

Mob rule is no path to liberty

Cato Leadership Responds to Capitol Attack

On January 6, the nation was shocked by the events at the U.S. Capitol. While meeting to certify the results of the 2020 presidential election, Congress was forced to disperse by a mob storming the building. Five people died in the chaos and its aftermath. Cato has long championed the rule of law and the Constitution and, like many other organizations, was quick to denounce the violent attempt to overturn the results of the election.

In a statement posted on Cato's website, President and CEO Peter Goettler rejected both the violence and the lies that stoked it. "The violent disruption of constitutional processes is unacceptable and must be rejected unequivocally. Mob rule is no path to liberty. Attempting to forcibly keep a defeated president in power strikes at the core of the Constitution's provisions for protecting the rights and liberties of the American people.

"The Cato Institute has long worked to encourage people everywhere to better understand and appreciate the principles of government that are set forth in America's Founding documents," Goettler continued. "Among these principles is the peaceful transfer of power after free and fair elections. The assault on the Capitol is a tragic violation of these principles. We condemn these actions in the strongest terms, support the rule of law and the Constitution, and reject the attempts to overturn the results of the 2020 presidential election."

In a *Cato Daily Podcast* recorded the same day with Caleb O. Brown, David Boaz, executive vice president, explained that "what we saw on our television screens was a direct assault on the rule of law. . . . It reminded me of something we quote a lot at Cato, which is Milton Friedman saying 'freedom is fragile; we can't take it for granted.'"

In a commentary published shortly after



the attack, Cato's Chairman Robert A. Levy observed that President Trump "dangerously eroded voters' confidence in our electoral system and its republican foundations. In desperation, he put his personal interests above those of the nation."

Gene Healy, vice president and author of works on the presidency and impeachment, also addressed the questions arising from Trump's role and subsequent impeachment. In a video for *Reason TV*, he offered his perspective: "The question of whether incitement to riot is an impeachable offense is pretty easy. Clearly, yes." In a subsequent *Cato Daily Podcast*, Healy also elaborated on the purposes that can be served by impeachment and a trial even after a president leaves office and even if conviction seems unlikely. "Part of the purpose of impeachment . . . is to send a message going forward to future presidents."

Another Cato scholar, Walter Olson, also appeared on the *Cato Daily Podcast* to discuss the precise legal terminology used to describe the assault: "It was not too long before January 6 that I was telling people they were overusing the word 'sedition' to

describe stupid election lawsuits. . . . Federal law bases that on conspiracy to use force. Now, on January 6, we moved over that line. People used a lot of force, a lot of violence. It then becomes very realistic to talk about seditious conspiracy, rebellion, insurrection."

Ultimately, the attack on the Capitol was unsuccessful in its aims. Congress gathered in the reclaimed building later that evening, completing the certification process after midnight. Trump's term expired, and President Biden was inaugurated and began his term at noon on January 20, as the Constitution prescribes.

Cato, as always, is ready to offer both agreement and disagreement with a new administration's policies based on both important moral principles and sound data-driven analysis. And Cato remains firmly committed to doing so through peaceful persuasion and public discourse. The rejection of political violence and the use of force, and standing for the rule of law, are among those core principles embodied by Cato's mission statement: individual liberty, limited government, free markets, and peace. ■