



## Opinions

# Impeachment? Don't hold your breath.

By [Hugh Hewitt](#)

August 22 at 4:06 PM

“Underpromise. Overdeliver.” That has been my advice to every young lawyer and journalist I’ve mentored over a 35-year legal career and a 28-year broadcasting career. It has never failed as advice, though many have failed to heed it.

With that in mind, some advice for commentators about the Paul Manafort conviction and the Michael Cohen guilty plea: They tell us a lot. They do not, however, tell us whether the president is going to be impeached.

He might be impeached. In fact, a Democrat-controlled Congress in 2019 would almost certainly introduce, vote on and likely pass articles of impeachment based on the Cohen plea and other theories of various interpretations of the emoluments clause.

But we aren’t close to President Trump’s removal from office or his resignation. And it still looks as though the Republican Party is going to pick up seats in the Senate and may even hold the House.

We aren’t even in shouting range of “collusion and conspiracy” with Russia, in fact, though lots of pundits like to shout about it. Three Republican senators on the [Intelligence Committee](#) — Chairman Richard Burr (N.C.), Tom Cotton (Ark.) and James Lankford (Okla.) — have told the Associated Press, in [Burr’s case](#), and me in [Cotton’s](#) and Lankford’s cases that they had not seen any factual evidence presented to the committee of collusion or conspiracy by the president or his 2016 campaign.

Flat-out rejections from three members of the committee of the overarching charge behind the special counsel’s appointment are a good indication that removal from office because of collusion with Russia isn’t in the cards for the president.

And while we’re at it, none of this has any impact on Brett M. Kavanaugh’s Supreme Court nomination, no matter how much the president’s opponents wish otherwise. I don’t want to overpromise, but it still seems likely Judge Kavanaugh will be Justice Kavanaugh come the [first Monday in October](#).

Now special counsel Robert S. Mueller III is the master of underpromising. In fact, he hasn’t promised a thing. So it is possible he has plenty of evidence of collusion and conspiracy that hasn’t been shared with the Senate Intelligence Committee. Possible, but unlikely.

It is possible that new and as yet undeveloped theories of impeachment will emerge — say, financial crimes involving the president’s development empire. But nothing to see there, yet. There’s been some [speculation](#), but that’s not the stuff of impeachment. Impeachments come in cases the public easily grasps, if not in complete detail, then with complete conviction: President Richard M. Nixon abused his power. President Bill Clinton lied about Monica Lewinsky. If you can’t state the premise in a simple sentence, you aren’t going to move the one key congressional committee, much less both chambers of Congress.

We do have, right now, two admitted/convicted felons in Cohen and Manafort who are both in a position to grievously wound the president politically. They might. They could flip — Cohen already seems to have done so — and tell many tales. All will come out eventually.

But anyone who says, “This means impeachment!” is either lying or looking for ratings. There’s a lot of the latter going around. The special counsel doesn’t care about ratings. The Republican Party doesn’t, either. It shouldn’t promise exoneration of the president, but neither should it be afraid to point out there are two investigations underway here: one into the president’s campaign to win the office in 2016, and one into whether some senior officials in the FBI and Justice Department made efforts to make sure he didn’t win. Both matter. And neither is close to being finished.

Cable news is entertainment. And pictures of Manafort and Cohen, even pictures of Stormy Daniels, aren’t that entertaining beyond those already addicted to one of the two story lines. Beyond the sliver of Americans who watch cable news at night (whether of the left or right variety), fantasies about impeaching Trump elicit a vast, giant “Huh?”

So, no, the world didn’t change Tuesday with the Cohen plea and the Manafort verdict. Twitter shook. But it will shake again today with something else. And tomorrow with another thing. When Mueller sends a subpoena to the White House, that’s when it gets interesting.

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