The Phyllis Schlafly Report

Congress Shows Contempt for the Constitution

By John and Andy Schlafly

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As it votes to hold President Trump's top aides in contempt of Congress, the Democrat-controlled House showed its own contempt for the separation-of-powers doctrine that makes a presidency co-equal rather than subservient to it. Contrary to the grandstanding congresswoman Liz Cheney, President Trump had no obligation to remove First Amendment-exercising Americans from the Capitol building on January 6th.

Cheney selectively released some private texts and emails involving Trump's former Chief of Staff Mark Meadows, and quickly distorted their meaning. She falsely insists that they show "supreme dereliction of duty" by Trump even though he was not the recipient of the communications.

Cheney, who is no longer recognized as a Republican by her own Wyoming Republican Party, is illustrating why feeding the Never-Trumpers by giving them texts and emails is a mistake. In generating some headlines in the liberal media, Cheney exaggerated their significance and violated privilege.

Cheney asserts that there were "dozens of texts" to Meadows on January 6th, but the smattering of texts that Cheney improperly read to the public show nothing illegal. Cheney should release to the public her own private communications against Trump, which would show how unfit she is to sit on a committee that falsely pretends to be impartial.

Cheney also released some private texts by a Trump family member and Fox News commentators, while concealing the identity of fellow lawmakers who texted Meadows. Apparently Cheney does not want to incur further wrath by Republicans for breaching their privacy, but she is fine with invading Trump family privacy.

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These texts should be protected by executive privilege, a two-century-old doctrine first established by President George Washington. A lawyer who lives in the D.C. area with her big-firm lawyer husband, Cheney surely understands how important doctrines of privilege are to facilitate candid conversations.

As Meadows' attorney has informed the House committee, the statute on which the House bases its authority was never intended to be used like this amid executive privilege, and never has. The House has not previously voted to hold a former member in contempt for any reason in nearly 200 years.

“The text messages leave no doubt that White House knew what was happening,” Cheney blustered, as though a building itself can have knowledge. Cheney-the-lawyer surely realizes that knowledge by one person is not imputed to another, and what Meadows knew is not proof of what Trump knew.

Moreover, Trump did not command the Capitol police force, or act as a custodian for House members who are fully capable of dealing with political protests without hand-holding by a president. Cheney is well-connected with liberals who run the House and she could have taken action herself to stifle the protests as she now insists Trump should have done.

Let’s see public disclosure of the texts by leading Dems in the House, and marvel at their obsession with criticizing Trump rather than doing their job. Let’s see public disclosure of texts and emails between Cheney and other Never-Trumpers, such as Adam Kinzinger and Mitt Romney.

None of the distortions by Never-Trumpers Cheney and others has worked against Trump, and none will. Nearly a year after the January 6th political rally, many Americans are angry at how Democrats and the Deep State continue to whine about it and even imprison peaceful participants without a trial.

The House committee lacked any legislative justification for recommending that Meadows be held in contempt for protecting the confidences of President Trump. The extent of House investigatory powers should not extend any further than what is related to potential legislation, yet the House has gone far beyond that concerning January 6th.

House Democrats and RINO Liz Cheney have so misused the Committee’s investigative powers that its finding of someone in contempt no longer has meaning with voters. First it was Steve Bannon, whose only “crime” is his friendship with Trump, next it is Mark Meadows, and ultimately Never-Trumpers will seek contempt against Trump himself.

As Meadows’ attorney points out, contempt has never before been rendered against high-level presidential staffers like Meadows who assert executive privilege. This right was established by none other than President George Washington himself, who could be found in contempt under the same approach taken by Cheney and Dems today.

Cheney ranted on Monday about texts sent to Meadows concerning the rally on January 6th, but there is nothing objectionable in those communications. A few wanted Trump to intervene in the rally in the Capitol, but that is not the job of a president.

The misleading portrayal of texts and emails provided by Meadows to the House committee, in a spirit of cooperation, illustrates that the Never-Trumpers will never be satisfied and will not stick to an honest characterization of what happened. Any

evidence that departs from their anti-Trump narrative will be ignored, and every exaggeration to try to smear Trump will be attempted.

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