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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, February 15, 2021, at 9:30 a.m.

Senate

SATURDAY, FEBRUARY 13, 2021

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Now, I am convinced most Senators must be convinced by this overwhelming and specific detail, because most Americans are. But say you still have your doubts; you think the President really thought that he was sending his followers to participate in a peaceful, nonviolent rally, the kind that might have been organized by **Julian Bond**, who my distinguished opposing counsel brought up; Ella Baker; Bob Moses; our late, beloved colleague John Lewis, for the Student Nonviolent Coordinating Committee. Maybe the President really thought this was going to be like **the March on Washington organized by Bayard Rustin and Dr. Martin Luther King, who said: Nonviolence is the answer to the crucial moral and political questions of our time.** So let's say you are still flirting with the idea that Donald Trump's conduct was totally appropriate, as he proclaimed right off the bat, and he is the innocent victim of a mass accident or catastrophe, like a fire or a flood—as we were invited to frame it on our opening day by distinguished cocounsel or opposing counsel—and you think maybe we are just looking for somebody to blame for this nightmare and catastrophe that has befallen the Republic. We are just looking for someone to blame.

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And, finally, the counsel goes back to **Julian Bond's** case because, I think, in the final analysis, their best argument—as pathetically weak as it is—is really about the First Amendment. But, remember, they keep talking about stifling President Trump's speech. Someone tell me when his speech has ever been stifled. He says exactly what he wants whenever he wants. If and when you convict him for incitement of insurrection, he will continue to say whatever he wants on that day. Remember, they referred yesterday to interference with his liberty, which I found absolutely bizarre because everybody knows he will not spend 1 minute in prison or jail from conviction on these charges. It is a civil remedy to protect all of us—to protect the entire country, our children, our Constitution, our future. That is what impeachment trial convictions are all about—are all about. **Julian Bond**—see, I knew **Julian Bond**, so forgive me. Most people say: Don't even respond to this stuff. I have got to respond to this. **Julian Bond** was a civil rights activist who decided to go into politics, like the people in this room, like all of us who are in politics. And they tried to keep **him** out. **He** was a member of SNCC, the Student Nonviolent Coordinating Committee, which really launched the voting rights movement in America. It is a great story that Bob Moses tells in his book called “Radical Equations” about—you know, **he** was a graduate student, mathematics, at Harvard. **He** was a graduate student in mathematics at Harvard. **He** went to Mississippi. You know why? Because **he** saw a picture in the New York Times of Black civil rights protesters, college students, I think, North Carolina A&T. **He** saw a picture of them on the cover of the New York Times, and they were sitting in at a lunch counter. **He** looked at the picture, and **he** said: **They looked the way that I felt. They looked the way that I felt. He said he had to go down south to Mississippi, and they launched the voting rights movement.** That is where the phrase “One-person, one-vote” comes from. It was not invented by the Supreme Court. They would go door-to-door to try to

register people to vote. But anyway, Julian Bond was a part of that movement, the Student Nonviolent Coordinating Committee—nonviolence. It was the end, and it was the means—nonviolence. And he ran for the State legislature in Georgia, a path other civil rights activists followed, like our great, late, beloved colleague John Lewis, who is in our hearts today. And when he got elected, they wanted to try to keep him from being sworn in to the Georgia Legislature. And so they said the Student Nonviolent Coordinating Committee is taking a position against the Vietnam war. You are a member of SNCC. We are not going to admit you because you took a position against the Vietnam war. And the Supreme Court, in its wisdom, said you cannot prevent someone from swearing an oath to become a member of a legislative body because of a position that they took or a group they were part of—took before they got sworn in. That is the exact opposite of Donald Trump. He got elected to office. He swore an oath to the Constitution to preserve, protect, and defend the Constitution. He served as President for 4 years, right up until the end, when he wanted to exercise his rights under the imaginary January exception, and he incited a violent mob and insurrection to come up here, and we all know what happened.

He is being impeached and convicted for violating his oath of office that he took. He is not being prevented from taking his oath in the first place. The First Amendment is on our side. He tried to overturn the will of the people, the voice of the people. He lost that election by more than 7 million votes. Some people don't want to admit it. Counsel for the President could not bring themselves to admit that the election is over in answer to the question from the distinguished gentleman from Vermont. He refused to answer that. He said it was irrelevant, despite all of the evidence you have heard about the big lie and how that set the stage for his incitement of the insurrectionary violence against us. The First Amendment is on our side. We are defending the Bill of Rights. We are defending the constitutional structure. We are defending the separation of powers. We are defending the U.S. Senate and the U.S. House against a President who acted no better than a marauder and a member of that mob by inciting those people to come here. And in many ways, he was worse. He named the date; he named the time; and he brought them here; and now he must pay the price.