Donald Trump, Impeachment Proceedings and the Media

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Donald Trump, Impeachment Proceedings and the Media

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1. Introduction: The figure of Donald Trump

Ronald Kessler, in his opinion piece for *The Washington Times*, writes that: "Love him or hate him, no one has been able to figure out Donald Trump" (Kessler). This is the first line of an opinion piece that is centered on Norma Foerder's opinion of Trump, based on her experience working as his top aide. Donald Trump, especially after his rise in politics, has been the target of a lot of journalistic, as well as academic writing. Many have attempted to explain (away) his rise to presidency, as well as his business career beforehand. Foerder is quoted as saying that there are two sides to Trump, a private one, and a public one. His public side she describes as "outrageous, but outrageous in a wonderful way that gets him coverage. (...) That persona sells his licensed products and his condominiums" (Kessler). It is precisely this public aspect, or the public side of Donald Trump specifically as a political figure, that this text is intent on investigating.

While Donald Trump was a public figure in the USA decades before he announced his candidacy for president, he was not a political personage. The sudden political interest in Donald Trump began with his candidacy in the Republican presidential primaries in 2015. At that point, Donald Trump had never held, for any period, any public office. A lack of experience is commonly thought to be a disadvantage, no matter the field, but Donald Trump used this fact, as well as his experience in business, to create an advantage for himself instead. He did this by creating two co-existing dichotomies, both carried out *in extremis*.

First, Donald Trump set himself apart from other candidates in the 2015 Republican primaries by presenting himself as the "consummate anti-politics politician" (Rodgers 14), an ideal supposed to function as the opposite to the idea of an establishment politician - one with political experience and a career in politics. This is how Trump was able to make use of his lack of experience in public affairs - by using it to create a dichotomy that he could turn to his advantage.

Creating this dichotomy, between an establishment politician (everyone else) and a non-establishment politician (Donald Trump) served two purposes. One was to identify Donald Trump as one of the common people, as someone who shared an average person's experience, troubles and desires, to incite self-identification of the voters. The second purpose was to separate Donald Trump from the political establishment, specifically the political elite of Washington, D.C. This distinction built on the pre-existing idea in minds of some voters of establishment politicians and political organizations as corrupt, intent on serving only their self-interest, or perhaps the interest of a select number of corporations, other interest groups, or maybe their families, but not at all interested in serving the interests of the general public. This was not unprecedented - Richard Nixon had claimed he had the support of and wanted to represent the 'silent majority' - to name but one example of a similar strategy. But "never before has the line between experience in public affairs and forcefulness of personality been so fully erased" (Rodgers 15). Nixon had served in the House of Representatives, the Senate, and as Vice President to Eisenhower before he was elected president (Richard M. Nixon). Donald Trump had managed to turn into an advantage the fact that he had not, in fact, done any of these, or come close to doing them.

Second, Donald Trump used his experience in business to create another dichotomy, this one between a businessman and a politician. The previously mentioned fact - that Donald Trump did not have any political experience - served him, albeit indirectly, to make the best of this dichotomy as well. However, the most important feature of this dichotomy was that Donald Trump could claim to have experience in business. He could then use it to contrast his specific business experience and success with politicians with political careers and no business experience to match.

This dichotomy, the businessman vs. the politician, while also serving to separate Donald Trump from establishment politicians, also made use of the pre-existing respect and

admiration for business and successful business endeavors existing among a sizable portion of US voters. In the USA "the public is encouraged to identify with successful private sector leaders through popular culture, movies, books, and cultural myths (...) and private sector tycoons (...) are models worthy of identification" (Whicker 875). If one was able to successfully compete in a supposedly free and meritocratic capitalist economy, the thought went, one had to possess admirable qualities, qualities possibly better suited for a politician's job than even the qualities possessed by politicians themselves. While there were conflicting accounts in the media of how successful a businessman Donald Trump was, this aspect of his career was persistently mentioned during his campaign, and this image was utilized to Donald Trump's advantage.

These two dichotomies did not function as entirely separate matters. They relied on some of the same facts about Donald Trump, but their goals were different. The first aimed at setting up a positive identification of Donald Trump through his lack of experience in politics, and the second one through his extensive experience in business. But they both served to contrast Donald Trump with an image of a politician, which, while necessarily not highly specific, still managed to encompass a lot that was notable and prominent about many of Donald Trump's political opposition: other Republican candidates in the 2015 primaries, Hilary Clinton in the 2016 presidential election, and the Democratic party in the two impeachment proceedings initiated during Trump's tenure. Not only did Donald Trump win both challenges, but the image he built of himself served him during his entire presidency, impeachments included.

The aim of this paper, however, is not only to examine Donald Trump's self-representation and representation in the media, but to investigate specifically the process of impeachment, and the media coverage of both impeachment proceedings against Donald Trump. While impeachment is a political process, the avid public interest into the topic, as

well as the amount of news coverage it gets, makes this a topic of not only political, but social and cultural relevance. Approaching this topic within the field of American studies allows one to examine it from all these possible viewpoints and take them all into account. The paper looks at history to investigate past presidential impeachments, as well as judicial and political analyses to make sense of impeachment as a process. The media analysis section makes use of media discourse methodologies, armed with the previous historical, political, judicial and media knowledge, and strives to make sense of what the news coverage of the impeachment proceedings was like, as well as how the self-representation of Donald Trump was simultaneously reinforced through it and made it viable.

2. Impeachment

2.1 Introductory notes

Impeachment is a process by which an incumbent official, elected or not, can be removed from public office. It exists, in some form or another, in many modern democracies, the USA included, but it is specifically the US impeachment that this paper is concerned with. Impeachment is described in the US Constitution, and therefore has been around as long as the country itself. The holder of the highest political office, the president of the US, is among the officials that can be subject to impeachment. Presidential impeachments, as rare as they are, are usually the most reported about, and the ones that arouse the most public interest.

Before the two-times impeached president Donald Trump, two presidents have been impeached in the House and acquitted in the Senate - the same as Donald Trump. These were Andrew Johnson in 1868 and Bill Clinton in 1998. Richard Nixon was never formally impeached, but the impeachment proceedings had already begun in the House when Richard Nixon resigned (Richard M. Nixon). While the potential removal of the president is certainly

important and attention-worthy on its own, the rarity of the occurrence presumably contributes to the attention it receives when it happens. This public attention is usually characterized by empirical uncertainty, both factual and theoretical, as well as accompanied by a fair amount of controversy. Why this is the case is examined in this section of the paper.

Apart from presidential elections and the campaigns preceding them, it is difficult to name a political event that can garner the amount of attention a presidential impeachment can command. In some circumstances, perhaps Supreme Court Justice confirmations or controversial Supreme Court decisions would come close, but those would be the exceptions to the rule. To start thinking about impeachment, it is worth considering why impeachment creates so much interest, and to consider that, one must understand its distinguishing characteristics. "In a marvelous way," Broderick argues, "the impeachment process can be seen as a microcosm of our entire system of constitutional representative government, and in no way can it be studied as a simple 'question of law.' The parameters, of course, are set by law. But the working out of decisions - impeach or not, convict or not - are strikingly interdisciplinary" (554).

Broderick's statement immediately accomplishes two tasks. It emphasizes the complexity (interdisciplinarity) of the process. It also invites its reader to investigate impeachment from two different perspectives: as a question of law and a question of constitutional representative government. Analyzing impeachment as a question of law invites attempts at clarification of the term 'impeachment', and its legal definition and limitations. Analyzing impeachment as a question of constitutional representative government invites a discussion of its representatives' duties and goals, especially in light of the contrast with the judicial branch of government.

This paper borrows this two-fold framing of impeachment. Broderick's two perspectives are hereinafter referred to as the judicial and the political perspective of

impeachment. This section of the paper analyzes how these two views intersect and interfere one with the other, so that later, an examination can be made of how this intersection and interference was reflected in the media coverage of Donald Trump's impeachment.

In this section we shall briefly consider what constitutes an impeachable offense. In approaching impeachment from a judicial perspective, several matters are looked into: the Constitution's outlook on impeachment, two interpretations of impeachable offenses, a historical overview of presidential impeachments, and an examination of thought about the purposes of impeachment.

In attempting a legal examination of any kind related to the US political system, it is always worth beginning with the US Constitution. The first three articles of the Constitution establish the separation of powers by prescribing the powers of each of the branches of government, the executive, the legislative and the judicial branch. This includes describing checks and balances put into place to both preserve the ability of each government branch to do its job, and at the same time, deter a government branch, or a holder of a public office, from abusing their power (U.S. Constitution Annotated)[1]. Impeachment is an important part of these tools and is therefore defined in the Constitution. This is what the US Constitution states about impeachment:

> The House of Representatives shall chuse their Speaker and other Officers; and shall
>
> have the sole Power of Impeachment. (art. 1, sec. 2)

> The Senate shall have the sole Power to try all Impeachments. When sitting for that
>
> Purpose, they shall be on Oath or Affirmation. When the President of the United
>
> States is tried, the Chief Justice shall preside: And no Person shall be

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[1] Unless noted otherwise, the information about the U.S. Constitution is based on the analysis of the U.S. Constitution by the Legal Information Institute, an independently funded project of the Cornell Law School.

convicted without the Concurrence of two thirds of the Members present. (art. 1, sec. 3)

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law. (art. 1, sec. 3)

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment. (art. 2, sec. 2)

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors. (art. 2, sec. 4).

This is all the content referring specifically to impeachment in the US Constitution. Art. 2, sec. 2 does not contain any information related to impeachment *per se*, merely noting that the President cannot grant pardon in cases of impeachment. This is only relevant as an indicator of the distinctiveness and separateness of impeachment from judicial processes.

What is significantly more relevant from a judicial perspective of impeachment is the other ways in which impeachment differs from judicial processes. The House of Representatives is given the sole power of impeachment. The Senate has the sole power to try impeachments. The worst possible consequence of a Senate trial is removal from office.

Impeachment does not preclude the possibility of indictment according to the law. These facts are emphasized here because the disagreement about the status of impeachment as a judicial process is responsible for some of the epistemological disagreement about impeachment, both in theory and relating to particular impeachments that have occurred.

The part that has historically caused most indeterminacy is art.2, sec. 4. It provides the only description in the Constitution of what constitutes an impeachable offense, i.e., a good enough reason to remove a civil officer from their position. The description is: "treason, bribery, or other high crimes or misdemeanors." These eight words - or more precisely, the last five, have created a fruitful ground for various interpretations and ideas about what constitutes an impeachable offense. Treason and bribery are not only epistemologically clearer than 'high crimes and misdemeanors' but have also proven to be far less important in real cases of impeachment. As of this writing, when considering all impeachments, no officials have been charged with treason, and three have been charged with bribery. All the remaining charges have fallen under the wide-spanning and elusive category of 'other high crimes and misdemeanors'. It only remains to ask, then, what are other high crimes and misdemeanors?

Numerous scholars have dealt with this issue in one way or another. Alexander Hamilton, presumably predicting that this subject might require further clarification, expanded on the issue by writing about the purpose of impeachment in *The Federalist Papers*, and in his writing, Pious takes Hamilton's writing on the subject as a starting point for delving into the matter of impeachment and the interpretation of high crimes and misdemeanors specifically. Turley, Broderick, Katyal and Waldman are other scholars following the same paradigm, which argues that there are essentially two possible interpretations of 'high crimes and misdemeanors': the broad and the narrow one. The

analysis in the coming paragraphs is founded primarily on these scholars' contributions to this discussion.

While the Constitution itself provides no further information about what behavior this phrase might encompass, some of the Founding Fathers (and numerous scholars afterwards) have expounded on the concept, attempting to provide much needed guidance. As previously mentioned, Pious (808), discussing presidential impeachments, finds it relevant to cite Alexander Hamilton's writing in *Federalist 65*, wherein Hamilton describes high crimes and misdemeanors as "those offenses which proceed from the misconduct of public men, or in other words, from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated political, as they relate chiefly to injuries done immediately to society itself" (The Federalist No. 65).

The citation from the *Federalist* is presented above to demonstrate how the broad interpretation of 'high crimes and misdemeanors' preceded even the ratification of the Constitution itself, and because it is reflective of the predominant scholarly and legal interpretation of 'high crimes and misdemeanors'. According to Benedict, the narrow interpretation of what constitutes an impeachable offense, that insists that an indictable crime has been committed, "has been rejected by modern scholars who have investigated the question" (354).

The Cornell Law School run Legal Information Institute states that "the meaning of 'high crimes and misdemeanors' is informed not by judicial decisions, but by the history of congressional impeachments" (Legal Information Institute) and that historically, "impeachment has been used to remove government officers who abuse the power of the office; conduct themselves in a manner incompatible with the purpose and function of their office; or misuse the office for improper or personal gain" (Legal Information Institute). Turley, Broderick, Pious, Katyal and Waldman - other scholars whose writing is cited in this

paper are also in agreement - the broad interpretation of 'high crimes and misdemeanors' is the right one.

The narrow interpretation has historically persisted to the current day, including rearing its head during Donald Trump's impeachments - but as examined in the next section, it has made most, if not all its appearances, as defense of presidents by their respective parties and their legal counsel during impeachment trials.

2.2.An overview of presidential impeachments

Presidential impeachments before Donald Trump were those of Andrew Johnson and Bill Clinton. Between these two impeachments, impeachment proceedings had begun against Nixon in 1973. Before any pertinent details are investigated, it makes sense to take a look at the party composition of the votes in both the House and the Senate, in all cases of presidential impeachment so far[2].

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[2] During the author's investigation into impeachment, it proved impossible to find a single, complete source of information detailing the bi-party composition of the votes in previous impeachment proceedings and trials. The table below is the result of the author's best effort to compile the available data, taken from a variety of sources, into a single table, representative of the party composition in the two chambers for the historical impeachment votes. In the table itself, the votes of the representatives that differ from the vote of the majority of the representative's party are marked in bold for emphasis.

The House vote tallies

	Johnson	Clinton Article 1	Clinton Article 3	Clinton Article 2 (did not pass)	Trump 2019 - abuse of power	Trump 2019 - obstruction of congress	Trump 2021
YAYs (non-President's party)	126	223	216	200	230	229	222
YAYs (President's party)	0	**5**	**5**	**5**	0	0	**10**
NAYs (non-President's party)	**3**	**6**	**13**	**29**	**2**	**3**	0
NAYs (President's party)	44	200	199	200	195	195	197
NO VOTES / Present	17	1	2	1	4	4	4

The Senate trial vote tallies

	Johnson	Clinton Article 1	Clinton Article 3	Trump 2019 - abuse of power	Trump 2019 - obstruction of congress	Trump 2021
YAYs (non-President's party)	35	45	50	47	47	50
YAYs (President's party)	0	**0**	**0**	**1**	0	**7**
NAYs (non-President's party)	**10**	**10**	**5**	0	0	0
NAYs (President's party)	9	45	45	52	53	43

Looking at this table, some conclusions can be immediately drawn. Without even calculating anything, it can be surmised that there is a high correlation between party membership and voting. In Clinton's case, a small number of Democrats voted for impeachment, and some Republicans and independents voted against, but this number is significantly greater than in Johnson's and Donald Trump's impeachments. It might be worth mentioning here that polling at the time showed that Clinton's impeachment was highly unpopular, and Clinton enjoyed strong support throughout the process (Desilver). This might explain the reluctance of everyone, regardless of party membership, to vote for impeachment. While there were no Republican representatives in the House voting in favor of impeaching Donald Trump the first time, ten Republicans voted in favor of impeachment in 2021.

The closest the Senate has come to removing a president from office was with Johnson, and that was one vote short of the necessary supermajority. However, as removal from office requires a two-third majority, and the Senate party composition is usually around 50% for each party, and the voting seems to follow party lines, there had been no significant worry that Trump would be found guilty in the Senate trials[3], as he was not. While a more detailed look into what claims were made during Donald Trump's impeachments is reserved for the media analysis section of this paper, it is worth looking at impeachment argumentation at this point, preceding as well as relating specifically to Donald Trump's impeachments.

2.3. Arguments made for and against impeachment

Jonathan Turley, in his opinion piece for Fox News, writes that: "if American politics shows anything, it is that enmity, not necessity, is the mother of invention" (Turley). While

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[3] This claim is expanded upon further in the media discourse analysis section of the paper.

there is not necessarily much notable invention displayed in impeachment arguments, there is a certain resourcefulness on display.

There were two articles of impeachment adopted in the House in the Clinton impeachment. They pertained to (1) perjury, and (2) obstruction of justice. In the first impeachment of Donald Trump, the adopted articles of impeachment were: (1) abuse of power, and (2) obstruction of justice. While Democrats took a narrow view of impeachable offenses during the Clinton impeachment, they took a broad one during the Donald Trump impeachment. Pious posits that during impeachment proceedings in the House, one party's stance on whether an impeachable offense has been committed changes depending on whether it is *their* President that might be impeached. The accusing party takes the broader view:

> Those who wish to impeach a president (most Republicans in 1868, most Democrats in 1974[4] and a few in 1986[5], and some Republicans in 1998) take the expansive view that abuses of power, which may or may not involve indictable crimes, are also grounds for impeachment. A pattern of acts that involve abuse or usurpation of power can be induced from an aggregation of smaller actions, none of which in and of themselves might be criminal or unconstitutional. Impeachment was designed for crimes against the state - against the system of government itself - and these high crimes require a political (not necessarily meaning partisan) rather than a narrowly legal response. (807)

This inconsistency is also noted by politicians themselves, when it pertains to the other party. Katyal writes:

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[4] This refers to the Nixon impeachment proceedings that had begun but were not finished due to Nixon resigning.

[5] This refers to the impeachment trial of Judge Harry E. Clairborne, who was nominated to Federal Court by the Democratic President Jimmy Carter (United States Senate).

During the interpretive debate over whether to impeach President Clinton, Democrats in Congress accused their Republican colleagues of being inconsistent in their approach to constitutional interpretation (and vice versa). The Democrats argued that 'high crimes and misdemeanors' had a very narrow meaning at the founding of the Constitution, and the Republicans responded by arguing that they should not be hemmed in by a two-century-old interpretation of a living document. (169)

Pious notes that, during the Nixon impeachment inquiry, "the Republicans made the same restrictive arguments when the impeachment shoe was on the other partisan foot" (807).

This change in attitude does not merely happen to representatives. CNN's Jonn Avlon in an opinion piece, accused Jonathan Turley of changing his attitude towards impeachment, calling it an "impeachment flip-flop" (Avlon). Newsweek's Aila Slisco, in a piece published after Donald Trump's first impeachment, wrote about Donald Trump's attorney's changed position on impeachment. According to the article, Alan Dershowitz, Donald Trump's attorney in the first impeachment, "explained his changing view of impeachment on Twitter Tuesday, defending President Donald Trump while stating that he 'didn't research' his position when the impeachment of former President Bill Clinton happened two decades earlier" (Slisco). Fox News's David Montanaro writes that "House Speaker Nancy Pelosi was singing a very different tune on impeachment when it was President Bill Clinton who was being accused" (Montanaro).

Both Pious and Katyal acknowledge these shifts and explain that they occur depending on the changing political or partisan interests. Katyal thinks this a perfectly logical occurrence because "however similar their tasks might be, members of Congress are not judges. They have political agendas, aspirations, and ideas. It would be ludicrous to think that these could all be put to one side in a debate over a question such as whether to impeach a

President" (175). Taking the issue that the decision-makers in impeachments are politicians aside, where does this leave the decision-making and how is it accomplished?

One question arising in scholarly investigations of impeachment, is the question of interpretive power. In simple terms, how much freedom and flexibility can, and should, be taken when deciding on matters of impeachment? Which legal doctrines need to be followed, if any? What moral or ethical principles, if any? Katyal, discussing this matter, takes the stance that it is not necessary to have the same standards for the judicial and legislative branches of government. He writes that:

> one can adhere to originalism in the context of judicial interpretation and, nevertheless, believe in a broader style of interpretation for the legislature. Originalism, as practiced in this way, is a doctrine that constrains *unelected* judges from an unduly free interpretive approach, but it does not preclude Congress from making constitutional judgments that are more flexible and nuanced. (170)

Overall, Katyal is in favor of allowing Congress broader interpretive power than judicial bodies, based on different characteristics and functions of the judicial and the legislative branches of government. He not only sees it as a viable approach, but a beneficial one:

> Unlike the largely insulated courts, Congress is well suited to trying to ascertain public sentiment on particular issues. With polls, meet-and-greets, constituent outreach, and a variety of other mechanisms, Congress is relatively in touch with the American populace, and constitutional interpretation may benefit from such connections. Given the fact that it is one set of representatives who are being asked to remove another representative, should not the voice of the people inform whether to impeach and remove? (Katyal 190).

Katyal's argument, presented above, is worth examining in more detail. While the role of the judicial branch should be to interpret the law, and according to the law, make a judgment in a particular case, Katyal argues that applying that logic to impeachments and impeachment trials, despite them sharing similarities with judicial trials, is not appropriate. It is first and foremost not appropriate because of the different role of Representatives in the House and Senators when compared to judges' roles. Congressmen and Senators are supposed to play a political role and are supposed to be making political judgments. Political judgments can differ from judicial ones, as further explained in one of the following paragraphs.

Furthermore, even if we were to deem it appropriate for political representatives to make purely judicial decisions - and if that was indeed the desire, why not merely give the judicial branch the duty and the right to impeach? Katyal argues that it is not possible, nor should we expect it to be possible, for Congressmen and Senators, usually in charge of making political decisions, to all of a sudden ignore the political ramifications of their decisions and focus purely on the judicial aspect of the matter at hand. Rather, they are supposed to be politicians in all matters, and that includes impeachment. As elected officials, "members of Congress are accountable for their constitutional judgments. They (…) can be voted out of office if their constituents take issue with their reading of the phrase 'high crimes and misdemeanors'. The ability of members of Congress to impose their own preferences on the Constitution through interpretation is therefore tempered by their popular accountability" (Katyal 174).

To present a counter argument, Nikolas Bowie's writing on the matter takes a different approach. Bowie is of the opinion that: "there is no reason why when Congress acts as a prosecutor it should be permitted to ignore the Constitution's basic protections of due process and criminal procedure" and states that the principle of "no crime without law

remains an important safeguard for all potential criminal defendants - from the President to you and me" (76). However, to provide a conclusion to his text, Bowie writes that "in the end, however, it doesn't really matter", because of "how often [this argument] has been ignored in practice" (76). Bowie further adds that "today, many legal commentators have argued that President Donald Trump (...) should be impeached for committing abusive, antidemocratic conduct even if he didn't violate any actual criminal laws" (76).

Bowie argues that this allowing for broad congressional interpretation might cause future abuses of power by a Congress intent on removing a President because of political disagreements. This potential danger of congressional overreach is summarily dismissed by Kinkopf (who favors a broad congressional interpretation), writing in 1985, using the example of the Johnson impeachment, often thought of as an exemplar of an impeachment motivated by a political dislike and disagreement between Congress and the President. Kinkopf writes:

> My point in raising the Johnson impeachment is simply that, if a Congress does not care about the independence and coequality of the President, an official conduct limit will not stop it. In the more characteristic circumstance, where Congress does care about, and is attentive to, constitutional structure, the formal limit of official conduct is not necessary and may render the remedy of impeachment unavailable in cases where a President's unofficial conduct causes serious public harm. (221)

Broderick is another scholar that agrees with Katyal on the matter of congressional interpretation. Broderick writes that: "there are legitimate political factors that might justify a vote against impeachment in some cases, even when there is adequate evidence to meet the constitutional standard of impeachable offenses" (556). In Broderick's view, the House and the Senate are under obligation to provide both a legal and a political judgement; "the legal

judgment is that the evidence before it shows an impeachable offense in the constitutional sense. The political judgment is that some 'high crime' or 'high misdemeanor' is sufficiently serious to justify impeachment" (555-556).

As possible circumstances in which voting against impeachment might be legitimate, even if there is evidence of an impeachable offense, Broderick mentions: "the availability of a less drastic means to achieve removal", "the consequences of the removal of the president at a particular time", "consideration of the constitutional 'high crimes' or 'high misdemeanors' in light of the positive qualities the incumbent may still effectively exert in the public interest" (556). For Broderick, this is all "politics, but on the seamy side, until it lapses into raw partisan advantage without regard for the facts" (557).

While accepting impeachment as political, that should not necessarily be equated with understanding impeachment as a process that is supposed to be partisan in nature. The reason the Senate trial requires a two-thirds majority to remove the president is to limit the chance of a partisan-motivated removal of a president (Broderick, 555). While the two-thirds required in the Senate trial have historically lowered the number of removals - limiting the likelihood of a partisan decision - it has also meant there have been zero presidential impeachments. The demand for supermajority, having saved us from partisan impeachments, has perhaps not saved us from equally partisan acquittals.

Part of the previously mentioned lack of epistemological clarity about impeachment arises from the inability to clearly mark it as a political process. Elections are a process with a clear political purpose, and a part of what we consider not only standard, but a bare necessity for a modern democracy. Elections are perfectly acceptable and utterly non-scandalous in a democracy, apart from the occasional conflict over gerrymandering, electoral colleges, and other matters occasionally brought into focus during the course of US elections. Despite these issues, elections and election campaigns are regarded as a perfectly standard fare in a modern

democracy. They are viewed as necessities with a clear political function, one that is not in any way erased from the public perception of either the election process itself or the election campaigns. The fight is explicitly political. Who can get most people to agree with their expressed political views, or who can get most people to like them for whatever reason, gets the most votes, and thereby the legitimate power to govern. The electoral college aside, that is mostly that.

Impeachment is different. Usually, when people are talked of as being convicted, or having committed a crime, decisions about this are made in courts. Of course, they can be talked about outside of courts, but the verdicts of the judges or the juries are the ones that matter, carry the most weight and have real consequences. Judges are not elected by voters, and they do not need to abide by voters' wishes. The judges need to decide on the facts of the case and apply the law in question to it. Impeachment and removal are decided by elected representatives in Congress, all elected in their districts and states, representatives of their constituencies, responsible to them for their behavior, and subject to not being re-elected if their constituency so desires.

Regardless of how many political scientists, historians and legal experts seem to be in agreement about not only the practical existence of impeachment as a political process, rather than a judicial one, as well as in agreement about the legitimacy of impeachment existing as a political process, this is not a universally accepted attitude. The acceptance is closer to universal in scholarly circles, but outside of it, the stance is decidedly less universal. It is this discrepancy in conceptualization that is often used to paint the ongoing impeachment process in a particular light. Specifically, there is the inclination to paint *the other side* as the one in the wrong and wrongfully interpreting the Constitution, and one's own side as the one being slighted, or morally justified. Katyal explains why this should be considered a problem:

There is an evil greater than that produced by an indeterminacy over the meaning of

'high crimes and misdemeanors' - namely, the hiding of political motivations through constitutional argument. When politicians are able to argue that the Constitution 'compelled' them to impeach (or not to impeach), to remove (or not to remove), they hide their extraordinary political aspirations. Appeals to history in this context can be dangerous and counterproductive because they may mask the role politics plays in the process, and thereby interfere with political accountability. (176)

This kind of reasoning, according to Katyal, "imposes a cost, the deflection of responsibility" (176-77). As far as the perceived dangers are concerned, and talking about the Clinton impeachment, Katyal reasons that: "there is, in this sense, less to fear from the Republican position, which was obviously political, than there was from the Democrats, whose constitutional position was more credible, and thus more likely to detract attention from their own role in the process" (176-77).

The solution to this, according to Katyal, is transparency: "In the congressional arena, we expect politics is going to have a role in interpretation. Virtue exists in letting that role be open, unabashed, and honest" (176-77). When any call for transparency is made in a democracy, the attention immediately shifts to the media. The next section of the paper examines the current state and role of the media in reporting about Donald Trump's impeachments.

3. The U.S. media and President Trump's Impeachments

There have been many discussions about media in the last decade, specifically about the internet, and the changes it has brought on, whether as a channel of communication or information technology. Echo chambers, filter bubbles, fake news, confirmation bias, are only some examples of terms that have found their way into a discourse about the media,

whether popular, journalistic or academic[6]. Through these texts, many of these and similar terms have found their way into the public eye. All of them have been used to qualify and quantify the changes brought on by the internet.

As the internet slowly became a mainstream, and then the dominant tool for communication and information-gathering, and more pertinent to this paper, for reading news, this has served to generate specific interest into how people read news online. Where do they get it, how do they choose it, how much do they read, how much of it do they trust, and how do they engage with it? Some of these phenomena are related more closely to social media than to news, but there is some overlap in both terminology and practical mechanisms relevant to looking into news-reading.

Many people over the course of modern history have realized and pointed to the inherent connection between a democracy and access to information. From Founding Father and former President Jefferson writing: "Wherever the people are well informed they can be trusted with their own government; that whenever things get so far wrong as to attract their notice, they may be relied on them to set them to rights" ("From Thomas Jefferson to Richard Price, 8 January 1789") to a memo circulating in the news oriented HBO series *Newsroom* proclaiming that: "nothing is more important to a democracy than a well-informed electorate" (Sorkin). This intrinsic connection of access to information and democracy has driven many investigations into modern media, especially the internet, as a method of sharing and receiving news and information.

To turn to a more scholarly view of the matter, Klepka writes about citizens and media that: "The issue and threat that all democratic states without exception have to deal

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[6] See Nolan Higdon's writing about fake news (*The Anatomy of Fake News: Critical News Literacy Education*) for an example of academic writing, Eli Pariser's *The Filter Bubble: What the Internet Is Hiding From You*, that introduced the term *filter bubble* as an example of more popular writing, and an ABC News article titled "Experts say echo chambers from apps like Parler and Gab contributed to attack on Capitol" for an example of journalistic writing on the matter.

with is the problem of reliably informing citizens about political processes" (31). Klepka, like other scholars investigating the sharing of information in the media in the 21st century, especially in the 2010s and 2020s, is quick to assert that there seems to be something wrong in the process, writing: "nowadays the processes of informing citizens are increasingly deliberately isolated from the truth based on facts, aiming at simplifications and interpretations adapted to the intentions of the broadcasters" (32). This is illustrative of other similar claims which state that there is something wrong with how the internet is used to inform people.

While one of the claims commonly made of people's online experiences is that they are individual and separate from other individuals' online experiences, recent research indicates that the personalization of content through algorithms and recommender systems does not have a significant effect on the users (Haim et al.). While social media on its own is not relevant for this paper, it is relevant for getting news. 18% of US adults get most of their political news on social media (Jurkowitz and Mitchell, "Americans who primarily get their news on social media"), but at the same time, social media is more distrusted than trusted as a political news source by US adults (Jurkowitz and Mitchell, "An oasis of bipartisanship").

Most social media users get their news from social media, as the people, corporations or news outlets that they follow, or subscribe to, share links to their articles, usually the newest and the most relevant ones, whatever exactly relevant might mean. A 2021 Pew Research Center survey found that over 50% of US adults often get news from their digital devices. Hence, for many US citizens browsing through their feeds on their social media and scrolling through the homepage of their preferred news site encompasses the most of their information-gathering.

As this paper deals with Donald Trump's two impeachments, the news reading habits of the adult US population during the time of the impeachments are relevant. The first

impeachment of Donald Trump took place in December 2019. The surveys for the study by the Pew Research Center called: "US Media Polarization and the 2020 Election" were done in October and November and 2019. This corresponds to the period of Donald Trump's first impeachment, making this information relevant for the paper. The study by the Pew Research Center collected data about which news sources are used by US adults, how often, and how much they are trusted. The key findings were that:

- "Democrats report much higher levels of trust in a number of news sources than Republicans" (Jurkowitz et al. 10)

- "Americans are divided by party in the sources they turn to for political news" (Jurkowitz et al. 17)

- "Partisan divides lead to one-sided audiences for many news outlets" (Jurkowitz et al. 19)

- "About two-in-ten in each party are in tight political news bubbles" (Jurkowitz et al. 20)

- "In recent years, partisan media divides have grown, largely driven by Republican distrust" (Jurkowitz et al. 26)

These findings paint an interesting, if not unexpected picture, if all the other recent writing about media polarization is also to be considered. Overall, it seems that: "Republicans and Democrats place their trust in two nearly inverse news media environments" (Jurkowitz et al. 4). Republicans and Republican-leaning readers view many news sources as untrustworthy, while Democrats and Democrat-leaning readers rely on more sources and find more sources credible (Jurkowitz et al. 4). The divides are less pronounced among moderates, and more pronounced between those who lean stronger towards conservative or liberal beliefs, respectively (Jurkowitz et al. 4).

Even if some Americans get their news from various sources, that does not mean they necessarily trust these sources, as "the data reveals that while 24% of Republicans got news from CNN in the past week, roughly four-in-ten who did (39%) say they distrust the outlet. And of the 23% of Democrats who got political news from Fox News in the past week, nearly three-in-ten (27%) distrust it" (Jurkowitz et al. 9).

In the context of this paper, these facts provide part of the explanation as to why some of the analyzed headlines and articles are, for lack of a more appropriate phrase, running on parallel tracks. Claims are presented as true, or their complete opposite is presented as true, without seemingly any middle ground; in rare cases there is a perfunctory acknowledgement of the fact that someone somewhere is claiming the exact opposite of what a particular news source is claiming. Adding to this the phenomenon of confirmation bias, it might be the case that the people distrustful of particular news outlets simply wish to reinforce their bias towards their trusted news sources by reading and continuing to reinforce their disagreement with their reporting and (expressed or implicit) attitudes.

A parallel phenomenon worth a mention in a discussion of news sharing and reading is moral outrage, or specifically, generating moral outrage. While studying social media, researchers have observed that "the presence of moral-emotional words in messages increased their diffusion by a factor of 20% for each additional word" (Brady et al. 7313). While this (and similar studies) deal explicitly with social media, not news outlets, it does not seem like a stretch to observe that if generating moral outrage is positive for engagement in regard to sharing messages on social media, the same might apply for sharing news articles, and then influence the writing of said news articles and their respective headlines.

To exemplify this, when analyzing news about Donald Trump's impeachment in the media, during the second impeachment, there was a lot of talk of Democrats violating Donald Trump's due process rights. There were either headlines asserting that the violation

happened, without a doubt, and that this violation was something horrible, and that it means something horrible about the Democrats who committed it, or there were headlines stating that no due process rights were violated, or that due process rights cannot even be violated at all. Two entirely distinct, contradictory sets of narratives - realities - of Donald Trump's impeachment, running in parallel to one another, and only briefly and superficially, if at all, acknowledging the existence of the other narrative. The matter of due process rights in Donald Trump's impeachments is analyzed in more detail later in the paper.

A brief mention must be made to the previous section pertaining to the image that Donald Trump attempted to create. News headlines and articles do not exist in a vacuum - they are interconnected with other parts of our reality, including past media coverage. This is important, because "for propaganda to function, it needs a previously existing narrative to build upon, as well as a network of true believers who already buy into the underlying theme" (Prier 56). This is discussed in more detail in the media discourse analysis section, but this violation narrative plays its role as part of the previously established narrative of the corrupt political establishment turning against Donald Trump.

4. Media discourse analysis

The problem with interpreting impeachment that translates into a problem with analyzing the media discourse on impeachment, is the aforementioned lack of clarity about what impeachment is, and most practically relevant, what the process of impeachment entails, what its goals are, and what they should be. This lack of clarity, while creating a problem, simultaneously creates a suitable entry point for a media discourse analysis. What lack of clarity, if any, that was discussed in the previous sections of the paper, can be found to exist in the news coverage of impeachments of Donald Trump?

To approach the media discourse analysis and to talk about the news that someone actually reads, Google Trends was consulted, to get a sense of when there was most public interest in Donald Trump's impeachments. To achieve that purpose, Google Trends[7] results for the "Trump impeachment" search were analyzed. Due to the author's interest in tackling this topic partially being piqued by a specific set of news stories, and because, to the author's knowledge, there was no specific issue related to the interpretation of impeachment proceedings more pertinent to Donald Trump's impeachment than the matter of due process rights, which reared its head during both impeachments, the trends for "due process impeachment" are also looked at. The analyzed trends and peaks of searches refer to the USA in the time period from 2017 to 2021. Google Trends provides data for the number of searches for a term within the span of a week, so that is how the data is presented here.

As far as the general interest in the impeachment goes, as measured by the number of searches of the term "Trump impeachment" there is one noticeable peak of public interest, at least as much as the term 'public' here is understood to mean 'the Google-using public'. The top five weeks by amount of Google searches for the term 'Trump impeachment' from 2017 to 2021 are as follows (Google Trends, "Trump impeachment"):

1.   15-21 Dec 2019

2.   10-16 Jan 2021

3.   7-13 Feb 2021

4.   22-28 Sep 2019

5.   2-8 Feb 2020

The first is the week between 15th and 21st December 2019. The impeachment vote in the House for Donald Trump's first impeachment took place on December 18th, which

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[7] Google Trends is a tool provided by Google, available to the general public, that gives information on the number of searches for a specific term/query in the specified period. It does not give absolute numbers, but it does provide information on relative popularity of the search term, as well as the popularity trends.

would explain the peak of interest. The second peak, between January 10th and 16th 2021

corresponds to the second impeachment vote in the House, and the third highest peak,

February 7th - 13th 2021 corresponds to the second Senate impeachment vote. On September

24th, 2019, Nancy Pelosi announced that a formal impeachment inquiry into Donald Trump

would begin. As the vote in the Senate in the first impeachment happened on February 5th,

that would explain the high interest in the week of February 2nd. It is worth noting that

interest in looking up Trump impeachment was by far the highest in the week from December

15 to 21st 2019. If that amount of interest is taken to be 100% of interest, the second highest,

from Jan 10-16 was only 39%.

The second area of interest for the author was the matter of due process rights. While

doing preliminary research for the paper, as well as following the news for personal pleasure,

the author noted an ongoing theme of due process rights pertaining to impeachment, during

both impeachments, but especially the second. The peaks of the number of searches in the

USA for "due process impeachment" which can be safely presumed to be motivated by

Donald Trump's impeachment and congressional inquiries, as ordered by the level of interest,

are as follows (Google Trends, "due process impeachment"):

1. 7-13 Feb 2021

2. 13-19 Aug 2017

3. 15-21 Dec 2019

4. 10-16 Jan 2021

5. 20-26 Oct 2019

Some weeks noted here correspond with peaks of interest for 'Trump impeachment'.

The weeks that do not are 13-19 Aug 2017, which corresponds to Donald Trump's public

address following the Charlottesville protest on Aug 12, and the week from 20 to 26 October,

during which the House impeachment inquiry preceding the 2019 impeachment was taking place.

It is worth noting that the level of interest for 'due process impeachment' is lower than the general interest for impeachment. However, due to a) interest existing both in searches corresponding to events pertaining to impeachment, and in media coverage, and b) its relevance for investigating empirical uncertainties tied to impeachment, the media coverage related to 'due process' in impeachment is included in the analysis.

The reasoning behind looking into Google Trends is to find focus points for the research. Following the analysis of the interest peaks, the author analyzes the key moments in media coverage. As no officially stated figures for the number of times particular articles have been read are available, the peaks of interest are the best possible source for at least narrowing down the time periods in which articles can be argued to have reached a wide audience, as the Google users looking up these terms would have encountered a variety of news articles corresponding to their queries. Two questions remain: how to choose the specific texts, and which tools to approach the analysis of the chosen media discourse with?

As far as the choice of specific texts is concerned, the author wishes to provide two different types of analyses, on two different sets of data. One data set is analyzed using a more qualitative approach and is an in-depth look at the coverage of the results of the votes in Donald Trump's impeachments, as it is indicated by the Google Trends data that these votes were followed by the public and caused a lot of public interest. As a more in-depth look is desirable in this situation, it makes sense to limit the articles analyzed to a smaller number, and to choose comparable articles, meaning articles that were published at the same time, and pertained to the results of the vote whether in the House or the Senate. This is an appropriate point to, once again, consult the "U.S. Media Polarization and the 2020 Election" report by the Pew Research Center.

According to this report, CNN is the most trusted news source for Democrats (and people who lean towards Democrats), with 67% of surveyed Democrats expressing trust in CNN. In parallel to this, 65% of Republicans in the same survey (including people who lean Republican) expressed trust in Fox News. 53% of Democrats in the same survey reported that they have got political news from CNN in the past week, making CNN the most commonly used news source for Democrats, while 60% of Republicans stated that they have got political news from Fox News in the past week, making Fox News the most commonly read news source for Republicans. In the same survey, CNN and Fox News were found to be the most trusted news sources among both liberal and moderate Democrats, and conservative and moderate Republicans, respectively. CNN and Fox News are also reported to be the most distrusted news source by Republicans and Democrats, respectively. In addition, despite Republicans' mistrust in CNN, 24% stated they have read political news from CNN in the past week. 23% of Democrats said the same of Fox News. The average Fox News reader leans conservative while the average CNN reader leans liberal (Jurkowitz, Mark, et al). All this data is why part of the research, attempting an in-depth look at a smaller number of articles, takes as its data articles covering the impeachment votes in the House and the Senate by CNN and Fox News. Both Google and Fox News and CNN's search tools were utilized to arrive at articles obviously pertaining to the voting results, which presumably would also be what the readers would have looked at when looking up the results of the vote.

The other data set lends itself to a wider, more quantitative approach, and attempts to give an overview of the media coverage, specifically headlines, published by various news sources related to the matter of Donald Trump's due process rights being violated during the impeachment proceedings, interest in which also existed, as evidenced by the second Google Trends data set. To gather articles, and specifically article headlines, for this data set, the author did a Google search for "due process impeachment" or "due process Trump

impeachment" and only looked at the headlines corresponding to one of the peaks of interest, as indicated by Google Trends. As far as methodology is concerned, this now leaves one question unanswered: how to approach analyzing the media discourse selected?

There are separate and independent - to some degree - fields focused on the work of analyzing texts, media texts included. Operating inside one or occasionally multiple fields of linguistic research, such as stylistics and discourse analysis, various researchers attempt to provide explanations of the relations between concepts such as meaning, society and ideology. Politics, as a field where all the above meet and intersect, is usually not far behind in relevance and interest. While earlier in the paragraph I refer to these as fields, they can also be said to encompass different sets of tools and different areas of interest. Regarding discourse, and how it should be analyzed, Fairclough provides a possible way of understanding the term discourse:

> I see discourse as a complex of three elements: social practice, discoursal
>
> practice (text production, distribution and consumption), and text, and the
>
> analysis of a specific discourse calls for analysis in each of these three dimensions
>
> and their interrelations. The hypothesis is that significant connections
>
> exist between features of texts, ways in which texts are put together and
>
> interpreted, and the nature of the social practice. (Fairclough, *Critical Discourse*
>
> *Analysis*, 59).

Fairclough also believes it is important to understand that mere analysis of texts is not sufficient and cannot be used to speak conclusively of ideologies possibly found in those texts:

> While it is true that the forms and content of texts do bear the imprint of ideological
>
> processes and structures, it is not possible to 'read off' ideologies from texts. This is

because meanings are produced through interpretations of texts and texts are open to

diverse interpretations, and because ideological processes appertain to discourses as

whole social events – they are processes between people – not to the texts which are

produced, distributed and interpreted as moments of such events. (Fairclough,

Critical Discourse Analysis, 57)

This point is stressed as it is the reason why it is necessary to look into the history of

impeachment and its epistemological uncertainties, Donald Trump's media stature, and into

the current media landscape and news reading habits, when attempting a media discourse

analysis of the media coverage of Donald Trump's impeachments. Fairclough points out that:

"discourse is shaped by structures, but also contributes to shaping and reshaping them, to

reproducing and transforming them" (*Critical Discourse Analysis*, 59). Discourse cannot be

understood without understanding its underlying structures, as both are shaped and influenced

by one another.

As far as specific methodology, or tools that are used in the discourse analysis is

concerned, Fairclough provides good guidance on what to do. He regards textual analysis as

subsuming both linguistic and intertextual analysis, linguistic analysis meaning phonology,

grammar, vocabulary, semantics, but also analysis above the sentence level, including

structure of texts. The intertextual analysis, Fairclough claims, is supposed to analyze how

texts draw upon "orders of discourse - the particular configurations of conventionalized

practices (genres, discourses, narratives, etc.) which are available to text producers and

interpreters in particular social circumstances'" (Fairclough, *Discourse and Text*, 194).

Following Fairclough's guidance, it can be concluded that the researcher can and

should analyze both the 'internal' making of a text, as well as a relationship between the text

and everything outside the text - in case of political news coverage, this can be understood to

immediately include at least the actual events taking place, as well as other news coverage. This is the perspective and its corresponding toolset that is used to analyze the media coverage of Donald Trump's impeachments in this paper.

5. Analysis: coverage of impeachment votes by CNN and Fox News

The problem with understanding and interpreting impeachment, which translates into a problem with interpreting discourse on impeachment, is the lack of clarity of what the process and the purpose of impeachment is. This pertains to both a procedural lack of clarity, particularly as the process is quite rare, and a conceptual lack of clarity over the process. Since these issues arise due to a lack of agreement over some facts and perspectives on impeachment, it is useful to analyze media statements about impeachment (directly or indirectly) which pertain to the nature of impeachment. This can be done by analyzing the semantic meaning of the sentences. For this analysis, I am borrowing a pragmatic model of meaning from "Language, Ideology and Point of View" by Paul Simpson. To do this, it is first necessary to briefly go over the concepts of entailment and presupposition, as used and explained by Simpson, and consequently, how they are used in this analysis.

An entailment is "the most 'literal' component of a sentence's meaning as it expresses a core proposition which remains stable whatever the context in which the sentence occurs" (Simpson, 113). Related to the concept of entailment are the concepts of truth-conditions and truth-value. "Truth-conditions form the bedrock of semantic description by specifying the components of meaning which give a sentence an overall truth-value" (Simpson, 114). In simpler terms, if there is a sentence, and from it follows an entailment, there are also truth-conditions which must be met, for the sentence, or better, the entailment, to be true. If truth-conditions are met, and a sentence is true, so are its entailments.

For a pragmatic analysis of meaning, however, entailment and truth-conditions are not enough. One must also analyze what Simpson refers to as presuppositions. While "the truth-value of entailments rests on whether the sentence as a whole is true or false, presuppositions operate under no such constraint" (Simpson, 115). They can be true even if the entailments are not. Presuppositions, according to Simpson, can be divided into three categories: existential, logical, and pragmatic. Existential prepositions "state the existence of certain referents in the sentence" (Simpson, 115). Logical presuppositions are ones that can be logically presumed from the content of the sentence. Pragmatic presuppositions do not have any relation to truth-conditions but can contain additional meaning. They "reside in the shared conventions of language use, rather than in the more formal patterns of its logical structure" (Simpson, 118).

The outline of the terms stated above demonstrates why they are a suitable tool for analyzing discourse on impeachment. These tools will allow information about impeachment based on other sources to be taken into account, and to see how the entailments and presuppositions of the sentences from the articles compare to what is known about impeachment.

Armed with these tools for a pragmatic analysis of meaning, let us now look at two articles. One is by CNN and the other is by Fox News, and both were published on February 5, 2020, following the Senate vote in Donald Trump's second impeachment: [8]

CNN: It's done. Trump has been acquitted (Wolf)

Fox News: Senate acquits Trump on abuse of power, obstruction of Congress charges (Re)

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[8] While both articles' authors are cited on the news sites, and the names are cited once here in the text, and are listed in the Works cited list, for clarity's sake, in the analysis itself, the articles are referred to as the CNN and the Fox News articles.

To begin, let us look at the second sentence in the CNN article:

> Just the third President to face impeachment, Trump will remain in office – like Bill
>
> Clinton and Andrew Johnson – but he was robbed of the ability to dismiss the
>
> impeachment as a partisan hoax by Utah Sen. Mitt Romney, the former Republican
>
> presidential nominee, who sided with every Democrat and agreed that Trump abused
>
> his power and was guilty of "an appalling abuse of public trust."

This sentence contains a number of entailments (propositions that can be surmised to be true from the sentence alone, regardless of the context of the sentence). These are some of them:

- Trump is the third president to face impeachment.

- Trump will remain President after the impeachment process.

- Bill Clinton and Andrew Johnson remained presidents after their impeachments.

- **Trump cannot claim that this impeachment was partisan. (emphasis mine)**

- Romney voted to impeach Trump.

- All Democrats voted to impeach Trump.

- The Democrats and Romney believe Trump abused his power.

- The Democrats and Romney believe Trump abused public trust.

None of these entailments seem controversial, except the one emphasized: that Trump cannot claim that this impeachment was partisan. If this entailment is to be analyzed, that requires further investigation of what 'partisan' means in the context of impeachment. But that is the job more suitable for presuppositions. For now, let us simply presume that CNN is here using the term partisan to mean "strongly supporting a person, principle, or political party, often without considering or judging the matter very carefully" (*Cambridge Dictionary*) and let us leave the more detailed exploration of that for later.

Presuppositions, as previously noted, are different from entailments. They are part of the meaning and are true regardless of whether the sentence and the entailments are true. Existential presuppositions are presuppositions about entities that we can surmise exist, based on the sentence in question. According to these sentences, entities that exist are:

- Donald Trump, Bill Clinton, Andrew Johnson, the office of the President of the USA, impeachment, **partisan hoaxes**, the Republican party, presidential nominees, the Democratic party, abuse of power, abuse of public trust.

These are here merely to illustrate better how presuppositions work, and are, most of them, in themselves, not relevant for this paper. Except, the one in bold - partisan hoaxes. Partisan hoaxes are brought into focus at a later point in the paper.

Logical presuppositions following from the sentence: (Logical presuppositions can logically be deduced from the sentence and can be true even if the sentence is not true.)

- Having one Senator of their party vote for impeachment makes it impossible for a President to dismiss impeachment as partisan.

In addition to this, the CNN article brings Romney's words directly, citing him as having said that: "Were I to ignore the evidence that has been presented, and disregard what I believe my oath and the Constitution demands of me for the sake of a partisan end, it would, I fear, expose my character to history's rebuke and the censure of my own conscience" (CNN). This is presented without much commentary on CNN's end, but a statement like this, oriented towards an explanation of how Romney would not disregard his ethics for the sake of a partisan decision, paints a clear picture: this impeachment was not driven by partisan motivation, and the 'dissent' in the ranks of the Republicans by Senator Romney was a moral and ethical choice.

Let us now look at the Fox News coverage. As the key word above in the CNN coverage seems to be partisan, let us first look at the appearance(s) of the word 'partisan' in the Fox News coverage: (The emphasis of the word partisan is mine.)

Sen. Lindsey Graham, R-S.C., a close Trump ally, celebrated the end of the "**partisan**-driven impeachment" that has "done injury to the office of the presidency and was an injustice to President Trump."

(...)

Ahead of the vote, Republican and Democratic leaders referenced those tensions as they addressed the Senate. McConnell warned of "truly dangerous" Democratic **partisans**, saying they insist on taking down institutions that do not produce the outcomes they desire.

(...)

"This **partisan** impeachment will end today," McConnell said. "But, I fear the threat to our institutions may not. Normally, when a party loses an election, it accepts defeat. ... But not this time."

While the Fox News text does not itself claim that the impeachment was partisan - similarly to how CNN does not actually comment on Romney's moral stance, merely presents it, Fox News merely presents the words of other Republicans, but the words explicitly identify this impeachment as partisan, and the Democrats as partisan.

As our interest in this paper lies in impeachment, let us look at what can be concluded about this impeachment from the articles. These excerpts are either directly copied from the articles or are slightly altered for clarity's sake:

Fox News	CNN
General impressions	General impressions
"the only party defection" "a political loser" "Democrats think they know better than voters of this country"	not a partisan hoax "Romney does not want to be viewed as putting his party over his moral compass"
Historic import of the impeachment	
"historic rejection of Democrats' claims"	"Romney made history as the first senator to vote to remove a President of his own party"
The expected result of the vote	
"went as well as it could go" "the final result had been expected for months"	"that the President would survive the impeachment was never really in question since Republicans hold a majority in the Senate"
Was there ground to impeach and remove Trump?	
"perplexed by Democrats' arguments" "more witnesses and evidence were desperately needed" "witch-hunt that deprived the President of his due process rights and was based on a series of lies" "sham" "kangaroo court"	"Americans learned many things about what Trump and his associates did in Ukraine to pressure that country's leader to investigate Trump's US political opponents" no exculpatory evidence provided by the White House there were some "GOP colleagues who criticized Trump's behavior but opposed the impeachment"
Motivation behind the attempt to impeach	
"a thoroughly political exercise" "aimed at overturning the results of the 2016 election and interfering with the 2020 election" "partisan-driven" "this should finally slam the door on the sick obsession these socialist Democrats have with harassing President Trump" "driven by an unlimited hatred of President Trump"	
Consequences of the impeachment/vote	

"done injury to the office of presidency and an injustice to President Trump" cloud over the presidency "a colossal political mistake" "may have backfired politically for Democrats"	"the President brushed off his impeachment" "Is it time to freak out? Maybe." "it is dangerous to the fundamental principles of American democracy to use the power of the federal government for personal or political gain"

Looking at the excerpts from the Fox News article and the CNN article, there seems to be exactly one area regarding impeachment that Fox News and CNN agree about: that the result of the vote was expected. Considering what we know of impeachment, and the other contents of the article, what can be understood from this?

First, both CNN and Fox News believe that the result of the vote was expected. But this cannot be the result of it being clear what to them the truth of the matter was - or at least, it cannot be because of a truth that CNN and Fox News share. While neither Fox News nor CNN explicitly support or oppose the result of the vote, the texts themselves, especially when interpreted with the knowledge that CNN is widely considered to be Democrat-leaning and Fox News to be Republican-leaning, can easily be understood as providing support for their politically preferred result.

CNN points out the moral and ethics behind Romney's choice and asks if it is time to 'freak out'. Fox News goes on and on about what a bad political move this was for Democrats, and how the motivation for impeachment was chiefly to achieve a political goal - it was 'partisan'. CNN explicitly denies the idea that this impeachment was merely a 'partisan hoax' on the strength of Romney's 'historic' vote against his party's president. Fox News finds something 'historic' in the 'rejection of the Democrats' claims' but it is not explicitly clear what that historic something is. Fox News very dryly presents Romney's reasoning for voting to remove as: "Romney explained he would acquit on the obstruction count, saying House Democrats had chosen not to respond to the White House's legal

arguments against the subpoenas". CNN brings a more emotionally charged account of Romney's reasoning, and quotes Romney as saying: "Were I to ignore the evidence that has been presented, and disregard what I believe my oath and the Constitution demands of me for the sake of a partisan end, it would, I fear, expose my character to history's rebuke and the censure of my own conscience." In addition, CNN describes Romney's speech as 'thoughtful' and associates the decision with Romney's faith.

Fox News does not provide any elaboration of why the result of this impeachment was expected. CNN explicitly links the result of the vote with the fact of Republicans having a majority in the Senate. CNN, therefore, is explicitly operating under the assumption that the impeachment vote in the Senate will follow party lines. This, however, would seem to make the impeachment inherently 'partisan'. However, Romney's vote, as explicitly noted by CNN, makes this impeachment not a 'partisan hoax'. This tension between impeachment inherently being a partisan process, and simultaneously not being a partisan process, is never addressed or resolved within the text. The only relevant mention of partisanship made in the Fox News article is of the Democrats' motivation for impeachment, not of the vote itself. Judging from what little content there is, it can only be concluded from the Fox News coverage that Democrats acted in a 'partisan' manner, and Republicans did not.

The only truth, then, that CNN and Fox News agree about, as they are not really in agreement about the result of the vote being expected, is about impeachment possessing the ability to be partisan, but not if this impeachment, and in which aspects, was indeed partisan.

Having analyzed this text, the results are interesting. Apart from the actual number of votes, the ability of impeachment to be partisan, the immediate result of the impeachment (President Trump not being removed from office), and the fact that Senator Romney voted to remove Trump and stated that this was because of a lack of exculpatory evidence, there is nothing else that these two articles have in common. The facts they deem and present as

relevant are different, their assessment of the partisanship of the impeachment in question is different, their presentation of the historic significance of this vote is different, and perhaps most importantly, their assessment of the consequences of this impeachment for politics and for the country is different.

"There is an evil greater than that produced by an indeterminacy over the meaning of 'high crimes and misdemeanors'," Katyal says of impeachment, "namely, the hiding of political motivations through constitutional argument. When politicians are able to argue that the Constitution 'compelled' them to impeach (or not to impeach), to remove (or not to remove), they hide their extraordinary political aspirations" (176). While Katyal says this of politicians arguing that they are merely abiding by the Constitution by impeaching or not impeaching, the reasoning, though with different consequences, clearly can and should be extended onto news coverage of impeachment. In a way, CNN and Fox News would be performing a much better - at least if we consider better as meaning 'more honest' - service to the people if they outright disclosed their political preferences, instead of mostly withdrawing from providing their own explicit commentary and resorting to handpicking people to speak to, what parts to quote from those people's statements, and naming circumstances 'historic' without necessarily explaining what it is that makes them such.

6. Analysis: headlines about due process rights

There was another interesting phenomenon pertaining to news coverage of alleged due process rights violations done to Donald Trump during both impeachments. A (non-exhaustive) overview of interesting headlines pertaining to due process rights is given below:

Headlines claiming a denial/violation of due process rights:

Breitbart	Ken Starr: Impeachment Violated Due Process and the Constitution
Fox News	Sen. Thom Tillis: Democrats deny Trump due process rights in impeachment push
Yahoo	Matt Whitaker says impeachment inquiry has trampled President Trump's due process rights
Fox News	Starr: Trump impeachment trial in 'violation of due process'
Mediaite	Mark Levin Slams Impeachment, Claims Trump 'Gets Less Due Process Than The Terrorists on 9/11'
Fox News	Sen. Linsey Graham: Give Donald Trump the same rights as Richard Nixon and Bill Clinton
Fox News	Trump: Nobody's ever had such horrible due process
Fox News	Democrats admit they abandoned precedent, denied Trump due process in impeachment

Headlines (or articles) claiming no denial/violation of due process rights:

Washington Post	Trump attorneys falsely claim he was denied 'due process'
The Atlantic	Due-Process Rights Don't Apply in an Impeachment Trial
USA Today	Trump says he has been denied due process. But the Constitution does not afford him that.
USA Today	Trump slammed by lawmakers after he called impeachment inquiry a 'lynching'
Five Thirty Eight	The Constitution Doesn't Give Presidents Any Protections During Impeachment
Reuters	Explainer: Does the impeachment probe violate Trump's civil rights?
PolitiFact	Trump lawyer claims lack of due process in House impeachment. 3 reasons the law doesn't back him up
CNN	Fact check: 65 ways Trump has been dishonest about Ukraine and impeachment
CNN	Fact check: Trump lawyers make multiple false claims in impeachment defense

The New York Times	'Constitutional Nonsense': Trump's Impeachment Defense Defies Legal Consensus

These two lists are not exhaustive. The lists were created by using Google to look up the query "Donald Trump impeachment due process rights" in August 2022 and December 2022. Other news outlets had also written about Trump's due process rights, whether about how they had been violated or the opposite, how they had not been.

Even looking at a limited sample of headlines, it is obvious that they do not produce the same suppositions or entailments: these two groups of headlines cannot simultaneously be true. Either rights were violated, or rights were not violated. Apart from this, a few other things are worth mentioning. First, here is a clear example of the earlier mentioned lack of clarity regarding impeachment influencing news coverage, and thereby, readers reading the news, and their opinions and attitudes on the matter. Even if US citizens were knowledgeable about impeachment in 1998, because they were following news about Bill Clinton's impeachment, that is a long time to keep arguably irrelevant information in mind, especially if you have not had use of it in twenty years. There were many explainer articles, first around the time of Mueller's special investigation, and especially later, when Democrats started publicly talking about possibly impeaching Donald Trump[9]. These articles attempted to provide some information about impeachment to the general public, presumably motivated by the idea that the general public does not have adequate information on this subject. However, there is no reason to claim that the same news biases that accompany other news coverage would not have any impact on either the texts or the readers of the same texts, limiting the ability of even in-depth writing on the subject to inform citizens.

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[9] For an example, look at "Impeachment of the president, explained" (Prokop) originally published on Jan 3, 2019.

Another point to examine is how these claims of due process rights being violated fall within the framework of the previously established narrative reinforced by Donald Trump of establishment politicians being corrupt and only selfishly seeking to gain power for themselves. The mere existence of these headlines points to the fact that they are created with the idea that they can and will be believed, similarly to how the Fox News coverage of the impeachment vote, analyzed earlier, makes use of the same narrative. For these headlines and articles to be believed, it is necessary for them to be able to fit into an existing narrative: that of corrupt, self-interested politicians.

Furthermore, the lack of clarity about impeachment makes it likely that readers will believe whichever news source they wish to believe, especially since the alternative to that is essentially launching into an investigation of impeachment proceedings, for which most readers of news are neither equipped for nor do they have the time to devote to it. While the historical, political and legal research done in the process of writing this paper confirms the assumption that there are no due process rights that must be protected during an impeachment, those texts are not accessible or, in some cases, made available to the general public. The only viable option is to believe the news coverage, and when there is news coverage that diametrically opposes other news coverage, the most viable option becomes believing the news site you were inclined to believe in the first place. One can easily see how merely believing one part of news coverage that you were already intent on believing, while the other half of the population does exactly the same, but with a set of headlines and articles claiming the exact opposite is hardly fruitful ground for mutual understanding and coexistence.

7. Conclusion

Rodgers, in his analysis of Trump's political career, writes that: "When all politics is personal and all facts relative to the informational preferences of the voter, there can be no

politics at all" (16). While Rodgers was writing about Trump's candidacy, the Republican primaries and the 2016 presidential elections, this claim is no less applicable to the state of politics and news writing about impeachment examined in this paper.

Impeachment, having in mind the sources analyzed in this paper, is both more and less confusing than it initially seems. There seems to be academic consensus on some matters - whether impeachment is and should be treated as a political process, that there is room for political, if perhaps not partisan aspirations in deciding about impeachment, and primarily there is consensus over the fact that there has to be a method for removing from public office a person who has been shown to not be serving public interest, but something else entirely.

What there is no consensus on is how to establish these matters in practice. The media coverage analyzed in this paper shows that the news media are not able to reach consensus on anything, except for the most basic facts and events. In addition, the question of whether this current form of impeachment is the best or the most suitable for its purpose, remains unresolved.

If the news coverage analyzed in this paper is any indicator, there is certainly room for improving if not the public's knowledge and understanding of impeachment, then at least the public's willingness to become more educated in these matters. The media coverage analyzed in the paper shows that a lack of knowledge can be used and abused for steering public opinion in a certain direction. But, if the media has some power over public opinion and directions it takes, then it could also use that power to educate and inform, instead of relying on already established narratives and arriving at the lowest common denominator.

Finally, as a starting point of this paper, Donald Trump was examined as a specific political figure and president whose influence on the institution of presidency is still not entirely clear. If Trump was not an outlier, but a beginning of a trend, American culture and politics might see more presidential candidates like him. In his representation as not-a-

politician, Trump painted a negative picture of politics and politicians, but the reason he was able to succeed is that people were ready to believe the picture he was painting. That means that there is a distrust, of a kind, of the American people towards institutions, politics, government, and their ability to make decisions for them. In the current global political climate of shortages around every corner, the threat of climate change still largely unaddressed, and geopolitical confrontations looming, it will be worth examining how, and when, the American people's faith in their government can be restored, and if not, what will come to take its place.

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Abstract

This paper aims to examine the news coverage of President Donald Trump's two impeachment proceedings. An interesting political figure even before his two impeachment proceedings as someone who rose to the ranks of president without any prior political experience, Donald Trump became even more interesting as the first US president to face impeachment twice. The tensions between Donald Trump as a political figure, the circumstances of modern media with their opposing political views, and the problems with understanding impeachment as a political process, all come to create a situation where news reporting is hardly impartial, and where what one news article is claiming carries hardly any resemblance to what another news article might say on the same matter. As an American Studies research, this paper takes advantage of a variety of methodologies to look into this matter. The paper looks at the media representation of Donald Trump, as well as political analyses of some salient aspects of his political persona in the context of impeachment proceedings against him. Furthermore, the paper delves into the history, as well as the political and legal theory behind impeachment and locates what there is of an academic consensus on the matter of impeachment. Consensus on impeachment outside of academic writing, however, is a lot more difficult to encounter, as is made evident by the newspaper articles and headlines analyzed using primarily a pragmatic meaning analysis model. The media analysis confirms that newspaper reporting on impeachment matters makes use of a lack of clarity about impeachment in public discourse, as well as differing views on Donald Trump. Using these, among other tools at their disposal, news sources are able to portray a version of events of their choosing, one that carries little if any resemblance to what news sources of the opposing political leaning portray. If this is merely the beginning of a trend, or if this atmosphere of 'alternative facts' is here to stay, is yet to be seen.

Key words: Donald Trump, US politics, impeachment, US media, media discourse analysis