

Democrats quietly explore barring Trump from office over Capitol attack

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Washington, January 10 (RHC)-- In the United States, a number of Democrats on Capitol Hill, alongside some constitutional scholars and pro-democracy advocates, have been quietly exploring ways to bar Donald Trump from ever holding office again.

They have, since the January 6th attack on the Capitol last year, been trying to see how a post-Civil War amendment to the Constitution might be used to that end. Although the interest in banning Trump from returning to public office has waned, some, who have stayed focused on the issue, say the discussion about putting Section 3 of the 14th Amendment into effect have been ongoing.

"If anything, the idea has waxed and waned," said Laurence Tribe, a constitutional expert at Harvard Law School. "I hear it being raised with considerable frequency these days both by media commentators and

by members of Congress and their staffs, some of whom have sought my advice on how to implement Section 3.”

Nearly a dozen Democratic lawmakers have discussed the issue, either in public or in private, over the course of the last year, according to The Hill. “I continue to explore all legal paths to ensure that the people who tried to subvert our democracy are not in charge of it,” Wasserman Schultz told The Hill.

Section 3 of the 14th Amendment states that officeholders who “have engaged in insurrection or rebellion against the same” are banned from holding office again. Some scholars argue that a simple majority in both the House and the Senate could find that Trump was engaged in the insurrection and thereby apply section three. Others believe Congress would need to establish a separate body or assign the matter to a court to determine if Trump engaged in insurrection.

Meanwhile, pro-democracy group Free Speech For People has launched a pressure campaign to get state election officials to take action and use the 14th Amendment should Trump run again. Doing so would effectively bar his name from appearing on their state’s ballot in 2024.

The group sent letters to election officials in all 50 states and Washington, DC, telling them that they have to bar Trump from appearing on their ballots, asserting the 14th amendment is already operative and no additional action is needed.

“Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural-born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Mr Trump, who previously swore to support the Constitution, but then engaged in insurrection,” the letter to the head election official in Georgia states.

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