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Impeach the Impeachers

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Given the aforesaid, the articles of impeachment submitted to the US Senate, as the chamber charged historically with representing the wealthiest in the respective states, by the US House of Representatives, the chamber charged with representing the wealthiest individuals among the population, in the case of the servile president of the United States, charged with representing the combination of unelected covert and overt institutions of the US empire, is first of all proof that the United States of America is represented by some of the most poorly educated and simultaneously pretentiously arrogant people in recorded history.

The first impeachment trial in US history, against President Andrew Johnson, was politically justified by the fact that a congress dominated by a Republican party intent on enforcing the results of the recently ended US civil war could argue that the serving president failed to execute laws enacted by Congress that, as executive officer, it was his duty to enforce. Despite the prima facie case that President Johnson, undoubtedly sympathetic to the slaveholder regime that had prevailed until 1864, had failed to enforce the laws adopted by Congress at the time, the bill of impeachment failed in the Senate. (It should be noted however that even in Andrew Johnson's impeachment the bill accused him of violating a law, which formally had little to do with the latent grounds for impeachment.)

The second impeachment, against President Richard Nixon, alleged after intensive investigation, that he had violated ordinary criminal laws and collaborated in such a way as to hinder prosecutions which ultimately were successful– that is to say by virtue of convictions could be established as crimes in which Mr Nixon in his capacity as president was clearly complicit. Whether the Senate would have convicted him became a moot question since Mr Nixon resigned (and was subsequently pardoned by the Vice President appointed to replace one Mr Agnew who resigned because of crimes for which he was also later convicted. There were even proper allegations that Mr Nixon acted in pursuance of covert foreign policy objectives to which there was increasing popular political opposition and hence a need for individual sacrifice from among the ruling elite– to which Mr Nixon

never actually belonged, and therefore could finally be deemed expendable. Some would say that Nixon was smart enough to know first hand that one could be removed from office by termination with extreme prejudice and therefore chose San Clemente retirement– with later rehabilitation.

The third impeachment, against President William J Clinton, alleged that he committed crimes in civil matters that had also not yet been conclusively adjudicated. No pretence was made that Mr Clinton committed any felonies that in any way impaired his capacity to conduct the usual vicious policies of US Empire. (He notoriously ordered the bombing of a pharmaceutical factory in Africa during the proceedings under the pretext that producing locally otherwise expensive drugs was a terrorist act to be punished by the US.) That impeachment failed in the Senate, not only because of the incompetence of those responsible for lodging the action but also because of implicit consensus that sexual offenses are not an exclusive domain of the Executive but constitute a sphere of activity among all branches of the constitutional government of the US.

The fourth impeachment, against President Donald Trump, alleges that he committed crimes that are essentially questions of "good taste" or "manners". After a tortuous three quarters of Mr Trump's term, the partisans of the Bush-Clinton enterprise– in which the Clintons have been the junior "white trash" partners, have been unable to find anything substantive with which to charge Mr Trump in which they are not themselves complicit. The bill is most curious because its central accusations are based upon principles, which are utterly inconsistent with more than two centuries of constitutional practice.

The core of the complaint– to the extent it is not simply sophomoric– is that President Donald Trump refused to execute the foreign policy of the United States. This is also called the "national interest" in the bill– a recognised euphemism for whatever corporate objectives can be imposed through the regime and what it expropriates from ordinary people both domestically and abroad. This is patently ridiculous.

It has become a matter of conventional if not explicit constitutional law that the foreign policy of the United States is the prerogative of the Executive, the President of the United States. While the Constitution states that treaties are to be ratified by the US Senate, there has never been either a constitutional or a statutory basis for the Congress to formulate, let alone execute foreign policy. At the most it can legislate to restrain or it can refuse funding or it can deny the confirmation of those ambassadors and other plenipotentiaries appointed by the POTUS to facilitate such policy.

One can therefore conclude that even if there were no Republican majority in the Senate– were that chamber to be composed of persons with some semblance of legal education and cognizance of constitutional law and national history– then this allegation in the articles of impeachment would fail on its own without further consideration of the facts. It is simply constitutional nonsense.

The next amusing point is the allegation that President Trump committed acts that were calculated to influence elections not yet held against candidates not yet extant. In contrast Mr Nixon was accused of acts during an election campaign when actual candidates could be deemed to have been harmed. Even if the acts alleged to have been taken by President Trump could have caused harm to another corrupt politician, the fact is that neither the campaign nor the election to which the articles refer have commenced. A potential

candidate does not enjoy special protection from examination of his corrupt conduct simply because he might be the nominee of the party most likely to oppose the serving POTUS. One can only interfere in an election that is actually in process. It is ridiculous to assert interference in an election campaign that might not even occur.

Much is made of the special prerogative of the US House of Representatives to initiate impeachment proceedings. The argument presented however is actually quite different. The bill of impeachment insists that- like the much criticized grand jury method in Anglo-American law- the House is entitled to deny due process and the rights of the accused. The US Constitution– unlike its progenitor the British Constitution– does not establish parliamentary supremacy. The Executive is constituted as independent and co-equal with the Legislative. Thus the only moderating power– that conceived by the slave-holding founding fathers– is the third estate, namely the judiciary.

Mr Nixon was charged with obstruction of justice not because he refused to cooperate with the Congress but because he refused the authority of the Judiciary. Then the Congress requested testimony and evidence and failing its delivery by the President or his officers, sought judicial relief. When this was granted Mr Nixon and/ or his officers frustrated judicial process. This constituted a valid charge since the Executive has never been held to be immune from judicial process *per se*.

Curiously the inquisitors in the House have never sought judicial relief through the courts. (The Justice Department, to which the FBI also belongs as a subordinate agency, is part of the Executive and not the Judiciary– a point easily missed by those whose legal system is based on the continental European inquisitorial model.) Is it because they knew that they could not satisfy even the most rudimentary evidentiary rules to establish the probity of their claims? We can only speculate. However reading the bill of impeachment itself shows that the drafters must have come from either the least literate of the legal staff or perhaps comprised attorneys whose only claim to membership in the profession are exams from some offshore diploma mill.

There are a few questions to ask those who demand the removal of Trump. One of them is whether they are essentially supporting the Vice President, Michael Pence? Strangely we hear nothing about presidential succession from those who claim that removing Mr Trump is the holy mission of all liberals. If the loud and visible Mr Trump were to leave or be removed, then the silent but no doubt equally deadly Mr Pence would assume office. What kind of improvement would that be? Perhaps this is what some less vocal advocates of impeachment really wish– having seen Pence as the man with real POTUS stature but — like a Bush practically unelectable– they would now like to remove the man who got the votes and replace him with their man who knows how to play the game. In such a case might it also make sense to keep Mr Trump in office just long enough to get past the elections and then fire him, so to speak? After all it is clear that there is no Democratic alternative capable of uniting the rich, the naive, and those who traditionally only want to vote for the winner. Who really benefits from a Trump conviction?

Of course there are reasons enough for impeaching any President of the United States and there always will be as long at the chief executive of the US is head of the largest military-industrial warmongering apparatus on the planet. However those are not the reasons for which any majority in the Congress would deign to impeach.

Impeachment, even under British law– from which the principle derives– has always been a

political instrument for partisan purposes. One of the longest impeachment trials in recent British history was that of Warren Hastings who was accused by the Commons and tried before the House of Lords for abuse of power and enrichment as a servant of the British East India Company. Parliament assumed jurisdiction over his actions because the East India Company enjoyed a royal charter. The trial lasted for many years and ultimately Hastings was acquitted. He was acquitted not because he had not enriched himself or abused power in India but because sufficient numbers in the Lords understood that Hastings governance of India was profitable for enough of them too.

There is no judicial or quasi-judicial remedy for the abuse of power, corruption and viciousness of the US regime whether in Congress assembled, as President elected and inaugurated, or as court sitting. The illusion that a spectacle on the floor of the US Senate will change anything in the way the US regime acts at home or abroad is poor entertainment and degenerate politics.

The capacity of the US media– from "Left" to Right– to absorb the world with this spectacle in which no real crime will ever be mentioned let alone deliberated is obscene. It is difficult not to find US political culture the epitome of pornography but without the least erotic titillation. Or perhaps that is mistaken. In a country that is unable to transcend anything except gender, titillation is both primitive and presidential and the prurient interest extends to all branches of the government so constituted.

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