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To my readers:

This paper was designed to fit a ten minute schedule (*which it does meet that criteria*). However, greater opportunity must be made available to present information such as this to our fellow Americans and community members. I will be honored, to discuss this topic at any forum, gathering or academic institution within any time-period provided. I may be contacted at [abbasse@comcast.net](mailto:abbasse@comcast.net) / [info@abbasse.org](mailto:info@abbasse.org) or 616-485-7478.

When I accepted Shirley's gracious invitation to share my research and opinion on the topic of impeachment, I had originally stated I would present from the position of "impeachment would not be in our national best interest". We discussed options other than removal from office, if in fact impeachment occurred. I am currently working on my syllabus and this issue will be a major topic paper. As an instructor, I believe, I should be equally versed.

I began speaking with friends and colleagues to evaluate their opinions and gather resources that I might not be familiar with. However, each individual I spoke with all said the same thing, "If the Democrats attempt impeachment, they will divide the country", "the republicans will recapture their losses of 2006", "it will be impossible to get a conviction in a split Senate", and, "Democrats will create a political disaster".

I have mulled these and others positions over for a few weeks now. However, not one person or group mentioned the constitution. They did not mention the value of the constitution, the strength of the constitution, the "Rule of Law", nor the fact that the constitution instructs us as to when impeachment is needs. "Article II, section 4 states in brief, "...shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors".

There were five major concerns of controversy during the constitutional convention. These were 1) proper forum 2) impeachment trials 3) Impeachability of the President 4) Scope of offences and lastly 5) supermajority v 2/3's, v simple majority. In addition, great consideration was given to the difference between Judicial and Presidential or Executive branch impeachments.

James Madison "thought it was 'indispensable' to provide for presidential impeachment. Otherwise, he argued, the President "might pervert his administration into a scheme of peculation and oppression. He might betray his trust in foreign powers". [*Impeachment in America, 199*] William Randolph went on to add, "Tumults and insurrections would inevitably result if the constitution provided no mechanism for punishing a Presidents abuse of power".

Relying upon English and parliamentarian history, the framers recalled that the royal family was not impeachable and constrained conviction. However, our delegates limited the punishments in the federal constitution to those typically

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found—removal and disqualification from office.[*The Federal Impeachment Process* 7].

In ordinary times, such debates are largely academic. However, these are not ordinary times. Giving consideration to the detaining of Mr. Padilla, an American born citizen that has been detained without his Right's of Habeas Corpus as guaranteed by our Constitution, Article 1, section 9, "The Privilege of the Writ of Habeas Corpus shall not be suspended,..." {note, **Shall Not**, means literally Not Possible}. Through this administration, they have been, suspended and by so doing, each of our rights have been, violated and will continue to be violated.

Let us look at constitutional commercial law, Article I, section 9, "No Preference shall be given by any Regulation of Commerce". This administration sanctioned preference not once, twice or three times but multitudes of times in specially awarded non-bidding contracts to companies with direct financial ties to this administration in, a foreign land, then provided for private mercenaries to provide protections, thus subverting our own military forces and military law in a purported war zone.

As late as December of 2005, our president insisted that he was only legally wire tapping American phones through proper judicially and congressionally approved methods. How fast that changed in 2006 when he informed the public that he "had the right" to tap American phones in HIS war on terrorism, admittedly had been doing so for over 2 years. This President and his administration have continually usurped the American public's right of privacy.

As recently as December 20, 2006 he declared that he had the right to open and read sealed US Postal documents of American Citizens.

I find that the citizens of our nation have been continually lied to and that American troops were and have been killed for those intentional distortions. Let me review just a few:

- 1). "We know where the WMD's are" D. Rumsfeld, 3/30/2003
- 2). "We found the weapons of mass destruction." G.W. Bush 5/29/03
- 3). "We do know that Saddam is actively pursuing a nuclear weapon". C. Rice, 9/10/03
- 4). "We will be greeted as liberators... I think it will go relatively quickly... in weeks rather than months..." Dick Cheney.

The list of fabrications goes on. I could outline many more instances. These few however provide support for knowingly mis-leading the public and potentially congressional oversight. This however will not become known unless the impeachment process is allowed to function, provide verification, allow the use of subpoena power to occur and the truth placed before the Senate.

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I have provided you with just a smattering of information. This is a subject that I devote 3 full weeks or 10 hours of discussion and research to. So please bear with me for a few more minutes. I would like to share information about Presidential Powers.

After decades of serious debate, legislation was passed in 1973 to limit presidential war power. It called for “collective judgments” by the president and the congress before US troops are sent into combat, especially long-term commitments. The intent was to require the President “whenever feasible” to consult with Congress. He was also to report,” the circumstances necessitating the action, the constitutional, legislative and treaty provisions authorizing the action together with his reason for NOT seeking specific prior congressional authorizations and the estimated scope of activities”. [Presidential War Powers, 128]. War Powers Resolution, section 2c defines the Presidents constitutional powers as Commander in Chief to: ‘..Introduce troops only pursuant to 1) a declaration of War, 2) specific statutory authorization or 3) national emergency created by attack upon the U.S.. For matter of argument, this test was met for our entry into Afghanistan. However, it is very questionable if the test was met for Iraq.

As Americans, it is our duty to question our leaders. As Americans, it our responsibility to uphold the constitution of the United States. We must decide whether the Republican or Democratic Party matter more than upholding our Constitution.

Once we allow our leaders to defy the constitution, our constitution, that they have taken oath to protect and uphold, we have given consent and they will take as prescribed acceptance.

That acceptance is called precedent.