

# How Democrats lost the Impeachment War — and probably 2020

The party is struggling to adapt to the 21st century



Reps. Nancy Pelosi, Jerrold Nadler, Maxine Waters, and Eliot Engel during a press conference announcing articles of impeachment

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The Democratic party is dying from its hatred of President Trump. The impeachment fiasco is just the latest symptom. After weeks of testimony, Democrats have not been able to come up with any charges more concrete than ‘abuse of power’ and ‘obstruction of Congress.’ Abuse of power is certainly a serious thing — but only if it’s real. Partisans think that almost anything a president from the opposing party does amount to an abuse of power. For impeachment to amount to anything more than partisan harassment, an actual crime ought to be found somewhere along the line: an act of wrongdoing objectively contrary to the law. Otherwise, any procedural or policy disagreement — or any pretext whatsoever — can be construed by a party out to get an enemy president as an ‘abuse of power.’

Adam Schiff discovered that ‘bribery’ was a crime that polled well in focus groups. But Democrats fell so far short of the mark of proving that bribery took place in President Trump’s dealings with Ukraine that they dared not even make the accusation in their articles of impeachment. Instead, they used the abuse of power simply to refer to actions they didn’t like, and they whipped up a new non-crime, ‘obstruction of Congress’, in an act of desperation. But Trump’s refusal to let administration officials play along with the Democrats’ pantomime impeachment proceedings is simply a bold assertion of the Constitution’s separation of powers. Congress can demand testimony, but it needs the executive branch to enforce the demand. And the executive branch is constitutionally independent — it can exercise its own judgment about the legitimacy of the demand and whether it must be enforced. There is no crime, and while the

majority in Congress may be piqued by executive defiance, pique makes a lousy basis for impeachment. If voters think that Congress is right to demand cooperation and the executive is wrong to refuse, then voters can take action by voting out the president or voting in a larger congressional majority. But Democrats don't want Trump's fate to be decided by voters in November 2020. They want it to be decided by Congress.

Now Democrats are going to regret getting their wish. Trump's acquittal in a Senate trial is a virtual foregone conclusion, and there are several indications that the humiliating failure of impeachment will hurt Democrats in November 2020. Some moderate Democrats have been quietly pushing for a vote to censure the president rather than impeach him. They know that they risk alienating voters in battleground districts by voting for impeachment. But Nancy Pelosi's leadership in the House is now more responsive to the activist wing of the Democratic party — the wing driven above all else by hatred for Donald Trump — than to the moderates who stand to pay the price for the activist left's vendetta. Trump's own poll numbers in key battleground states have risen as the impeachment process has dragged on without uncovering plain criminal wrongdoing. Instead of removing Trump from office or putting Senate Republicans from battleground states in a tough position in 2020, impeachment may wind up guaranteeing Trump's re-election and endangering vulnerable House Democrats. The electorate in 2020, after all, will almost certainly be more Republican than the electorate in 2018 was — midterms are always better for the party in opposition to the White House, while presidential elections maximize turnout for everyone. That puts the congressional Democrats' marginal victors from the midterms in serious jeopardy. Impeachment has only hurt them.

But the Democrats have a bigger problem. Their party has lost its identity, and only Trump-hatred keeps its factions — the McKinsey consultants and the Democratic Socialists of America — together. Republicans have been here before: in the late 1990s, the party was excessively defined by its opposition to President Bill Clinton, in place of any positive program or vision of its own. The result in 2000 was the nomination of a bland and apologetic Republican — George W. Bush — as party's presidential contender. Republicans stood for nothing except not being Clinton, and Bush embodied that nothingness. He was a 'compassionate conservative' — implying that other conservatives were not compassionate — and he promised a bipartisan education-driven agenda. Right-leaning Republican

voters, especially conservative Christians, stayed home in droves that November. As a result, he came within a Florida recount (or a single Supreme Court justice) of losing the election.

The GOP did not learn its lesson. In 2004, Bush seemed to be a victorious war president, and Karl Rove worked like the devil to get the missing 'values voters' from 2000 to come out and re-elect Dubya. But Bush's re-election in an environment still in the shadow of 9/11 only disguised the continuing weakness of the Republican brand. The 2006 midterm elections, the 2008 presidential and congressional elections, and ultimately Donald Trump's destruction of the old GOP and its champions in the 2016 primaries (and ever since) showed how weak and unappealing the GOP and its self-embarrassed conservatism had become. Only having another Democratic president to oppose — Barack Obama as the new Bill Clinton — gave the pre-Trump Republican party a jolt upright in the 2010 and 2014 midterms. But the 2012 presidential election showed that the party and its ideology were still basically a corpse.

Democrats will be just as dead if they continue to let Trump-haters define their party. Democrats are struggling to adjust to the 21st century, with superannuated 2020 front-runners such as Joe Biden and Bernie Sanders as a case in point. Sanders, nearly 80, is in fact the most forward-looking candidate: his socialism might be a relic of the 20th century, but he recognizes that this outmoded idea has a new chance today because what passes for capitalism is even more obviously past its expiration date. (Socialism's decrepitude is something Americans haven't had to think seriously about in a long time, while the senility of the quasi-capitalist, post-industrial economy is something they live with every day.) Joe Biden stakes his appeal on nostalgia for Barack Obama. Pete Buttigieg is a cipher. And Elizabeth Warren has managed the feat of failing to win over the Sanders vote even while seeming too far to the left economically to appeal to the center. But as philosophically fractured as the Democratic field may be, the activist base of the party is less concerned with choosing a clear direction than with hyperventilating about Trump.

Sanders is the most ideologically focused Democratic contender. But that focus and the devotion it inspires on the left are set to run headlong into the anti-Trump mania of the party's other activists. There is a parallel here to Pat Buchanan's position on the right in the 1990s. He pointed the GOP toward the nationalist future it would embrace under Trump, but in the Bill Clinton era his nationalist

conservatism could never overcome those Republicans who preferred to squelch philosophical considerations and focus on partisan opposition to the Democratic president. Now Sanders and his supporters may find themselves in the paradoxical position of holding the Democratic Party's future while being powerless to claim its nomination in the present. Anti-Trump Democrats will vote for Biden or Buttigieg (a young old man) just as fervently as anti-Clinton Republicans voted for Bob Dole in 1996. But just as that anti-Clinton vote wasn't enough to elect Dole president, a merely anti-Trump vote will not do it for Biden or Buttigieg. And in Congress, the solidarity that Democrats derive from opposing Trump only masks the contradiction of an increasingly hard-left party led by establishment figures like Chuck Schumer and Nancy Pelosi.

Trump has already won the impeachment war, but it's only the beginning of the defeats that are in store for Democrats if they continue to be a party defined by their rage against him.

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