernie Sanders incited the shooter that nearly killed Steve Scalise and a volunteer coach," he continued, alluding to the 2017 congressional baseball shooting perpetrated by leftist James Hodgkinson. "The shooter nearly pulled off a massacre, [and] I was there, because he fervently believed the false and inflammatory rhetoric spewed by Bernie and other Democrats — such as 'The Republican healthcare plan for the uninsured is that you die,'" Paul passionately elaborated. "As this avowed Bernie supporter shot Steve Scalise ... he screamed, 'This is for healthcare!'"

Continuing with his examples, Paul then said that no "Democrat will ask whether Cory Booker incited violence when he called for his supporters to 'get up in their face' of Congress people, a very visual and specific incitement. No Democrat will ask whether Maxine Waters incited violence when she literally told her supporters, and I quote, 'that if you see a member of the Trump administration at a restaurant, at a department store, at a gas station or any place, you create a crowd and you push back on them.' Is that not incitement?"

Democrats apparently think so. After all, when a Twitter user going by the handle @CuomoWatch



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sought to make a point January 28 by tweeting Waters' words but replacing "Trump" with "Cuomo," Democrats were outraged. Former Pete Buttigieg advisor Lis Smith, missing commas along with common sense, responded, "Way way way over the line. Especially in light of what happened at the Capitol on Jan 6." And Democratic New York State Assemblyman Jeffrey Dinowitz called the tweet "fascism," writing that the "hatred unleashed by Trump and his gang of thugs continues to reverberate throughout the country." Oh, my!

Speaking of hatred and Mad Maxine brings us back to Paul, who suffered fractured ribs in an attack by a neighbor in 2018. In his speech he went on to describe an even more harrowing incident: "My wife and I were pushed and surrounded and screamed at by the same kind of mob that Maxine likes to inspire," he explained. "It's terrifying to have a swarm of people threatening to kill you, cursing at you and literally holding you hostage until police come to your rescue. That night we were assaulted by the crowd; I wasn't sure we would survive even with the police protection."

The senator then said that despite this, no Democrats considered holding Waters accountable (e.g., via expulsion from Congress). Republicans didn't take action, either, he stated, not any more than they sought to hold leftist politicians accountable for inciting last year's 570-plus BLM/Antifa riots.

Paul mentioned other examples as well, from Kamala Harris infamously offering to "pay the bill" for the arrested rioters to Seattle Mayor Jenny Durkan's "calling the armed takeover of part of her city a 'summer of love.'" There've been no GOP expulsion/impeachment attempts against either.

The senator also asked the Democrats, "Who hasn't used the word 'fight' figuratively, and are we going to put every politician in jail?" Paul's points are all valid, too — and such hypocrisy should be highlighted. But another point should also be made:

The Democrats just don't care.

Rules, propriety, fairness, laws, and Truth itself only matter to people with honor and integrity. The same is true of consistency. I forget who it was, but I think here of the person who related a story about how, during a moment of honesty, a leftist admitted to him (I'm paraphrasing), "You don't understand. *You* care about consistency — we don't." Also coming to mind is atheist philosopher Friedrich Nietzsche, who readily acknowledged that he was contradicting himself. But he also said it didn't matter.

We additionally should consider that in certain cases, the leftist double standards aren't the result of just convenience and political expediency, but also malicious intent. Remember that an inordinate number of politicians are power mongers, and as I explained in November while addressing COVID-19 double standards, one way to enhance your sense of power is by *flouting rules everyone else must follow*.

It can make you feel special, above it all, like an elite, master of all you survey. Rules are "for the little people," as the supercilious suppose, so you can feel like a big person if you're beyond rules, beyond limits, beyond constraints. In fact, if you're beyond morality, you can feel like a *god*.

Related to this, forcing your opponents to submit to injustice serves to humiliate them, and this is a way to remind them who's boss. And when you can impose your will on a whim, it only intensifies those euphoric feelings of deific status.

Speaking of would-be gods beyond morality brings us to something else Paul said in his speech, a statement worth noting because we should, as Chinese philosopher Sun Tzu would have counseled,



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“Know thy enemy.” “Is the Truth so narrow that only you know the Truth?” Paul asked his Democratic colleagues rhetorically.

Of course, the real issue is that today’s liberals are themselves narrow because they *don’t* know the Truth and couldn’t care less about it (which explains the habitual lying); rather, they are defined by moral relativism/nihilism.

Dogmatic as any jihadist, today’s leftists (and some rightists) present us with a seeming paradox: Professed absolutists know that people are “relative,” that the Truth is black and white but people are shades of gray; devout relativists behave as if people are absolutes, claiming that everything is shades of gray but viewing people as black and white. But this isn’t because they believe in Truth, properly understood as something absolute, universal, and eternal. It’s because the ultimate result of relativism is to make everything relative to oneself. Thus do the self-deified fancy themselves perfect, the embodiment and definer of “good,” *as a god will be* — and those opposing “god” could only be devils.

Philosophy aside, also driving the Left is just good (bad) old-fashioned hatred. The bottom line, however, is that conservatives must stop projecting their mindsets onto leftists and assuming that, even in a small measure, the Democrats will play by their rules.

The Left has only one principle, the power principle, under which any tactic that brings power is acceptable. Thus will the powermongers not respond to talk, reason, responsibility, or rights, but only to power itself — applied against them.



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