

Only impeachment is censure enough

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As the drive toward the second impeachment of President Trump gathers steam, Republican dissenters are scrambling for some way to derail the train. Predictably, congressional censure is at the top of the list; House Minority Leader Kevin McCarthy, a Republican from California, recently approached the No. 2 Democrat in the House with an offer to “deliver a large number of Republican votes for a formal rebuke if Democrats backed off impeachment.” The answer was no, and for good reason: Congressional censure is a cop-out and a toothless punishment. It’s only impeachment that leaves a mark.

On Tuesday, Rep. Brian Fitzpatrick of Pennsylvania, joined by six GOP colleagues, introduced a concurrent resolution “censuring and condemning President Donald J. Trump” for attempting “unlawfully” to “overturn the 2020 Presidential election” and provoking Jan. 6’s violent attack on the Capitol. Opting for censure rather than impeachment would, Fitzpatrick insisted, “provide closure” and “hold the president accountable.”

Will it, though?

Pop quiz: Name all three presidents who have been impeached by the House. Presidents Andrew Johnson, Bill Clinton, and Trump. President Richard Nixon, remember, managed to skip town before the hammer dropped.

Now, name any two presidents who have been tarred with a congressional censure vote. There are four, per the Congressional Research Service. If you’re a history buff, maybe you came up with President Andrew Jackson. Ironically, Jackson’s 1834 censure by the Senate over the “Bank War” is mainly remembered because, three years later, he had his allies in the Senate expunge it from the record. The remaining cases of congressional censure have faded into obscurity. Did you know that, in addition to dithering while the Civil War loomed, President James Buchanan got dinged by the House for excessive party patronage in naval contracts?

Far from holding presidents accountable, censure resolutions are little remembered and thus little feared. Aside from making Jackson really mad once, which was not exactly hard to do, they’ve never cost another president a good night’s sleep.

Impeachment, on the other hand, is constitutional censure: the strongest means of repudiation available to the House. Regardless of what happens in the Senate, a House vote to impeach lastingly mars the offender’s legacy, sending a signal to future presidents about the sort of conduct that’s beyond the pale.

The vehemence with which Trump’s defenders oppose impeachment gives the lie to their claim that it’s pointless without removal in a Senate trial. Lately, Republican pundit Hugh Hewitt denounced the House effort as “performance art politics” while simultaneously bemoaning the

cruelty of forcing Trump to wear “a second scarlet I.” Please do not carry out this empty, performative gesture: I implore you!

The formalized disgrace of impeachment is central to the Johnson and Clinton legacies. But making Trump the first president in history to suffer that humiliation twice? That’s going to leave a mark.

It’s hard to feel sorry for him. This president spun up a violent mob hoping to intimidate Congress into overturning the results of an election he’d lost. If that’s not impeachable, nothing is. Trump’s reckless, reprehensible act left five people dead, and we’re lucky it wasn’t even worse. If not for some misdirection by a quick-thinking Capitol Police officer, the mob might have breached the Senate chamber. “We were very close to actually having members of Congress killed,” said Rep. Adam Kinzinger, a Republican from Illinois.

McCarthy, of all people, has to know that. After fleeing the Capitol, the Washington Post reports, the minority leader spent Wednesday afternoon “hiding from the rioters in a secret location,” begging the president’s son-in-law to wield his influence, then doing TV spots because that was the only way to get a message to Trump about “just how dire the situation was.”

It would be normal, healthy even, to take that sort of thing personally and, as a House leader, insist that it be punished with the ultimate constitutional sanction. What Trump set in motion on Jan. 6 was as close as you can come, in real life, to testing his boast that he could “stand in the middle of Fifth Avenue and shoot somebody” and not lose any support.

Some Republicans are starting to prove him wrong. On Tuesday, there was a sense that the dam was beginning to break, as five GOP members, including Rep. Liz Cheney of Wyoming, the No. 3 Republican in the House, announced their support for impeachment.

One of them was Rep. Fred Upton of Michigan. On Tuesday morning, Upton had been fully committed to the slap-on-the-wrist option as a co-sponsor of Fitzpatrick’s censure resolution. By day’s end, however, he’d changed his mind, revolted by the president’s insistence that his pre-riot rally speech was “totally appropriate.” “Enough is enough,” Upton declared. “I will vote to impeach.”

Like bankruptcy, when it finally comes, impeachment comes at you fast.

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