

Why the Democrats are continuing with Trump's impeachment, even if conviction now seems unlikely.



This week the House of Representatives officially delivered the article of impeachment to the Senate, accusing former President Donald Trump of inciting insurrection. [Julie Norman](#) gives an overview of what will happen next.

When will the trial begin?

The delivery from the House and reading of the impeachment article in the Senate marked the official start of Donald Trump's second impeachment trial. But arguments won't begin until 9 February. Senate Republican leader Mitch McConnell had [requested](#) a two-week delay to the start of the trial to ensure due process, but the interim phase is helpful for President Joe Biden too, giving him time to get his Cabinet nominees confirmed and introduce key legislation before Senate business turns exclusively to the impeachment trial.

What are the charges?

On 13 January, the House of Representatives voted 232 to 197, with 10 Republicans joining Democrats, to impeach Trump on the charge of [inciting insurrection](#). The article of impeachment points to Trump's rally on 6 January that preceded the Capitol insurrection, as well as his pressuring of election officials and months of baseless claims of widespread election fraud. Meanwhile, the Justice Department is opening an [inquiry](#) to determine if Trump and/or other officials pressured personnel in the department to cast doubt on the election results.

What will the trial look like?

As is typical in an impeachment trial, members of the House are selected as "Managers" to present the impeachment case to the Senate, similar to a prosecution team, while Trump will have a private defense team led by South Carolina-based lawyer Butch Bowers, with the US Senate serving as the jury. Usually the trial is presided over by the Chief Justice of the Supreme Court, however, as this will be a trial for a former president rather than a sitting president, the trial will be presided over by the president pro tempore of the Senate, Sen. Patrick Leahy (D-VT). It is unclear how long the trial will last, but members of both parties have [expressed](#) hope that it will move quickly, dependent in part on decisions to include witnesses and [video evidence](#).

Will Trump be convicted?

An actual conviction will require a two-thirds vote in the Senate (67), requiring at least 17 Republican senators to join Democrats to vote to convict, which appears highly unlikely. Even Republicans who were critical of Trump's actions have questioned the [constitutionality](#) of the impeachment trial (arguing that a no-longer sitting president cannot be impeached), while others have emphasised the need to move on for the sake of [unity](#) over accountability. At the official start of the trial this week, [no GOP senator](#) had publicly expressed an intention to convict, and, even more tellingly, 45 of the 50 GOP senators voted against holding the trial in a procedural [vote](#). A handful of GOP senators may be persuaded to convict, but with recent polls showing [nearly 90 percent](#) of Republican voters opposed to impeachment, it is unlikely Democrats will get the numbers they need.

Is it worth it for Democrats?

Despite the uphill battle, Democrats maintain that the process is necessary for accountability and setting a precedent to avoid similar dynamics in the future. More pragmatically, others are holding out hope that a conviction, however slim the chances, could bar Trump from future office. Even [President Biden](#) has stated that the trial 'has to happen,' though he has largely left the impeachment decisions to Congress, and has been working with Congressional leaders of both parties to try to minimise the trial's impact on his legislative agenda. The country meanwhile remains split, with [56 percent](#) approving of impeachment proceedings, but divided along sharp partisan lines.

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