

Tanya Domi: Hi, this is Tanya Domi. Welcome to The Thought Project recorded at the Graduate Center of the City University of New York, fostering groundbreaking research and scholarship in the arts, social sciences, and sciences. In this space we talk with faculty and doctoral students about the big thinking and big ideas generating cutting edge research, informing New Yorkers and the world.

Tanya Domi: Charles Tien is a Professor of Political Science at Hunter College and at The Graduate Center of the City University of New York. Tien is an Americanist whose research interest include Congress, quantitative research methods, and representation of minorities and women in the US Congress. Professor Tien weighs in today on House Speaker Nancy Pelosi's call last night for a formal impeachment inquiry into President Trump's admitted efforts to reach out to the Ukraine president to secure an investigation of former US Vice President Joe Biden and his son for alleged corruption.

Tanya Domi: Welcome back to The Thought Project Professor Tien.

Charles Tien: Thanks for having me.

Tanya Domi: Well, today is a really, really big day. We're here less than 24 hours after the House Speaker, Nancy Pelosi, announced that the House of Representatives will formally conduct an impeachment inquiry given these recent revelations about the Ukraine situation that was precipitated by a whistleblower complaint yet to be revealed.

Charles Tien: That was big news, historic news, and Nancy Pelosi essentially saying that everything that the house has been doing now will be framed by impeachment and that the end goal here is to see if what the six house committees are investigating amount to impeachable offenses.

Tanya Domi: So you think she was pushed?

Charles Tien: Partially I think it's a push-pull relationship with all speakers and their members. The members give the tools to their leaders to lead. But the leaders have to lead in the direction that the members want to go. And so at this point, I think with the revelations over the weekend about the phone call with the Ukrainian president, there were enough members that were convinced that the speaker had to start an impeachment inquiry.

Tanya Domi: Yes. And on Monday night there was a group of seven freshmen members in the Democratic Caucus who are in Trump districts that Trump won in their states and they signed an op-ed basically saying, "This is more than politics. This is about our responsibility to uphold and respect the constitution." I think there was a big moment.

- Charles Tien: I think so. All members and the Speaker as well, I think they're always thinking about reelection and the 2020 election weighs large on the Speaker's mind. So when you have these vulnerable freshmen who are responsible for the 2018 takeover coming forward and saying that they're on board now for an impeachment inquiry, I think Pelosi takes that as a message that to not act on impeachment is also a threat to the democratic majority.
- Tanya Domi: Absolutely. I think if they had bypassed this and if they decided not to take this up, I think there would have been outrage from the rank-and-file, and I think it would've demobilized Democrats across the country as well.
- Charles Tien: I think so. I think that's right. AOC who gets a lot of press, especially, Hudson in New York here said the big issue now wasn't what Trump had been doing. But the big issue now is why Democrats weren't moving on impeachment. Pelosi has to be thinking about 1998 and the Clinton impeachment where Republicans kind of overplayed their hand, and you had a historic defeat for Republicans and many believed because that was of the impeachment of Bill Clinton. Newt Gingrich, the Speaker of the House had the resign, not because he lost his reelection bid, but because Republicans lost seats in a midterm for the first time since I think the 1930s.
- Tanya Domi: Absolutely. And I think that some Republicans are actually taunting Democrats with that prospect saying, "You're making a mistake. You're making a mistake." But what's interesting is as of an hour ago, 211 Democrats had formally committed to impeachment. I think Polosi has held back because she wanted to, she wants to protect that majority. And just as you've said, there's tensions there about how far can you go and not act.
- Tanya Domi: We'll talk about what we think, how this could affect the 2020 presidentials, but given now this release of a transcript, it's not official. It has been reported by Associated Press and other media outlets that this is the recollections of officers listening in on the call, and it's their personal notes that contributed to this transcript. So it's not literal. It's sort of subjective about what maybe the officer thought was important. But the main points coming out in the media right now, and boy, is it live streaming on every platform in America, is that the information that's been shared is quite damning of the President's actions.
- Charles Tien: Right. So an [inaudible 00:06:12] is in the transcript there's no explicit quid pro quo, but there's coded language, Trump saying that America's been great for Ukraine, but Ukraine hasn't necessarily reciprocated, and that Trump wants a favor of the Ukrainians. So, reading between the lines and the fact that foreign aid had been withheld by Trump a week before the call, all suggests that Trump was asking for action in return for foreign aid.
- Tanya Domi: He literally asked for help from Ukraine and he basically, not only did he do that, but as you have mentioned, he also blocked appropriation under the Congress

to Ukraine, which is now in a war, an active war in eastern Ukraine with Russia. And one of the main recent interactions with the Ukrainian government going back to 2014 was, "Would you give up your nuclear warheads? And if you do, the United States will help you defend yourself with conventional war arms," that it's standard for any country. So this withholding also you could argue leaves them quite vulnerable at this moment.

Charles Tien: Absolutely. The funds have subsequently been released, and this releasing of the transcript I think is probably the best piece of evidence that Trump has in all of this. Apparently the whistleblower didn't even know about this specific call. What we're really talking about is a series of calls and actions, most of which, we don't know anything about yet. There's going to be much more I think ...

Tanya Domi: Forthcoming.

Charles Tien: To coming, yes.

Tanya Domi: Yeah. It'll be forthcoming. As a matter of fact, in the Senate, the Acting Director of National Intelligence, James Maguire, is going to testify, it's a standard oversight, meaning unfortunate for him that he's going to have to talk because he has not released the whistleblower complaint, which was characterized as being urgent by the Inspector General at DNI. And it has been reported that the Attorney General of the United States has advised him not to release it and that actually obstructs the law as it is intended.

Charles Tien: So we're seeing here the constitution play out in real time. It's supposed to be checks and balances. And I think the challenge that the Congress is facing is how do you deal with an administration that is not willingly participating or following the law? And here the law clearly states that the whistleblower's report should be made available to Congress. We'll see what happens. But my guess is there'll be continued blocking of everything that Congress has wanted from this administration.

Charles Tien: So what can Congress do in response? Congress could, I guess, start to find the individuals that are actually obstructing their investigation. Some have even written about maybe jailing some of these members of the administration. So over the next couple of months, the important thing to watch for is how much the administration will continue to obstruct and what Congress can do about that.

Tanya Domi: Speaking of that, I mean it's my understanding that the courts see impeachment as an elevated authority, which is in the constitution. So it has greater legal importance. So as you have indicated and we've all been watching, the administration has refused to honor any subpoenas or any requests for documents, but it has been said by those authorities on the Congress and on the legal importance of impeachment that this was probably a likely outcome

because they'd been so frustrated they haven't been able to get anything. Courts are probably going to back them with a formal impeachment inquiry.

Charles Tien: I think what's happening now is Congress is trying to make a case to the public. You could say that the Mueller Report provided plenty of ammunition or information to impeach the President, but that message was not necessarily clear enough for the public for impeachment. This seems to be a cleaner story that ...

Tanya Domi: It's easier to tell.

Charles Tien: Easier to tell. Trump has actually admitted to doing the things that he's been accused of doing.

Tanya Domi: Oh, he's been bragging about it, almost taunting the public about it.

Charles Tien: Congress probably could vote based on what information that they have already, but it's the, I think, the desire of Congress to bring along the public. And I guess a poll released this morning was showing that taken over the weekend that a majority of the public still wasn't there, on impeachment. But the poll was in the field as the information about the call was being released. So as more information is made available to the public in a digestible format, will public opinion start to change in the direction of a majority of the country supporting impeachment?

Tanya Domi: Yeah. I think that the Democrats have a messaging challenge here. It's an easier challenge. I mean the Mueller Report was essentially suppressed and framed by Barr with a misleading memo. And then Mr. Mueller himself was pretty obtuse in the way he spoke to the public about it, was just not digestible. So now the Democrats have to rise to this occasion. And I do think that it will cheer the rank-and-file. And when they go back to their districts and they talk, they're going to have to really pound out some messaging here.

Charles Tien: Even if the public starts to support impeachment, I think Pelosi's greatest concern still exists, which was if the House impeaches and the Senate fails to convict, Trump will take that as exoneration, as victory, and that will help him in the 2020 election and that will help Republicans across the board in Senate seats that they ... They have to defend 23 senate seats and of course maybe even retake the House. Getting two thirds of the Senate to convict I think is a high hurdle and ...

Tanya Domi: It's probably an unreachable one.

Charles Tien: Right.

- Tanya Domi: Right now it's an unreachable one for sure.
- Charles Tien: And I don't think there's any clarity on how the Senate would proceed. As you know, Mitch McConnell is capable of probably doing anything to defend President Trump and that could be even dismissing the articles of impeachment in a day or so. I believe there are no clear rules for how the Senate has to proceed once articles of impeachment have been passed by the House. I think that it's not even clear that there has to be a trial in the Senate.
- Tanya Domi: Yeah, it'd be a wait and see situation. I agree with you. According to the transcript that has been released by the White house, Trump asked President Zelensky of Ukraine to arrange for his staff to speak with William Barr about the CrowdStrike hack of the DNC. He wanted to clean that all up. He wanted to get an understanding of that, one. And two, President Zelensky indicated to President Trump that his attorney, his private attorney, Rudy Giuliani, had been in contact with his personal staff and that he would welcome him back to Ukraine.
- Tanya Domi: Why? Why would the President's private attorney be representing him to the Ukrainian government? That just seems at its face inappropriate.
- Charles Tien: Yeah, that's a good question. Why is the private attorney ...
- Tanya Domi: And why would the Attorney General too, why would he want the Attorney General? If the Mueller matter is resolved and it's done, why would he want the Attorney General to speak to justice officials?
- Charles Tien: I can only guess. Maybe they're considering a formal investigation of Hunter Biden and Joe Biden. And so that would involve the Department of Justice. I guess Giuliani is probably Trump's most trusted advisor even though he's not a White House employee. So that may help him skirt some of the legal issues that might be involved with the members of the White House National Intelligence team getting involved in this. I don't have a good answer I think to your question.
- Tanya Domi: Fair enough. We're only speculating here because we don't really know, but it is part of the discourse that's happening right now.
- Tanya Domi: The other thing that happened is that James Maguire, the Acting Director of National Intelligence, rather Joseph Maguire, excuse me, he issued a statement. It's on the NDI, National Defense Intelligence Agency. It's actually on their website. And he had been a retired naval officer. He issued the following statement. "I have sworn an oath to the constitution 11 times in my 36 years of public service and view it as a covenant with every American that I will well and faithfully discharge the duties of my office."

Tanya Domi: I wonder, I wonder what he is personally thinking at this moment about the position he is now in because he accepted this acting role to serve in the Trump administration.

Charles Tien: I think he's probably thinking, "Do I resign? Am I going to be dismissed? And what's my legacy here? Do I follow the law, which clearly states that the whistleblower's report should be turned over?" I believe he probably thinks there's some serious issues here that has to involve Congress. And so, I think he's probably of dreading like maybe many people his decision to work in the White House.

Tanya Domi: True. A very difficult position for Mr. Maguire is facing him in the morning. And I would just say that we ought to give some props to government employees who clearly were talking to the Washington Post on Monday because those stories dropped very quickly and somebody has been talking a lot to members of the press. Because this is the one of the fastest moving stories I have ever seen.

Charles Tien: Right. Government employees are also working to uphold the constitution, and obviously there are serious concerns that this whistleblower had about a series of actions that President Trump participated in. So I believe that the story will unfold in ways that probably will not benefit the president over the next week or so.

Tanya Domi: So the whistleblower's lawyers issued a statement yesterday. They said, the statement, the title is: Statement Concerning the Intelligence Community Whistleblower. "Our firm has represented our client from the outset and he/she has diligently followed the processes and laws that afford the greatest legal protections against reprisal. As legal counsel it is our duty to ensure our client is fully protected." And apparently his or her legal counsel has informed the House Intelligence Committee that they want to come and testify this week. Chairman Schiff is now saying this person is going to testify by Friday. Now that is a huge big buzz in Washington.

Charles Tien: I think it's a act of bravery, clearly by this whistleblower. It's probable that his identity will be leaked somehow. And when that happens, his personal life will be ...

Tanya Domi: Certainly.

Charles Tien: Turned upside down.

Tanya Domi: Absolutely.

Charles Tien: And so he has to know that I think. So he's sacrificing everything that he has to ...

Tanya Domi: It's true.

Charles Tien: To do this. And so, I think, he's a hero in this case.

Tanya Domi: Yeah. Brave person. Very brave person.

Tanya Domi: Let's go back to Pelosi just for one second because this is a discussion that I've been having with a lot of my friends, friends who never worked in Washington like I did and worked on the Hill. A lot of Democrats were like, "Well, this should have happened a long time ago." And I said, "Well, I just want to remind people. We don't really impeach a lot of presidents. This has only happened, actions against the president's only happen like this would be the fourth president. And the first one was in the 19th century."

Tanya Domi: So she, I think is rightfully concerned about her majority. And I have advised people that we may lose seats because these people who signed that op-ed are quite vulnerable to perhaps losing their seat. And I said, "This is something you have to keep in mind."

Tanya Domi: I also think, I'd like to hear your ideas about that this impeachment fight could actually put a lot of pressure on US senators who are up for reelection in purple blue states like Susan Collins in Maine, Cory Gardner in Colorado. You've got two open seats in Georgia, which is going purple, and of course Thom Tillis in North Carolina, and you've got one seat open in Arizona that's going purple blue. So I think it puts a lot of pressure on them. What do you think about that?

Charles Tien: Absolutely. Members of Congress, senators, they have to run on something every time they're up for reelection. Usually that's something substantive, delivering health care, addressing climate change, doing something about gun violence, doing something about the opioid crisis. So there are plenty of things that everyday Americans are more concerned about than the actions of Donald Trump probably.

Tanya Domi: Absolutely, yeah.

Charles Tien: So with yesterday's announcement, I think everything else that Congress does for the next six months to a year is going to be struggling to get some attention in the media. And these members and senators who are running for reelection, I think are fearful that the public is going to think, "You didn't deliver on the things that matter to me and my family, bread and butter issues, and all we have is impeachment, and I don't really care about that."

Tanya Domi: Right. I think fortunately in the House they've passed a lot of bills, however none of it has passed because as you know Mr. McConnell's not passing anything. I think the Senate has got a pretty bad record because they haven't passed anything. But you're absolutely right. Everything stops now on policy,

and it's just to impeachment. I would also add, I'd like to hear your thoughts on this, I think it could actually deepen the polarization within the country. This is going to probably be a pretty nasty fight.

Charles Tien: Absolutely. The Federalist Papers talk about impeachment and were concerned about exactly what you said, deepening, deepening divides, deepening factions. Trump is playing to his base today and yesterday and ever since he's been elected. So I can't think of an instance where he was reaching beyond his base during his presidency. And that's what he's going to continue to do I think until the next election. And his base has been responding to him. His approval ratings haven't necessarily dropped that low. We haven't, I haven't seen anything recently, but my guess is his base will continue to support him. The poll over the weekend that asked about impeachment, again, it was only I think 4% of Republicans favoring impeachment. And so, everything-

Tanya Domi: 37% in the poll I saw support impeachment were right at the beginning of this, and we'll see-

Charles Tien: Right, right, so opinion can certainly change.

Tanya Domi: Yeah, sure.

Charles Tien: But we view things through partisan lenses.

Tanya Domi: Without a doubt. I would also say that this is going to be challenging to Democrats too, especially I think to the presidential candidates. They've recently sort of been out of step with Congress. Maybe they'll all come together now. They're seeing that the Caucus is more unified than it has ever been since Pelosi's been Speaker. We shall see. It's going to be rough seas out there.

Charles Tien: Yes. How this plays out on the presidential Democratic primary will be fascinating to watch, especially since Joe Biden, his actions are mentioned in this call, and then you've got a couple of candidates who have been calling for impeachment since the beginning of their campaign.

Tanya Domi: That's true. Warren being really I think one of them. And Sanders. And it looks like Warren's now in the lead. She's taking a small lead. Yeah, I think it's going to be, it's going to be pretty crazy out there. The coverage is going to be absolutely. It's pretty manic right now. I mean, it's like wall to wall. That's part of my job here at The Graduate Center, but we're going to be watching it and we want to have you back to talk about this Professor Tien.

Charles Tien: It's always a pleasure to talk with you.



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Tanya Domi: Thanks for tuning into The Thought Project and thanks to today's guest, Professor Charles Tien of Hunter College and The Graduate Center. The Thought Project is brought to you with production, engineering, and technical assistance by Kevin Wolfe of CUNY TV. I'm Tanya Domi. Tune in next week.