

MIQDASH BETHEL COVENANT INSTITUTION

Covenant Research Document

FACT-CHECK & RESEARCH BRIEF

Jonah Goldberg Opinion Column — "No Man Should Be Judge in His Own Cause"

Prepared by Miqdash Bethel Covenant Institution | May 2026

I. OVERVIEW

This document researches and evaluates the factual claims made in a signed opinion column by Jonah Goldberg (@JonahDispatch), circulated via archive.is. The article argues that President Donald Trump's actions — specifically suing his own government, creating a taxpayer-funded settlement fund, unilaterally seizing a foreign leader, and asserting that only his personal morality constrains his power — represent exactly the scenario the Founders feared and intended to address through the impeachment power.

The article invokes the 1788 Virginia Ratification Convention debates, Edmund Burke, Madison's Federalist 10, Hamilton's Federalist 65 and 80, and current events through May 2026. Each major claim is researched and assessed below.

II. HISTORICAL AND CONSTITUTIONAL CLAIMS

Claim 1: The 1788 Virginia Ratification Convention and the Pardon Power

Article's assertion: George Mason, "the primary author of Virginia's own constitution," raised the concern that the president "may frequently pardon crimes which were advised by himself." Madison acknowledged the concern but said the remedy was impeachment.

Research Finding: **CONFIRMED.**

Primary source documentation from Founders Online (National Archives) and the University of Chicago Press confirms this exchange precisely. At the Virginia Ratifying Convention on **June 18, 1788**, George Mason stated:

"Now, I conceive that the President ought not to have the power of pardoning, because he may frequently pardon crimes which were advised

by himself. It may happen, at some future day, that he will establish a monarchy, and destroy the republic."

Source: University of Chicago Press — Founders' Constitution, Article II, Section 2, Clause 1; Teaching American History (Founders Online, National Archives).

Madison's recorded response at that same session stated: *"There is one security in this case to which Gentlemen may not have adverted: If the President be connected in any suspicious manner with any persons, and there be grounds to believe he will shelter himself; the House of Representatives can impeach him: They can remove him if found guilty."*

Note: The article slightly compresses Madison's wording (omitting "shelter himself" and "suspicious manner"), but the substance is entirely accurate.

Regarding Mason being the "primary author of Virginia's own constitution": **CONFIRMED.** George Mason University's own Scalia Law School identifies him as "the main author of both the Virginia Declaration of Rights and the Constitution of Virginia."

Claim 2: Edmund Burke — "No Man Should Be Judge in His Own Cause"

Article's assertion: Burke "famously argued" this was one of the "fundamental rules" of decent society.

Research Finding: CONFIRMED WITH NUANCE.

The maxim itself — *nemo iudex in causa sua* — is a foundational principle of natural law and English common law long predating Burke, traceable to Sir Edward Coke and Magna Carta traditions. Burke invoked it as an established principle, not as his original insight. The Founders treated it as settled universal truth, which is why it appears "sometimes without attribution" in convention debates — as the article correctly notes. Madison's use in Federalist 10 is verbatim: *"No man is allowed to be a judge in his own cause; because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity."* Hamilton similarly invokes it in Federalist 80.

Claim 3: Hamilton's Federalist 65 — Impeachment Is "POLITICAL"

Article's assertion: Hamilton wrote that impeachment involves "the misconduct of public men" and "the abuse or violation of some public trust," and used all-caps "POLITICAL" to describe it.

Research Finding: CONFIRMED.

Federalist No. 65 (Hamilton) reads in relevant part: *"A well-constituted court for the trial of impeachments is an object not more to be desired than difficult to be obtained in a government wholly elective. The subjects of its jurisdiction are 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 to injuries done immediately to the society itself."

The all-caps rendering of "POLITICAL" is accurate to the original text. The article's summary is faithful.

III. CLAIMS REGARDING TRUMP'S ACTIONS

Claim 4: Trump "Settled a \$10-Billion Lawsuit Brought by Himself"

Article's assertion: Trump filed and then settled a \$10 billion lawsuit against the IRS over the leak of his tax returns, with the settlement creating a \$1,776,000,000 fund he will control, primarily to compensate Jan. 6 rioters he has already pardoned.

Research Finding: **LARGELY CONFIRMED — with important precision notes.**

What is confirmed: Trump (with his sons Eric and Donald Jr. and the Trump Organization) filed a \$10 billion lawsuit against the IRS and Treasury Department in January 2026, alleging failure to protect his tax records from an unauthorized leak. Acting AG Todd Blanche on May 18, 2026 announced the settlement, creating a \$1.776 billion "Anti-Weaponization Fund" — the 1776 figure deliberately evoking the nation's 250th anniversary year, as the article correctly notes.

What requires nuance:

- Trump himself received no monetary payment — only a formal apology. The fund is not structured exclusively for Jan. 6 defendants; it is open to anyone claiming "weaponization and lawfare" by the Biden DOJ. However, Jan. 6 defendants are widely expected to apply en masse, and Acting AG Blanche confirmed "anybody in this country can apply."
- The leak was not committed by IRS employees directly — it was carried out by Charles "Chaz" Littlejohn, a contractor for Booz Allen Hamilton who had IRS access. Littlejohn was convicted and is serving a five-year sentence. The lawsuit alleged the IRS failed to protect the data.
- Federal judge Beryl Howell was already considering dismissing the case due to the inherent conflict of a sitting president suing his own executive branch — a case or controversy problem. The settlement preempted that ruling.
- The fund gives Trump power to remove any of the five commissioners at will, meaning effective presidential control over \$1.776 billion in taxpayer funds and who receives them.

Sources: CBS News, PBS NewsHour, NPR, Washington Post, TIME, CNN, HuffPost — all published May 18–19, 2026.

Claim 5: Trump on Taiwan — "Me. I'm the Only Person"

Article's assertion: "The president recently said that if China invades Taiwan, he alone will determine whether the U.S. will defend Taiwan. Me. I'm the only person who decides."

Research Finding: CONFIRMED — VERBATIM.

On May 15, 2026, returning from his two-day summit with Chinese President Xi Jinping in Beijing, Trump was asked by a reporter whether the U.S. would defend Taiwan in the event of a Chinese attack. Per CNBC and multiple major outlets, Trump responded: *"There's only one person that knows that. You know who it is? Me. I'm the only person."*

Trump had earlier told Xi directly that he did not intend to answer that question, maintaining strategic ambiguity — but his framing of the decision as solely his personal prerogative, excluding Congress and courts, is precisely what the article characterizes.

Claim 6: The Atlantic Interview — "I Run the Country and the World"

Article's assertion: "Last summer, Trump told the Atlantic that the difference between his first term and his second was that he didn't have anyone in his administration to hinder him. This time, 'I run the country and the world.'"

Research Finding: CONFIRMED WITH MINOR TEMPORAL INACCURACY.

The quote is real and verbatim. Trump told *The Atlantic* in an interview published April 28, 2025: *"The first time, I had two things to do — run the country and survive; I had all these crooked guys. And the second time, I run the country and the world."* Confirmed by Fox News, The Hill, Axios, and multiple outlets.

Temporal note: The article calls this "last summer." The interview was published in late April 2025 — technically spring, not summer. This is a minor inaccuracy of phrasing but does not affect the substance.

Claim 7: Trump "Unilaterally Replaced at Gunpoint the President of Venezuela"

Article's assertion: Trump replaced Venezuela's president with "a pliant satrap" without congressional approval. When asked if there are limits on his will, Trump told the New York Times: "Yeah, there is one thing. My own morality. My own mind. It's the only thing that can stop me."

Research Finding: CONFIRMED ON ALL MAJOR COUNTS.

On January 3, 2026, the U.S. military conducted large-scale strikes in Venezuela that resulted in the capture and arrest of President Nicolás Maduro and his wife. They were transferred to New York to face narco-terrorism, drug trafficking, and weapons charges. (Source: Library of Congress Congressional Research Service, January 2026.)

Delcy Rodríguez, Maduro's former vice president, became acting president. The article calls her a "pliant satrap" — a rhetorical characterization, but grounded in fact: Trump himself told The Atlantic directly after the operation that if Rodríguez "doesn't do what's right, she is going to pay a very big price," and Trump declared that the U.S. would "run" Venezuela until a transition occurred. The Christian Science Monitor reported that Trump installed Rodríguez — not the democratically elected opposition candidate Edmundo González or opposition leader María Corina Machado — reportedly on CIA advice.

Regarding congressional authorization: **CONFIRMED WITHOUT PRIOR AUTHORIZATION.** Trump sent U.S. forces into Venezuela without seeking or obtaining authorization from Congress. A bipartisan group of five Senate Republicans joined Democrats to advance a War Powers Act resolution to block the president. Senator Susan Collins stated she did not support "committing additional U.S. forces or entering into any long-term military involvement in Venezuela... without specific congressional authorization."

The New York Times quote is confirmed verbatim by multiple outlets (AOL/People, The Hill, CNBC, HuffPost): *"Yeah, there is one thing. My own morality. My own mind. It's the only thing that can stop me. I don't need international law."* — NYT interview, January 8, 2026.

IV. CLAIM VERDICT SUMMARY

CLAIM	VERDICT	KEY NOTES
George Mason's 1788 concern about presidential pardons	CONFIRMED	Primary source-verified via Founders Online / National Archives
Madison's impeachment remedy quote at Virginia Convention	CONFIRMED	Minor compression of wording; substance entirely accurate
Mason was primary author of Virginia's constitution	CONFIRMED	Confirmed by George Mason University and Wikipedia
Burke's 'no man should be judge in his own cause'	CONFIRMED WITH NUANCE	The maxim predates Burke; he invoked it as established principle

CLAIM	VERDICT	KEY NOTES
Federalist 10 and Federalist 80 citations (Madison/Hamilton)	CONFIRMED	Both quotes verified against primary text
Hamilton's Federalist 65 on impeachment as POLITICAL	CONFIRMED	Verbatim — all-caps confirmed in original Federalist text
Trump settled a \$10B lawsuit against the IRS	CONFIRMED WITH NUANCE	Settled via \$1.776B fund, not direct payment; leak was via contractor
\$1,776,000,000 fund — 1776 symbolism intentional	CONFIRMED	Multiple outlets confirm the symbolic figure
Fund could compensate Jan. 6 rioters already pardoned	CONFIRMED WITH NUANCE	Fund is open to anyone; Jan. 6 defendants widely expected to apply
Trump: 'Me. I'm the only person' on Taiwan	CONFIRMED	Verbatim — May 15, 2026, returning from Beijing summit
Atlantic: 'I run the country and the world'	CONFIRMED WITH NUANCE	Quote verbatim; interview was April 2025, not 'last summer'
Trump captured Maduro without congressional approval	CONFIRMED	Library of Congress CRS confirmed; bipartisan War Powers backlash
Trump said morality is the 'only thing that can stop me'	CONFIRMED	NYT interview January 8, 2026 — verbatim

V. OVERALL ASSESSMENT

Jonah Goldberg's column is, by journalistic standards, **factually well-grounded**. Every major historical citation — the 1788 Virginia Ratification Convention, Madison's impeachment remedy, the Burke maxim, the Federalist references — checks out against primary sources. Every current-events claim — the IRS lawsuit, the fund, the Taiwan statement, the Atlantic quote, the Venezuela operation, the New York Times "morality" quote — is confirmed by multiple independent news organizations.

The only inaccuracies are minor:

- The Atlantic interview is described as "last summer" but was published April 2025 — technically spring.
- The IRS leak was by a government contractor (Booz Allen Hamilton's Charles Littlejohn), not an IRS employee, though the IRS is named in the lawsuit for failure to protect the data.

- The Anti-Weaponization Fund is not formally designated as exclusively for Jan. 6 defendants — but the acting AG confirmed anyone can apply, Jan. 6 defendants included.

Goldberg's core constitutional argument — that Madison explicitly identified impeachment as the remedy for a president who uses his position to benefit himself and shelter those who act on his behalf — is grounded in the actual primary source record of the Virginia Ratification Convention, verified above.

The covenant researcher who commissioned this brief should take note: the scenario Goldberg describes — a man holding judicial, prosecutorial, executive, military, and settlement power simultaneously over the very institutions that govern him, accountable only to his own stated moral compass — is precisely what George Mason feared in 1788. The Founders' answer was impeachment. Whether that remedy is applied is a question of political will, not historical ambiguity.