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QUOTE FOR THE DAY

**“To be, or not to be, that is the question.”
Spoken by Hamlet – William Shakespeare**

ACTUALLY – NOT

**Not today, anyway. The real question is, “To
impeach or not to impeach?”**

**The push by Speaker Pelosi and many others
to impeach the president for inciting to riot in
his speech to his supporters on January 6th
seems to have merit among those who are
behind that initiative. That issue, of course, is a
political issue in the context of an
impeachment proceeding. Let’s not forget
however that inciting to riot is also a serious
criminal charge, regarding which, it is certain
the Justice Department will become involved.**

There is a huge difference between a political trial and a criminal trial. The former is largely based on political bias, the latter, on the rule of law.

As a possible criminal matter (and could the president pardon himself in this regard? -unknown and untested), on the one hand, we have the president saying to his supporters on January 6th, “I know that everyone here will soon be marching over to the Capitol building to peacefully and patriotically make your voices heard.”

On the other hand, we have the overall fabric of his 70 minute message to his followers including a little add on by guest speaker, Rudy Guiliani, calling for, “a trial by combat.”

Taken altogether. Was the president guilty of inciting to riot? With the top- flight lawyers the president would have, in a criminal trial, there is no way a non politicized jury would find him guilty beyond a reasonable doubt.

However, a politicized jury? – guilty from the get go. So, here we are, Pelosi and many other

Democrats saying he has to be out of office before the expiry of his term on January 20th. If Pence won't enact the 25th amendment, then the congress has to impeach him and Pelosi is convinced she can bring an accepted article of impeachment to the country by Wednesday of this week.

What does that mean? For many Americans, "Oh, my God, they impeached the president of the United States -horrible - tragic - like, it's all over." Failing to realize, of course, that it's all political.

Yesterday's opinion polls reflected that 57% of all respondents want the president removed ASAP, while 90% of Democrats want him removed and 80% of Republicans want him to finish his term.

Impeachment in the political world is like indictment in the criminal process. After impeachment you have to have a trial to determine guilt or innocence. In the political world that trial takes place in the Senate.

Criminally guilty or politically guilty, there are just a ton of people (Democrats and Republicans alike) who believe the president screwed up royally and deserves much blame for the events of January 6th.

The practical implications of a new impeachment proceeding are totally impractical. The president could be impeached as early as this week by the congress, but the earliest it could be taken up by the Senate would be January 19th, the day before the inauguration.

Here's the interesting political angle; the Senate trial does not have to be completed while the president is still in office. From the internet, we learn that Pelosi is now thinking to hold off referring the Trump impeachment to the Senate until after president elect Biden's first 100 days in office.

The purpose for the delay is ostensibly to provide Mr. Biden with unencumbered running room to get his cabinet and programs up and running. But, after that, according to many pundits, it's revenge time - time to have

Trump found guilty by 2/3 of the Senate. Good luck on that as 16 Republican Senators would have to vote with the Democrats.

The holy grail being pursued by the Democrats in all of this is that if they can get a conviction in the Senate, then, by just a simple 51% vote, they can legally deny Trump the ability to be a candidate in any future national elections. A small addendum to that is that (it is unclear), if president Trump were to be convicted, he might lose his life time secret service protection. Having ordered the assassination of Iran's top general and a top nuclear developer this past year, there would be no former president who would be in greater need of secret service protection.

SO, WHERE IS THIS ALL HEADING?

Matt Bennett, Co-founder of Third Way, a moderate Democratic Think tank says, "Martyring Donald Trump is a very bad idea and it could tear the country apart. It's just not worth it."

In contra punto, former representative, Tom Perriello, who was special adviser for the war crimes tribunal in Sierra Leone says that countries that have suffered national trauma and tried to move forward without consequences or contrition are unable to heal. “Countries that skip the accountability phase end up repeating 100% of the time- but the next time the crisis is worse. People who think the way forward is to brush this under the rug seem to have missed the fact that there is a ticking time bomb under the rug.”

What say you, HH readers?

FREEDOM OF SPEECH – WHAT FREEDOM?

Now we have the big media/techies telling us what we can read and hear. Big brother has arrived, way after his projected 1984 arrival. “But my first amendment rights are being violated.” And, in response, “Just shut up about it. You ain’t got no rights.” “What, how can that be?”

Well, bad grammar aside, you really don’t have a lot of freedom of speech rights. Ron Nell

Andersen, a law school professor at the University of Utah points out, “It’s become popular, even among those who know better- to label all matters restricting anyone’s speech as a ‘first amendment issue’. But, she goes on, “The first amendment limits only government actors, and neither a social media company nor a book publisher is the government. Indeed they enjoy their own first amendment rights not to have the government require them to associate with speech when they prefer not to do so.”

As a result Simon & Schuster can suddenly pull Senator Hawley’s book from upcoming publication, and Twitter and Facebook can block president Trump’s access to their platforms.

Mr. Hawley’s book, entitled, “The Tyranny of Big Tech” was to have been published in June. S&S said, “It will always be our mission to amplify a variety of voices and viewpoints, but Mr. Hawley had crossed a line in light of the disturbing, deadly insurrection that took place Wednesday in Washington.”

The publisher was free to make that decision' legal experts say, but that does not mean it was the right one.

Since we live in a world of conspiracy theories and misinformation, how do you selectively stop it? Is it only Trump who makes stuff up or is it the Democratic paid for Steele Dossiers, or the president- elect Biden's having absolutely no knowledge of his son's business activities?

Dear readers, politics is what it has always been – politics and chicanery. As I've noted more than once over the past 91 issues, politicians out of 27 career fields are ranked 26th, one level above used car salesmen.

There's going to be great ongoing debate about the first amendment and there are absolutely certain lines that virtually all would agree can't be crossed, but do we want Zuckerberg of Facebook and Dorsey of Twitter to be the arbiters of what we read and see –our Big Brothers?

Your faithful scribe, PB

