

## There are rules for impeachment. Don't let personal bias get in the way. | Guestview



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President Donald J. Trump has been impeached by the House of Representatives, and the charges are now in the Senate.

Our elected representatives will help decide if he should be removed from office. from the beginning and many Republicans will never admit possible

wrongdoing from their party's president.

Of course, we all face this moment with personal biases. As citizens, though, I believe most of us also rightly wish to treat the process with respect and with high standards for conduct on both sides.

As a political scientist and a professional — not unlike, health workers, police, career military personnel, accountants and many others — I try to approach any new situation with honesty and clarity. This usually requires rules of thumb — habits of thought that help us see a given situation clearly.

In that spirit, a handful of rules will help us all, as citizens, understand this impeachment.

Rule 1: Admit that the facts in this case are well established even if interpretation is not.

Trump and his team did mix personal and official U.S. government resources. Rudy Giuliani did act as Trump's "personal lawyer," but he also helped coordinate the White House's official policy toward Ukraine. Trump did ask for a favor during that now notorious phone call last summer, and he did specifically mention the son of his most prominent political rival, Joe Biden. U.S. aid to Ukraine, which Congress had approved, was held up around the same time.

According to the first article of impeachment, this was "abuse of power."

As Democrats in the House started to investigate and then formally launched an impeachment inquiry, Trump did say officially that he considered the process illegitimate and would not cooperate, and he did tell his team not to testify. Trump also actively tweeted during some of the testimony, which at least one witness said felt intimidating.

According to the second article of impeachment, this was “obstruction of Congress.”

Rule 2: Recognize that the real impeachment question is about interpretation.

Did Trump and his team deliberately and systematically attempt to get an investigation announced against a likely political opponent? This is the famous claim about a “quid pro quo.” A trade of one thing for another. Of course, U.S. presidents have long condemned corruption and used U.S. power as leverage against other governments. Asking for personal gain, however, is a fundamentally different matter.

We may decide that Trump’s opponents are, in fact, interpreting the president’s management style and rhetoric in the worst possible light. If that is the case, senators should vote against Article 1.

On the other side, we may conclude that Trump and his team indeed abused the Oval Office to gain personal leverage.

If so, there is one more question to address: Does that behavior rise to the level of removal from office?

In the Andrew Johnson and Bill Clinton impeachments, senators concluded that the president did violate important standards, and possibly the law, but the infraction was not sufficient to comprise “high crimes and misdemeanors,” as the Constitution states.

In at least one key respect, though, this impeachment is different. It involves foreign affairs and national security. The potential for abuse in this area is significant because our modern presidents enjoy far more latitude and power than the founders imagined was possible when the U.S. was a small population on the margins of world affairs.

Even if we know the likely outcome (see Rule 3), as citizens, we need to have serious discussions about presidential power and its limits.

Rule 3: Realize that the Senate almost certainly will not remove Donald Trump. Removal after impeachment requires a two-thirds vote. Since Republicans hold 53 seats, over a dozen of them would have to defect from their current support for the president. That is conceivable but unlikely.

Rule 4: Admit that the process has been partisan, but so are you.

Now, ask the tough question: How will this look in 20 years or 50 years? Imagine the roles flipped. Imagine Trump ran as a Democrat (I know, but bear with me), was elected and had the same record. The only difference is that he and his administration have pushed more liberal tax laws, federal policies, and judges. Now, in this scenario, he has been impeached by a Republican-led House. Does that make his record on the Ukraine situation feel any less serious to you? Any more corrupt?

Again, for us as citizens, the major issue we need to decide besides guilt and removal is our standard of abusing power for personal gain. For decades, presidential power has grown while Congress has deferred much of its power to the executive. At what point does any president, Republican or Democrat, go too far? It is crucial to set and maintain these types of standards — at every level of government — so that future fights have clear parameters.

In the end, we know how senators likely will vote. They have plenty of reasons for their positions. Neither, perhaps, will any of our own personal views change. Still, let us at least take a moment to think about standards and constitutional processes. Let us apply a few basic rules of thumb to challenge our own assumptions and understand the perspectives of well-intentioned countrymen.

Let us assume for a moment that they are well-intentioned, even when we suspect that they are not.

It is vital to our democracy, and to our own community, to strive to treat our political fights and institutions with good faith.

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