

[Bush Impeachment Effort Gains Traction](#)

The do-it-yourself impeachment tool for John Q. Citizen

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John L. McFarland (haywiremac)  **CONTACT REPORTER**

A nationwide telephone poll was conducted by Zogby International, the highly-regarded nonpartisan polling company. The poll, released on Nov. 4, just three days before the election, interviewed 1,200 U.S. adults from Oct. 29 through Nov. 2.

The poll found that 53 percent agreed with the statement, "If President Bush did not tell the truth about his reasons for going to war with Iraq, Congress should consider holding him accountable through impeachment." Forty-two percent disagreed, and five percent said they didn't know or declined to answer. The poll has a +/- 2.9 percent margin of error.

Does it not behoove an international medium like OhmyNews to report not only this momentous fact but what develops out of it in the ensuing months? This "mandateless" election can now be seen in its true light -- as a cry sounding loud and clear throughout the land: "We want our country back."

The establishment corporate media, totally at odds with their behavior in 1998 when they ranted from the housetops for the head of Bill Clinton, have to be characterized in terms of psychopathology:

Catatonia: An abnormal condition variously characterized by stupor, stereotypy, mania, and either rigidity or extreme flexibility of the limbs. It is most often associated with schizophrenia.

Stereotypy: Excessive repetition or lack of variation in movements, ideas, or patterns of speech, especially when viewed as a symptom of certain developmental or psychiatric disorders.

Given the media's self-censorship as they squelch voices calling for impeachment, who would guess that the Bush regime could be indicted on at least seven counts of impeachable behavior -- the "high crimes and misdemeanors" mentioned in the Constitution of the United States ("high" in the sense of the exalted office held by the alleged perpetrator)? Illegitimate, in view of the criminal interference of James Baker in the 2000 election and the [obvious theft of Ohio in 2004](#) thanks to the interference of Karl Rove, the Bush Administration should be referred to as a "regime" and not "the government" or "the executive branch," but I'll let this one slide.

Dave Lindorff and Barbara Olshanky state in their recent book *The Case for Impeachment*, "Presidents are impeached not for violations of law, but for political crimes, for offenses against the people of this country and the principles underlying our democratic system of government," and "for good reason, presidents cannot be indicted, and impeachment is not a criminal procedure."

I believe the failure to differentiate between criminal and political offenses contributes in a major way to the apparent inability of Congressional leaders to make the case against the regime and raise righteous indignation at the grassroots level. This said, there are crimes and constitutional violations that even Republicans should agree call for Bush's impeachment (and in some cases, Cheney's), including:

- The signing statements - an egregious [abuse of power and undermining of the Constitution](#).
- The NSA warrantless spying. The case needs to be made that this is a [flat-out felony](#) and a breach of the Fourth Amendment, and has already been so ruled by a federal judge.

- The outing of Valerie Plame, motivated by a sinister goal: the need to discredit someone who was exposing one of the regime's gravest crimes, the faking of evidence for an active Iraqi nuclear weapons program.
- Lying the country into war. He must be impeached for this bloody travesty alone.
- Obstruction and lying to the Congress and the 9-11 Commission - an abuse of power and possibly even an act of treason, in which Bush refused to provide testimony and evidence demanded by the Senate Intelligence Committee and by the 9-11 Commission, and himself refused to testify under oath or with any record being made of his answers, and had members of his administration lie to both bodies. This is a clearly impeachable crime.
- Bribery. Jack Abramoff visited the White House so often it was practically a second home. This is corruption on the scale of the Harding and Grant administrations and calls for impeachment, not respect.
- The loss of New Orleans. The president had a duty to initiate drastic emergency action that only he could authorize, and instead he campaigned, played golf, strummed the guitar and entertained Sen. John McCain, while over a thousand Americans were allowed to die and a major U.S. city drowned. That is a clearly impeachable offense.

Democrats on Nov. 7 gained majorities in at least six new state legislatures: New Hampshire, Indiana, Iowa, Michigan, Minnesota, and Wisconsin. This creates six new bodies that citizens can ask to send impeachment charges to the U.S. House of Representatives. Bills that would do that have already been introduced in three state legislatures: Vermont, Illinois, and California. New Jersey activists are hard at work, intent on being the state that comes through. In the rest of the country it will be up to those who voted "no confidence" in the Bush regime to make sure elected Democrats in Congress get the message, by riding them hard to make sure they take aggressive action to put the administration in the dock and rescue the Constitution and the country and be put on notice that we, the people, will also punish cowardice and inaction.

The Mechanics of Impeachment

Before the House Judiciary Committee can put together the Articles of Impeachment, someone must initiate the impeachment procedure. Most often, this occurs when members of the House pass a resolution. For the executive branch, only those who have allegedly committed "treason, bribery, or other high crimes and misdemeanors" may be impeached. Although treason and bribery are obvious, the Constitution is silent on what constitutes a "high crime or misdemeanor" (see above). Ex-President Gerald Ford has been quoted as saying that an "impeachable offense is whatever the House decides it to be."

The impeachment procedure is in two steps. The House of Representatives must first pass "articles of impeachment" by a simple majority. (All fifty state legislatures as well as the District of Columbia city council may also pass articles of impeachment against their own executives). The articles of impeachment constitute the formal allegations. Upon their passage, the defendant has been "impeached."

Next, the Senate tries the accused. In the case of the impeachment of a president, the chief justice of the United States Supreme Court presides over the proceedings.

In order to convict the accused, a two-thirds majority of the Senators present is required. Conviction automatically removes the defendant from office.

Bill Clinton was impeached on Dec. 19, 1998 by the House of Representatives on grounds of perjury to a grand jury (by a 228-206 vote) and obstruction of justice (by a 221-212 vote). Two other articles of impeachment failed: a second count of perjury in the Paula Jones case (by a 205-229 vote) and one accusing Clinton of abuse of power (by a 148-285 vote). He was acquitted by the Senate.

The corporate media had a bean feast with this. To this day, an overwhelming sense of moral opprobrium still attaches to this man who quibbled over the meaning of "to have sex with."

No one ever got pregnant, much less died, as a result of Clinton's deceit.

On Aug. 4, 2006, congressman John Conyers, ranking Democrat on (now Chair of) the House Judiciary Committee, released the final draft of his report *The Constitution in Crisis: The Downing Street Minutes and Deception, Manipulation, Torture, Retributions, and Cover-ups in the Iraq War*, an edited collection of information intending to serve as evidence that the Bush Administration altered intelligence to justify the invasion of Iraq. It's worth quoting from this report at length to illustrate his about-face as he enters the 110th Congress:

"In brief, we have found that there is substantial evidence the president, the vice president and other high ranking members of the Bush Administration misled Congress and the American people regarding the decision to go to war with Iraq; misstated and manipulated intelligence information regarding the justification for such war; countenanced torture and cruel, inhuman and degrading treatment and other legal violations in Iraq; and permitted inappropriate retaliation against critics of their Administration.

"There is a *prima facie* case that these actions by the president, vice-president and other members of the Bush Administration violated a number of federal laws, including (1) Committing a fraud against the United States; (2) Making false statements to Congress; (3) The War Powers Resolution; (4) Misuse of government funds; (5) federal laws and international treaties prohibiting torture and cruel, inhuman, and degrading treatment; (6) federal laws concerning retaliating against witnesses and other individuals; and (7) federal laws and regulations concerning leaking and other misuse of intelligence.

"While these charges clearly rise to the level of impeachable misconduct, because the Bush Administration and the Republican-controlled Congress have blocked the ability of Members to obtain information directly from the Administration concerning these matters, more investigatory authority is needed before recommendations can be made regarding specific Articles of Impeachment. As a result, we recommend that Congress establish a select committee with subpoena authority to investigate the misconduct of the Bush Administration with regard to the Iraq war detailed in this Report and report to the Committee on the Judiciary on possible impeachable offenses."

Well, well, well, how times change, and the crying need for leadership now takes a back seat to the crassest of calculations for 2008. Here is Rep. Conyers again after the U.S. electorate issued its clear mandate on Nov. 7, 2006, to bring the Bush regime to task:

"As many of you also know, I have agreed with Speaker-to-be Pelosi that impeachment is off the table. Instead, we agree that oversight, accountability and checks and balances which have been sorely lacking for the last six years must occur. I have nothing but respect for those who might disagree, but that is where I come out.

"Having devoted a considerable amount of time and attention to detailing the many abuses of the Bush Administration, I firmly believe that we have brought these matters to the attention of the American people and the mainstream media, and that their verdict was reflected in the elections on Nov. 7. I consider the now famous 'basement hearings' and the issuance of my *Constitution in Crisis* report to be among the watershed achievements of my more than forty years in Congress."

Too bad he's willing to throw all this away in jockeying for 2008, but what does the record show regarding parties that have had the intestinal fortitude to put impeachment back on the table? In each of the nine cases in the past when one party has raised impeachment, that party has benefited in the next elections. In other cases when a party has failed to press for impeachment when the grounds for it were widely known, that party has suffered. (Remember Iran Contra?) And look at what just happened on Nov. 7.

Another method, outlined in "Jefferson's Manual," however, is for individual citizens to submit a "memorial" for impeachment.

Do-it-Yourself Impeachment

A little known and rarely used part of the Rules of the House of Representatives ("Jefferson's Manual") actually empowers individual citizens to initiate the impeachment process themselves. "Jefferson's Manual" is an interpretive guide to parliamentary procedure and is included along with the Constitution (remember that?) in the bound volumes of the Rules of the House of Representatives. It is ratified by each congress (including the current one), and has been updated continuously through the history of our democracy (remember that?).

The section covering impeachment lists the acceptable vehicles for bringing impeachment motions to the floor of the House, but now any citizen can download the DIY Impeachment Memorial and submit it, making it possible for Americans to do what our representatives have been unwilling to do. The idea is for so many people to submit the Memorial that it cannot be ignored.

There was a precedent in an 1826 memorial by Luke Edward Lawless which was successful in initiating the impeachment of Federal Judge [James H. Peck](#). This can be used as a template for our own "Do-It-Yourself Impeachment." This can be filled out and sent to Rep. Nancy Pelosi now and another copy to your local Representative. Notarization is optional. The [Web site](#) is urging as many people as possible to send in another copy on Jan. 15 in order to make the maximum impact on the new Congress.

The new Congress will likely have to face a grim economic situation, triggered by a drop in housing prices, in addition to the ongoing Iraq War. Failure to address impeachment will only allow the Republicans to shift blame for the downturn on the new Democratic Congress, thus hurting, not helping their chances for 2008. Democrats would be well advised to strike while the iron is hot.

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