

## *Impeachment as Normal Politics*

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The Founders of this nation understood that there would be times when presidents, judges and others in executive branch would need to be impeached for high crimes and misdemeanors. The Enlightenment intellectuals who authored our system of government thought that the horrible specter of impeachment would rarely occur. There were plenty of instances in our country's history where impeachment was talked about, threatened and even demanded. Federalists and anti-Federalists were at each other's throats in a way which almost split New England from the southern states long before the Civil War. The first President who actually was impeached was Andrew Johnson, basically over political differences. In modern times, Southerners demanded the impeachment of Supreme Court Chief Justice Earl Warren. Richard Nixon was close to impeachment. Finally, there was the specter of Ken Starr seeking the impeachment of Bill Clinton for Clinton's lies about his sexual contact with intern Monica Lewinsky. Interestingly, the Republicans never went after Clinton for lying in his civil deposition. Professor Gormley, who wrote about *The Death of American Virtue: Starr v. Clinton*, opined that Whitewater and other misdeeds of Clinton would have supported impeachment much more readily had Ken Starr properly investigated those.

Fast forward to the upcoming impeachment of President Trump. In the American experience, there was never an impeachment seriously considered or even discussed based upon an executive's contact with foreign powers. Jefferson accused Washington and Adams of wanting to bring the English monarchy to American shores. Likewise, the Federalists claimed that Jefferson sought to bring the French Guillotine to America. Both sides accused one another of treason and scholars believe that in the XYZ affair, Jefferson may actually have been in contact with French officials to the detriment of the United States.

The ugly specter of an American president or a high public official working with foreigners against the interests of the United States is not new to the Executive Branch. Hillary Clinton as head of the Department of State, at least helped to massage the sale of United States uranium assets to a Russian tycoon. The Clintons accepted foreign money for their family foundation and Barack Obama promised the Russians a better deal on arms control after he was done with his second election to the Presidency. Lots of inappropriate promises were made by the Obama Administration in order to get a deal through Congress which put billions of dollars in the hands of the Iranian terrorist regime.

The question is not whether Trump is as bad as everyone else, but rather will President Trump will become the sacrificial lamb for Americans sick and tired of dishonorable and possibly disloyal public officials? The answer, thanks to the President's hubris and tone deafness to what Americans can tolerate is likely to be "yes". Regardless of what others might have done or thought about doing, making deals with foreigners, on the sly, in order to personally benefit a high public official has always been considered off the chart. Those who believe that President Trump has committed treason by even hinting to a foreigner that a foreign despot should supply information on Trump's enemies are correct to be apoplectic. It is off the grid, improper, and probably illegal. After all, if Martha Stuart was sent to jail for allegedly giving misinformation to two FBI agents in an interview, then how can we turn our heads to the positively bad behavior of a President who tries to construct private deals with foreign

officials. Heaven only knows what promises have been made to the lunatic in North Korea or the dictator in Turkey. The United States once again is following in the path of President Obama to destabilize the Middle East by pulling our small number of troops out of Syria and turning that region over to Prime Minister Erdoğan of Turkey. Erdoğan is a thoroughly despicable human being who would think nothing of butchering his enemies and Trump knows that.

Americans have a great tolerance for corrupt public officials because we have seen so many of them, but when that misbehavior takes the form of conspiring with or kissing the hind end of foreigners who do not have our interests in mind, then the equation changes. No president will be permitted to go out on a frolic on his own; making deals on the side including promises to foreign officials who can then assist the President or the chief executive in dealing with political opponents. That behavior cannot and should not be condoned.

The United States must have a rigid, unyielding code prohibiting public officials from dealing privately and confidentially with foreigners in order to enrich the public official's own political fortunes. Make no mistake about it, President Trump did not talk with the Ukrainian president about getting dirt on Joe Biden's son in order to safeguard American national interests. It was plainly and simply a petty political outreach intended to benefit the President and help his chances for reelection.

One must seriously question whether President Trump appreciates the lofty ideals of democracy and the essential philosophy of ethical behavior in government. Americans will give a lot of room to their badly-behaving political officials, but the line is crossed when personal gain is sought with the assistance of foreign powers. That simply smells like disloyalty to too many Americans.

President Trump must receive a powerful message as well as every other leader who would seek high office or low office in this country. Trying to make deals with foreign officials in order to benefit oneself in a personal fashion, political or otherwise, is crossing the red line and should be punished. It is time for Republicans and Democrats to sit down, to examine the evidence and consider seriously whether impeachment proceedings should indeed be brought against the President of the United States.

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