

TRUMP VS. CONGRESS

-Ralph Nader

Donald Trump is the most impeachable president in American history.

Many Democrats, however, are running away from the word "impeachment" for tactical political reasons. Some Democrats say they have a sworn duty under the Constitution to present articles of impeachment for a vote in the House of Representatives, regardless of the refusal by the Republican controlled Senate to hold a trial.

Interestingly, when Republicans in the House impeached President Bill Clinton in 1998, he was more popular in polls than Donald Trump is now. The Republican controlled Senate, however, failed to get the two-thirds vote needed to remove President Clinton from office. Clinton's offenses – lying under oath and obstruction of justice pale in comparison to the many mega offenses of Trump.

The six major House Committees are investigating issues ranging from his tax returns and business dealings to the documented serial obstructions of justice documented in the Mueller Report. As these investigations move well beyond what is already on the public record and more Americans learn their contents, there will be more than enough to substantiate numerous articles of impeachment. Plus a new one of Trump's own creation – the wholesale, broadside obstruction of all these Congressional investigations, defying subpoenas for sworn testimony and documents, amounting to a gigantic contempt of Congress – itself an impeachable offense.

Trump is trying to bar key witnesses from testifying. He is suing his own accounting firm and Deutsche Bank to shield his sordid business relationships and potential tax violations.

I'll bet he's never even read our Constitution – he says out loud that whatever Congress does on impeachment, the Supreme Court will rescue him. Donald, when it comes to Congressional impeachment and conviction, the decision by Congress is final.

The House Democrats can strengthen their case with the American people by connecting impeachable offenses with actions that endanger the lives, health, and economic well-being of adults and children.

For starters, Trump and his henchmen have brazenly, openly, and defiantly refused to faithfully execute the laws of the land as required in Article 2, section 3 of the Constitution. By not enforcing the law, he has opened the floodgates for deadly emissions from various industries that are getting into the lungs of millions of Americans. By allowing more pollution into water, air, food, and workplaces of the American people by immobilizing, if not firing the federal cops on the corporate crime beat, pulling back on existing enforcement, eliminating critical safeguards on the books, and cutting enforcement budgets, he has jeopardized the health of millions of Americans. This is a gift to the lethal coal industry, the reckless drug industry, the chemical pesticide companies, the oil, gas and nuclear industries and all those extractive companies licking their chops to plunder more of our beautiful public lands such as the Arctic National Wildlife Refuge and our national forests.

Physicians have pleaded with the Trumpsters to protect the vulnerable infants and children from toxics



and micro-particulates in the air and water. "Hell no," cry his craven gangsters who were chosen to run our health and safety agencies precisely because they want to run them into the ground.

For the first time ever, life expectancy in the United States is declining. This lawlessness is way beyond what should be excused by "prosecutorial discretion." Trump's defiant wholesale repeal of the rule of law begs for impeachment.

Trump's impeachable brew is deep, hot, and deadly. He violates the constitution, federal statutes, and international treaties with his war crimes anywhere he wants to conduct them around the world. John Bolton, the unconfirmed national security advisor and Mike Pompeo, his secretary of state, are looking for new wars – whether in Iran or Venezuela. Bolton and Pompeo are prime examples of unindicted war criminals.

These men violently threaten regimes, except those run by Trump's favorite dictators (he says he's "fallen in love" with North Korea's Kim), as if there are no laws whatsoever to restrain their dangerous missions. The fact that previous Presidents like Clinton, the two Bushes, and Obama committed war crimes does not exonerate Trump. Congress is also culpable. It has to stop the lawless foreign/military policies of Empire that eventually will boomerang and undermine our nation's national security. It has already produced devastating costs in casualties and dollars.

Impeachable offenses include violating Article I, section 8 by conducting wars of choice without a Congressional declaration and other provision of the Constitution (Article 1 section 9 clause 7) and statutes banning spending tax monies without Congressional appropriation. Consider the support of the war on Yemen and bombing of Syria with immense civilian destruction as illustrations.

This is the road to tyranny and the de facto overthrow of our "constitutional order."

Then there are Trump's campaign finance violations, his tax frauds, and his threats to use blanket pardons of Trump associates who are now convicted criminals. Not to mention Trump's "indifference to wrongdoing," in the words of Charles Black, the late, eminent constitutional scholar. Such "indifference" Black declared "may be in effect equivalent to ratification of wrongdoing."

Another standard for impeachment is the widely quoted criterion by Alexander Hamilton – behavior that constitutes "abuse or violation of some public

trust." How about Trump's over ten thousand recorded lies or misleading fabrications? How about his bigotry, misogyny and lying about his sexual misconducts and payoffs? How about Trump allowing the enrichment of his businesses (which he refused to sell or put into a blind trust) by foreign governments spending lavishly at his hotels and other properties, in violation of our Constitution's emoluments clause?

Our Founders condemned behavior, shorn of minimal honor and integrity that brings the Office of the Presidency into disrepute and undercuts the legitimacy of the U.S. government or the ability of the government to function.

Recall the five week shutdown of the U.S. government by our pouting juvenile president over not getting his porous border wall funded. Trump's actions shut down critical, life-saving governmental services. That tantrum alone should be an impeachable offense.

The Congress was handed a mass of evidence by the Mueller Report and Congressional hearings are likely to find this evidence will provide a solid basis for impeachment. Bear in mind, Mueller decided he couldn't recommend any criminal enforcement due to his hands being tied by a Justice Department "opinion," not a law, that sitting Presidents could not be criminally indicted. Instead he punted his damning report to Congress with such statements as "Our investigation found multiple acts by the president that were capable of exerting undue influence over law enforcement investigations, including the Russian-interference and obstruction investigations." Over a dozen listed acts, to be specific.

As the laws start catching up with Trump, he will resort to raucous mass rallies where he will warn of violence in the streets, as he did during his campaign in 2016 when discussing his potential loss. He will start military actions, which explains why he had to pressure former generals, Mattis and Kelly, to resign from the Department of Defense and White House. Trump doesn't like generals who advocate restraint.

Trump himself has said that he will be secure so long as the police and military are with him. Get ready for a fast-approaching major constitutional crisis with Congress and adherents of the rule of law.

Our lying, lawless President is about to face the laws of the land, backed by our Constitution. It is time for Republicans to start looking at themselves in the mirror of history. And it is time for all Americans to challenge their elected officials to stand tall and uphold the rule of law. Safeguarding our democracy requires nothing less.

For more information on impeachment, listen to my interview with scholar Alan Hirsch, author of *Impeaching the President: Past Present and Future:*

ralphnaderradiohour.com

Senator Sam Ervin during the Watergate hearings:

Senator Ervin called on the president's closest top advisers to appear. The president said they could not.

They were protected, as he constitutionally is, by executive privilege. Senator Ervin immediately called a press conference and began with a line from Julius Caesar: "What meat doth this Caesar eat that he grows so great? And I say to you, what meat do these White House aides eat that they grow so great? We abolished titles of nobility in the long ago and if these men refuse to come down here, I shall instruct the sergeant-at-arms in the Senate to go to the White House and fetch 'em. They are as subject to questioning as any other citizens. The president calls it executive privilege.

I call it executive poppycock."

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