



PERSPECTIVES



by **Rinaldo S. Brutoco**

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Escaping Minority Rule *Is Insurrection the Final Straw?*

Senator Mitt Romney succinctly summarized the events of last Wednesday in one sentence: "What happened here today was in insurrection incited by the President of the United States." Former President George W. Bush also used "insurrection" to describe the attack on the US Capitol, felt by many to be the "the center and sacred symbol of democracy" as observed by Representative Mario Diaz-Balart. They are precisely correct. This column isn't about Republicans or Democrats. It is about the naked attempt by Donald Trump, actively waged since days before the election, to overturn the votes of 80,000,000 people who lawfully elected Joseph Biden.

The last time the Capitol was successfully attacked was the War of 1812 when the British occupied Washington. No one since would ever have dreamed that a violent mob would leave five dead and a shattered sense of safety for the American people on the blood and trash strewn floors at the sacred center of our democracy. Clearly, inciting insurrection is what you know you are doing when you send a mob to the Capitol, to invade it by sheer force, chanting that they were there to "hang Mike Pence."

Trump wanted his mob, which he literally sent down Pennsylvania Avenue to "be tough," to stop the Congress from counting the electoral college votes from the last Presidential election. He wanted to stop the wheels of government, have the election results overturned, and have himself declared President for another term. That is the classic definition of a coup d'état. The mob was armed with dozens of plastic handcuffs for the Congress Members they intended to take hostage -- some with the expressed intention of executing them as well.

The dictionary defines "insurrection" as "a violent uprising against an authority or government." Clearly that noun describes accurately what happened, as everyone around the world saw in real time. It happened and we all witnessed it firsthand: confederate flags, anti-Semitic sweatshirts, white supremacist advocates, and miscellaneous brutish thugs. What a display! So, what is the crime for planning, preparing, conspiring and/or joining in an insurrection? One such crime is called Sedition, "the inciting of oneself and others to rise up against an authority or government."

Russia's Mr. Putin launched an "asymmetric" cyberwar on the US more than nine months ago, which has dealt a crippling blow to the federal government and continues to this day. When an insurrection occurs at a time when the Nation is at war, such as now, the crime for insurrection is then technically called "Treason." High Treason, as it was known originally in Anglo-American jurisprudence, is "the crime of betraying your country ... especially in the overthrow of the government." In fact, if Trump attempts further efforts to convene his private army, it is clear that an insurrection of that magnitude would by itself give rise to the crime of treason even if it hasn't thus far.

Speaker Nancy Pelosi has outlined three courses open to Mr. Trump for his guilt in organizing and inciting the insurrection: 1) He can resign (assumedly so Vice President Pence could pardon him, as a self-pardon is not legally proven); 2) He can be taken out by the 25th Amendment by Mr. Pence merely declaring the President is unfit, and upon the agreement of the majority of the Cabinet then serving, the Presidency would pass to Mr. Pence until Mr. Trump could obtain a hearing in the Senate and survive a vote of confirmation in that body; or, 3) he can be impeached. I like all three options given the mafia-like "Don" we're dealing with exhibits classic psychological "challenges". Wisdom dictates we should simultaneously pursue every avenue with all deliberate speed to prevent more harm to our nation.

Hence, the Articles of Impeachment introduced this week with more than 200 supporters in the House possess only one count: "Incitement of Insurrection." What more need be said? After four years of wild distortions and over 35,000 documented lies, he whipped up his mob followers to a crescendo for an attack on the Capitol itself for the express purpose of wresting political power away from the Constitutionally required vote of state certified electors.

Why pursue impeachment when he will be out of office in just a few days? He must be held accountable. There are two very good reasons: 1) to do nothing is inconceivable when the then sitting president of the United States incites a mob to attack the Capitol, as the end point of a campaign he orchestrates for eight weeks, precisely with the intent of stopping the peaceful transfer of power by physically interrupting the counting of the Electoral College votes; and 2) at the conclusion of the Impeachment trial, which could take one day, a majority of the Senate can pass a motion to bar this dangerous man from ever again holding public office.

This latter point is clearly incentive enough, for if Trump is not stopped, he will, as he always has, continue to trample on democratic norms, violate the Constitution, engage in numerous other crimes, and seek to unlawfully restore himself to power like some modern-day Napoleon successfully plotting to escape Elba and re-start the "war." On Sunday he posted a seven minute "recruiting" video for his followers to return to Washington on January 20th in what is clearly a call for a "holy war" by Lord's Prayer read fully at the end.

If, on the basis of facts all available on video and the internet, the House of Representatives did not feel Trump's conduct was sufficient to justify Impeachment then no conduct would ever justify it.

We should all recall Congressman Adam Schiff's concluding remarks at Trump's 2020 Senate Impeachment trial - that Trump, if allowed to go free, will perceive there are no limits on his future abuses. Schiff correctly predicted that Trump would do worse in the future.

There is no more dramatic way to grab and maintain Minority Power than by staging a coup of a small minority that then installs its own dictator as President. Enough!