

## **TREASON; A PRESIDENTIAL PREROGATIVE?**

The XYZ Affair was one of the biggest scandals in American history. XYZ were French agents involved in the dispute between the Americans and the French during the administration of John Adams, the second President of the United States.

The French had seized hundreds of American ships bound for British ports because the Americans only a few years earlier, had fought its War of Independence with the British but there after had become cozy with its former master. Both Washington and Adams were accused by their enemies of wanting to impose a monarchy in the United States under the auspices of the crown in England. The chief antagonist to Washington and Adams was Thomas Jefferson.

Adams did not want a war and in 1797 sent a delegation to Paris to negotiate peace. The French delegation demanded a bribe of the Americans, who broke off negotiations and came home. Jefferson was accused by his enemies, of being a Francophile who wanted to bring the guillotine to America under pressure, Adams released the report of the American delegates with the names of the French agents changed to XYZ. This played into Jefferson's hands and created an extremely strong anti-French sentiment in the United States.

Adams managed to negotiate an end to the hostility through the 1800 Treaty of Mortefontaine.

Jefferson's enemies accused him of treason and some modern authors agree. It appeared that Jefferson directly gave information to the radical French government and may even have blown the cover of American agents in France. Nevertheless Jefferson went on to a successful two term presidency, becoming stable a fixed institution of American government rather than the early nihilist and agrarian revolutionary that he seemed to be at first.

Jefferson is heralded as a great President, easily eclipsing the hapless John Adams. President Lincoln suspended the Writ of Habeas Corpus and he is thought of as the very incarnation of freedom. The Roosevelt administration put American-Japanese citizens in camps during World War II and refused to permit the Air Force to bomb Nazi concentration camps in Europe and yet Roosevelt is hailed as the great Democratic liberal President. Truman unleashed the power of the atom bomb instead of using it as a demonstration weapon to frighten the Japanese. Truman still stands as one of the most popular Presidents of all times.

The evidence seems to be mounting that President Bush blew the cover for Valerie Plame because her husband exposed the administration as not telling the truth with respect to its claim of weapons of mass destruction in Iraq and the importation of

so called “yellowcake” used in the manufacturer of nuclear weapons from Nigeria; a fairy tale that evaporated quickly.

Is it possible that our greatest Presidents also most easily trample the very basic rights that we take for granted in this country? Is it a sign of greatness to be a hypocrite? Was Julius Caesar the greatest conqueror and organizer of the Roman Empire who ever lived or a petty despot and dictator who was responsible for the slaughter of hundreds of thousands of indigenous people throughout Europe and the Middle East?

We cannot answer all of these questions easily but in a nation that lives by the rule of law, we must ask the questions. Each of the Presidents mentioned above had to answer for their conduct in courts of law, in the press and by the people. Likewise, we should ask the hard questions today as to whether President Bush committed a crime by encouraging and authoring his Whitehouse to expose Valerie Plame as an agent of the Central Intelligence Agency. The House of Representatives indicted President Clinton for a crime associated with his sexual misconduct. Is the conduct of President Bush in connection with Valerie Plame equal to or as bad as anything Bill Clinton did in the Oval Office?

Even more disturbing is the tendency of our Presidents, to believe that they are above the law. Of course it is not only Clinton and Bush who may have violated the law but also Nixon, Regan and perhaps even the lately sainted Kennedy. Henry Kissinger is credited with saying that power is the greatest aphrodisiac? The power of the President is part of the greatness of the modern American state but it is also a dangerous seed to sow which may lead to our destruction. We must continue to have a vibrant independent nonpolitical Supreme Court of the United States and an active opposition party in the Congress. Without the tripartite form of government conceived by British thinkers and instituted by American Revolutionaries, all of our ideals are lost.

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