



Maxine Waters' Animus for the Rule of Law

In 2018, Democratic Congresswoman Maxine Waters (D-Calif.) displayed her contempt for decency and her preference for a form of violence when she urged an audience to confront members of the Trump administration wherever they might appear. Her message asked listeners to let Trump staffers know they would not be considered welcome. Her conduct on that occasion amounted to calling for interference with freedom of movement, legally considered a form of assault.



The Waters outburst while speaking at that California event included:

Let's make sure we show up wherever we have to show up and if you see anybody from that [Trump] cabinet in a restaurant, in a department store, at a gasoline station, you get out and you create a crowd and you push back on them, and you tell them they're not welcome anymore, anywhere.

John F. McManus

She wasn't disciplined in any way by her congressional colleagues for the outrageous urging she exhibited on that occasion. She most likely considered her conduct a green light to say whatever she wanted at any time without having to worry about any consequences.

It's hardly a surprise, therefore, that during her visit to Minnesota last month, when the trial of former police officer Derek Chauvin was underway a mere 10 miles away, she stirred up memories of her past contempt for law and decency with inflammatory comments about the trial. She told a partisan crowd,

We're looking for a guilty verdict. And we're looking to see if all of this that took place and that has been taking place after they saw what happened to George Floyd. If nothing does not happen [sic], then we know we've got to stay in the street, but we've got to fight for justice. But I am very hopeful and I hope that we're going to get a verdict that will say guilty, guilty, guilty. And if we don't, we cannot go away.

Asked by the activists before her what they should do if Chauvin isn't convicted, she urged:

Stay on the street. We've got to get more active ... got to get more confrontational. [We've] got to make sure that they know we mean business.



Written by [John F. McManus](#) on May 2, 2021

In simple terms, Maxine Waters was telling a gathering of Minnesotans that the previous rioting and looting in the wake of George Floyd's death would surely continue, and possibly be even more destructive, if the jury in the Chauvin trial didn't convict him.

Senator Ted Cruz (R-Texas) promptly accused the Democratic congressional veteran of "actively encouraging riots and violence." Former CIA officer Bryan Dean Wright said, "Maxine Waters is a threat to the Republic." Attorney Kurt Schlichter, a Democrat, labeled her conduct "an insurrection." Podcast host Matt Walsh accused her of "trying to intimidate a jury to influence the outcome of a murder trial" while calling for her arrest and removal from Congress. Numerous others condemned what Waters had done.

Trial Judge Peter Cahill issued severe criticism of the California Congresswoman while responding in a guardedly positive manner to a request from Chauvin's attorneys to declare a mistrial. Cahill immediately stated that the attorneys' plea was worthy of consideration while adding, "Congresswoman Waters may have given you something on appeal that may result in this whole trial being overturned." He considered the remarks by Waters a clear call for more street violence if the verdict in the yet-to-be-announced jury decision was anything short of guilty, a call meant to influence the jurors.

Asked for his view about what had occurred, famed lawyer Alan Dershowitz said that Chauvin's conviction should indeed be overturned because the jury was surely tainted by outside pressure issued by Waters and others. Dershowitz also included condemnation of New York activist Al Sharpton, who had given a similar message to the crowd where Waters had spoken. The retired Harvard law professor then noted that Chauvin's legal team had three levels of appeal, two before Minnesota courts and, possibly, a final one before the Supreme Court. He recalled the famous case of Dr. Sam Shepard, where the Supreme Court reversed a jury's conviction because the justices felt that "outside pressures" had influenced the jury's murder verdict. He saw in what transpired in Minnesota the very same type of pressure aimed at another jury.

Several GOP congressmen have called for Maxine Waters to be severely disciplined. They point to the removal of Congresswoman Marjorie Taylor Greene (R-Ga.) from her committee chairmanship for past agreement she announced for discredited QAnon conspiracy theories. Greene had already reversed her previous support for those QAnon views and admitted she had been wrong about them. No similar apology or reversal has been forthcoming from Maxine Waters for remarks that amounted to pressuring the Chauvin jury.

House GOP leader Kevin McCarthy (R-Calif.) has announced plans to have Waters formally censured by Congress for her meddling in Minnesota. He also chided Speaker Nancy Pelosi for ignoring what Waters did. McCarthy wants a formal House censure issued against Waters, a measure that would lead to stripping her of leadership of the House Financial Services Committee. House Democrats, eager to embarrass and discipline members of the "other" party, seem unwilling even to chide Maxine Waters.

Judge Cahill will now have to consider whether the comments aimed at the jury by Waters, Sharpton, and others constitute a form of tampering. If he declares a mistrial because of what they did, Chauvin will be tried again, and that trial might be held away from Minnesota. Maxine Waters, Sharpton, and others should be forced to pay for whatever a new trial might cost. And they should also pay in other than in monetary ways for conduct amounting to threatening our nation's rule of law cited in the Constitution.



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