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# **Master Dissertation**

# The Abuse of Power in Democratic State: case of study Donald J Trump Presidency

A Dissertation Submitted I on the Department of Art and Foreign Languages in Partial Fulfillment for the Requirement of a Master Degree in English Language Option: Literature and Civilization

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# Dedication

With great honor, I want to dedicate my humble work to:

To my beloved mother Naçira

To my hero Father Ramdane

To my dear sisters

#### Declaration

I, undersigned, do hereby declare that this dissertation has been carried out by me as a partial fulfillment for the Master's degree in English literature and civilization under the guidance and supervision of Mrs. Djaalal Meriem, Faculty of Letters and Languages, English Language and Literature Department, Mohamed Khider University of Biskra, Algeria.

I further declare that the findings of this work are a result of my own readings and understanding of the original works. Also, I declare that this work is not published anywhere in any form.

#### TIFRATENE ROMISSA

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#### Abstract

This thesis attempts to highlight the importance of the USA democracy principles. It tries to study the principles of the separation of powers, the checks and balances system during of Donald Trump's administration. Trump undermined democratic institutions rather than building new ones by fostering hyper partisanship inside political institutions. He does not demonstrate the strength or weakness of the president; rather, he shows the dangers of ineffective political leadership in the United States, particularly during times of crisis. The approaches that were used to accomplish this study are the historical, the descriptive and the analytical in which the historical approach will be used to trace back the history of the U.S constitution and political parties, The descriptive and analytic approaches will provide the reason of the trump's miss use of democracy .The outcomes of this research provides an overview of the political side in the US democratic system and how the check and balance system led to the impeachment of Donald trump. Furthermore, it examines the methods of trump in undermining the democracy power and how he uses his political position for personal gain.

**Key words:** Donald tramp administration, Impeachment, Political parties, the separation of powers, Checks and Balances.

#### ملخص

تحاول هذه الأطروحة إبراز أهمية مبادئ الديمقر اطية الأمريكية. يحاول در اسة مبادئ الفصل بين السلطات ونظام الضوابط والتوازنات خلال إدارة دونالد تر امب. قوض تر امب المؤسسات الديمقر اطية بدلاً من بناء مؤسسات جديدة من خلال تعزيز الحزبية المفرطة داخل المؤسسات السياسية. لا يُظهر قوة الرئيس أو ضعفه ؛ بل إنه يظهر مخاطر القيادة السياسية غير الفعالة في الولايات المتحدة ، ولا سيما في أوقات الأز مات. المناهج التي تم استخدامها لإنجاز هذه الدراسة هي المنهج التاريخي والوصف والتحليلي الذي سيُستخدم فيه النهج التاريخي لتتبع تاريخ الدستور الأمريكي والأحزاب السياسية ، وستوفر المناهج الوصفة والتحليلية سبب استغلال تر امب لديمقر اطية الأمريكية. تقدم نتائج هذا البحث نظرة عامة على الجانب السياسي في النظام الديمقر اطي الأمريكي وكيف أدى نظام الفحص والتوازن إلى عزل دونالد تر امب. علاوة على ذلك ، تبحث الأطروحة في أساليب تقويض تر امب سلطة الديمقر اطية وكيف يستخدم منصبه السياسي لتحقيق مكاسب شخصية

الكلمات المفتاحية : إدارة دونالد ترامب ، قانون الإقالة ، الأحزاب السياسية ، فصل السلطات ، الضوابط والتوازن

### List of Acronyms

U.S	United States
FDR	Franklin D. Roosevelt
GOP	Grand Old Party
SNS	Social Networking Sites
TPP	Trans-Pacific Partnership
USMCA	United States-Mexico-Canada trade pact,
NAFTA	North American Free Trade Agreement
ACA	Affordable Care Act
АНСА	American Health Care Act
JCT	Joint Committee on Taxation

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#### **General Introduction.**

A basic definition of the abuse of power is the use of a position of authority to take unfair advantage of individuals, organizations, or governments. Economic crime, public corruption, and governmental corporate deviance have all been branded as power exploitation. All of these crimes have an element of deceit. Although such crimes have been perpetrated since the beginning of time, modern technological and sociological changes have created an atmosphere that is more conducive to them.

Regardless of the mistakes made by the United States government and there have been many the American people and their leaders have typically recognized that standing up for the rights of others is both a moral duty and a benefit to themselves. However, in 2017, the Trump administration made clear its desire to abandon ideals that have guided US policy and served as the foundation for American leadership for the previous seven decades. The former President Donald Trump became the first president in American history to be impeached twice. However, being impeached is not the same as being convicted and removed from office or prevented from holding it again. The former President Trump was impeached by the House of Representatives for abuse of power and obstruction of Congress, faced a Senate trial on the accusation of "inciting insurrection" ahead of the Capitol riots. He has been charged with incitement of insurrection after hundreds of supporters stormed the US Capitol in protest of the 2020 presidential election result. Making him the third president in history to be charged with high crimes and misdemeanors and face removal by the Senate.

Trump's strategies for penetration into the US government were carefully studied since he is one of the most important individuals in the Republican Party He used his popularity and interests to indirectly control the country's political procedures and manipulate checks and balances for his interests. Donald Trump's dealings weakened the political parties, affected the country's democracy, and exposed the gap in the checks and balances of the US.

This research aims to highlight the misuse of American democratic powers in order to demonstrate the first and the second impeachment of Donald Trump as well as to spot the light on the processes of the US political system by defining The American System of Government "the Separation of Powers" and the way it works under the check and balances principle .Furthermore, this study is going to describe the development of the political parties within the American democratic system and to focus on Presidency of Donald Trump as a case study.

The results will provide important information about USA constitution, the political system and The Impeachment Law.

In light of the above-mentioned research contextualization, the research probes the following primary research question:

In what way was the US democracy abused by President Donald Trump? This question shall be investigated through the following:

- 1- How the United States is governed?
- 2- How did the political parties develop within American democracy?
- 3- What were the reasons of President D. Trump's impeachment?
- 4- How did President D. Trump undermine the U.S. democracy?

Concerning methodology, this research is based on three approaches. historical, analytical and descriptive in which the historical approach will be used to trace back the history of the U.S constitution and political parties, The descriptive and analytic approaches will provide the reason of the trump's exploiting of democracy and how he was impeached twice from the presidency office. The dissertation considers a wide range of primary and secondary sources. The primary sources used in the research are in the form of constitutionals statements and official statements taken from official governmental websites. The secondary sources focused on searching for existing research conducted by historians, academicians, analysts, and political scientists.

The thesis is divided into three chapters. The first chapter deals with The American System of Government: the Separation of Powers and the checks and balance system The chapter starts with a small overview of the US constitution than it studies and analyzes the three branches of the government by giving the characteristics of every branch, analyzing their sections and describing the way they work under the check and balance system. The second chapter goes deeper on the development of the Political Parties within the American Democratic System. The chapter presents the history of the American political parties than it expands on the explaining of the development of the political parties, Democratic and republican, from their birth until present day. The chapter is concluded by highlighting the power of the media when it makes public attention focus on a particular issue. The third chapter focuses on the presidency of Donald trump as a main part of the research. The chapter provides a general overview of Trump's presidency and it talks about the trump's 2016 elections and the main features of his presidency. The chapter also discusses the problems of Trump's presidency, how he undermines the American democracy and weakened the judiciary for his personal purposes and it's concluded by describing and analyzing the first and second impeachment trial of trump.

Chapter One

The American System of Government

#### 1.1 Introduction

The separation of powers system refers to the philosopher Montesquieu in his influential 18th-century work "Spirit of the Laws." His vision of a government separated into independent legislative, executive, and judicial departments inspired the framers of the United States Constitution. The separation of powers is the division of government responsibility into different branches to prevent one department from performing the primary activities of another and to limit any one branch from exercising the core functions of another. This chapter mainly deals with The American System of Government: Separation of Powers and how it works under the check and balance principle

#### **1.2** The Constitution

The United States Constitution created America's national government and fundamental laws, signed on September 17, 1787, by delegates to the Constitutional Convention in Philadelphia. The national government was weak and the states functioned like independent countries. Under America's first governing document, delegates developed a plan for a greater federal government with three branches executive, legislative, and judicial along with a system of checks and balances to guarantee no single branch had enough power at the 1787 convention (History.com Editors). Its seems that The United States Constitution was written to create a good union, establish justice, provide for the common defense, and guarantees the rights of individuals to American citizens. In this sense the constitution employed the division of government duties into distinct branches to prevent any one department from doing the essential activities of another under separating the power of each branch

#### **1.3** The Judicial Branch

The judicial branch of the United States government is the system of federal courts and judges that define laws enacted by the legislative branch and implemented by the executive branch. The Supreme Court, the highest court in the United States, sits at the epicenter of the judicial branch. The judicial branch was doomed to fall behind the other two branches of government (History.com Editors).

The predecessor to the United States Constitution, the Articles of Confederation, which established the first national government after the Revolutionary War, did not even mention judicial power or a federal court system. The framers of the Constitution in Philadelphia in 1787 did not elaborate on the Supreme Court's powers in that report, nor did they specify how the judicial branch must be organized—they left all of that up to Congress (History.com Editors).

#### 1.3.1 The Judiciary Act Of 1789

The Judiciary Act is the federal act that defined lower federal courts and other federal judiciary functions. The Constitution states in Article 3 that "the judicial power of the United States shall be vested in one Supreme Court and such inferior courts." Article III does not specify the number of justices who must sit on the Supreme Court or the formation of federal courts. The Judiciary Act filled this emptiness by establishing a supreme court of the United States with a chief justice and five associate justices. The Act also established federal District Courts and a Circuit Court to hear cases from the district courts and eventually become the Courts of Appeals (Judiciary Act of 1789).

#### **1.3.2 Judicial Review**

A judicial review is a difficult legal procedure. These state laws or Acts establish the guidelines for judicial review. The Administrative Jury trials Act one, which establishes time limits for requesting judicial review, and the other one the Judicial Review Procedure Act, which establishes procedural requirements (Judicial Review).

The courts also have the authority to declare acts of the other government branches unjust and thus difficult to enforce. If Congress passes legislation prohibiting newspapers from publishing information about such political issues, courts will have the power to govern that this legislation violates the First Amendment and is thus unconstitutional. State courts may also overturn their own state's laws based on the state or federal constitutions (Haas).

#### **1.3.3** The Supreme Court of the United States

The United States Supreme Court is the highest court of appeal and the final interpreter of the United States Constitution. Within the context of litigation, the Supreme Court establishes the lines of control between state and nation, state and state, and government and public servant. (Duignan and DeCarlo 52).

The words "EQUAL JUSTICE UNDER LAW," mentioned above the doorway to the Supreme Court Building, convey the full responsibility of the United States Supreme Court. The Court is the nation's highest judicial body for all issues and conflicts emerging under the Constitution or laws of the United States. The Supreme Court, as the ultimate authority of the law, is responsible for guaranteeing the American citizens of the promise of social equity under the law, as well as acting as the Constitution's defender and translator (Supreme Court of the United States).

In addition, The Supreme Court is formed of the Chief Justice of the United States and as many Associate Justices as Congress determines. The current number of Correlate Justices is established at eight (Supreme Court of the United States).

Congress determines the structure of the federal judicial system, along with the size of the Supreme Court. The court had six justices from 1789 to 1807. A seventh justice was appointed in 1807, followed by an eighth and ninth in 1837, and a tenth in 1863. The structure of the court has occasionally been prone to various manipulation; for instance, in 1866 Congress provided for the sharp decrease of the court to seven justices through attrition to ensure that President Andrew Johnson, who was later impeached and only narrowly acquitted by the House of Representatives, could not appoint a new justice. After Johnson left office, Congress passed new legislation in 1869 that increased the number of justices to nine, where it has stayed ever since. (Smentkowski).

#### **1.3.4** The Courts of Appeals

The United States Courts of Appeals, also known as the Federal Circuit Courts, are transitional federal appellate courts. They are made up of thirteen circuits: the first through eleventh circuits, the District of Columbia Circuit Court, and the Federal Circuit Court of Appeals. These courts have jurisdiction appeals from decisions of US District Courts as well as other federal courts and agencies (US Federal Courts of Appeals Case Law).

The President appoints judges to the courts of appeals for career, with the advice and consent of the Senate. Based on the work load of the courts, each court of appeals has six or more judges. The chief judge is the judge who has provided on the court the longest and is under 65 years old. In addition to hearing cases, he or she needs to perform administrative duties. The chief judge is appointed for a maximum of seven years. The 12 regional courts of appeals have 167 approved judgeships (Understanding the Federal Courts).

Furthermore, the courts of appeals have two primary functions, which are often outlined as "error correction" and "law declaring." Error correction is an effective mean for the function assured by the statutory right to appeal that seeks to ensure the accomplishment of a correct result in an individual case while accepting other system values such as finality and economy. In particular cases, failure repair is critical for aggrieved parties since it ensures that their case will be provided a "second look" and that the final judgment will not be the result of authority being exercised arbitrarily or outside of the law. The availability of an independent review improves both the perception and reality of justice and accountability (McKenna 7).

#### **1.3.5** The District Courts

The District courts have both civil and criminal judicial power. They are located in 94 judicial districts across the country. The District of Columbia and Puerto Rico, has at least one judicial district, and a powerful nation may have up to four and the number of justices varies greatly between districts. According to Article III of the United States Constitution, district court judges are selected by the president and confirmed by the Senate, and they serve "while good conduct." Federal district judges appoint magistrate judges. (Duignan).

#### **1.3.6** The Bankruptcy Court

US bankruptcy court relates to the highly specialized federal courtrooms in the United States. The federal government established bankruptcy courts to handle all types of personal and corporate bankruptcy cases. The bankruptcy court system didn't even exist until 1978, when Congress approved the Bankruptcy Reform Act, in contrast to the federal court system, which has been established by the United States Constitution in 1781 (KAGAN).

Bankruptcy cases are filed in bankruptcy court, which is handled by each of the 94 federal judicial districts. Bankruptcy rules protect struggling businesses and ensure that creditors are paid on time through restructuring or liquidation. Headline 11 of the United States Code, the Bankruptcy Code, governs these procedures (Federal Bar Association).

#### **1.4** The Executive Branch

The executive branch has changed dramatically over the years, and it is no longer the same as it was under George Washington. The experiences of the framers of the Constitution with the British government under King George III had a significant impact on them. After witnessing how the king and other European rulers abused their power, the framers of the Constitution sought to impose strict limits on the president's authority. Some have proposed having multiple presidents to distribute authority. Simultaneously, the Framers desired to create an executive office that would provide effective and consistent leadership (Dobel).

#### **1.4.1** The President and the Vice President

The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected (Article 2, Section 1).

Thus, in Article II of the Constitution, the Writers of the constitution outlined the powers and responsibilities of the executive branch. The president's specific powers are limited, and the language used to describe them is commonly brief and ambiguous. The president can, among other things, be commander in chief of the military, grant pardons, sign treaties, and appoint ambassadors, Supreme Court judges, and other government officials (Dobel).

The vice president succeeds the president in the event of the president's death, disability, resignation, or removal. Although the Constitution does not define the vice president's duties,

it does state that the vice president provides as the presiding officer president of the United States Senate. (Vice President of the United States of America).

However, neither the Constitution nor any general statute necessarily prevents the Vice President from acting as the President's delegate. the variety of transferrable duties appears to be co-extensive with the purview of the President's delegation power. Legislation that seeks to vest authority in the Vice President for use apart from the President would surely violate Article II, Section 1 of the Constitution. (Katzenbach).

#### 1.4.2 The Cabinet

The word "Cabinet" was not used in the Constitution. It was first used by President James Madison. Article 2, Section 2 of the Constitution states that the President "may require the Opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices..." (Calabrese).

A presidential cabinet is a collective of the highest ranking appointed officers of the federal government's executive branch. They are appointed by the commander in chief and confirmed by the United States Senate. According to White House documents, presidential cabinet members are responsible for "advising the president on any subject he may require important to the duties of each member's individual position." The presidential cabinet consists of 23 members, including the Vice President of the United States (Gill).

A presidential cabinet member may not be a congressperson or an incumbent governor. "...No person holding any office under the United States shall be a member of either house during his continuance in office." states Article I Section 6 of the United States Constitution. Cabinet officials are appointed by the President and approved by a majority vote of the United States Senate. Each officer, with the exception of the Prosecutor, who leads the Department of Justice, is given the designation Secretary. Cabinet members serve at the President's order and are subject to removal at any moment. When a new President enters office, Cabinet Secretaries frequently quit. The President has the power to choose potential candidates from any area of American society. (Bailey).

#### **1.4.3** The Executive Departments

The president selects the heads of the departments, who would then be approved by the Senate to form the president's "Cabinet," a council of advisers. The Executive Office of the President has a number of service groups in addition to the 14 departments. Among them are the White House staffs, the National Security Council, the Office of Management and Budget, the Council of Economic Advisers, the Office of the US Trade Representative, and the Office of Science and Technology. The Constitution makes no mention of a presidential Cabinet. It does indicate, however, that the president has the right to request, in writing, the opinions of the chief officers of each of the executive departments on any matter within their areas of responsibility, as well as credentials for service in the Cabinet (American history).

The Vice President is joined by the Ministers of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Homeland Security, Housing and Urban Development, Interior, Labor, State, Transportation, Treasury, and Veterans Affairs, as well as the Attorney General. The Cabinet also includes the White House Chief of Staff, the US Minister of the United Nations, the Director of National Intelligence, and the US Trade Representative, as well as the heads of the EPA, Office of Management and Budget, Council of Economic Advisers, Office of Science and Technology Policy, and Small Business Administration (the White House).

Moreover, Independent regulatory institutions such as the Federal Reserve System and the Securities and Exchange Commission are also part of the executive branch. These agencies, which are governed by commissioners chosen by the president and confirmed by the Senate, defend the public interest by enforcing rules and settling disputes over federal regulations. Government corporations, which offer services to customers that private firms might provide, and autonomous executive agencies are also part of the executive branch (Duignan 86).

#### **1.5** The Legislative Branch

The Legislative branch of the US government develops laws for the country, as established in Article I of the US Constitution. It consists of the two chambers of Congress, the House of Representatives and the Senate, as well as a number of supporting institutions such as the Library of Congress and the Congressional Budget Office (History.com Editors).

Article I, Section 1 of the US Constitution provides: "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.", the Constitution initially vests in a representative Congress all federal legislative powers. It specifies the Legislative branch's tasks and obligations, such as enacting legislation, declaring war, and excessive taxation (Eskridge and Rao).

#### **1.5.1** The Powers of Congress

The Constitution vests considerable power in Congress as one of the three balance of powers organs of government. Article I of the Constitution defines Congress's authority and the specific areas within which it may legislate. Congress may also pass legislation deemed "necessary and suitable" for carrying out the responsibilities delegated to either branch of government under the Constitution. In the United States, Congress has execution authority, which means it is the only arm of government that may create new laws or alter existing ones. Rules issued by Executive Branch agencies have full legal force, but only in accordance with

laws passed by Congress. The President has the authority to veto legislation enacted by Congress, but a two-thirds vote in both the Senate and the House of Representatives is required to override a veto (The White House).

The powers of Congress are defined in Article I, Section 8 of the Constitution. The principal power includes the authority to charge and collect taxes, to regulate interstate and international trade, to coin money, to create post offices and post roads, to create lower courts to the Supreme Court, to declare war, and to raise revenue an army and navy. "To provide for calling forth the Paramilitary force to execute the Laws of the Union, suppress Insurrections, and repel Invasions;" and "To end up making all Rules which must therefore be necessary for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof," Congress is further authorized (U.S. GOVERNMENT MANUAL 30-31).

#### **1.5.2** The House of Representatives

During the Constitution's writing, a debate arose between states with large populations and those with smaller populations. Everyone has an opinion about how the regions should be represented in the new government. To be fair to each party, a compromise was struck. The more populous states will support the House of Representatives, while less populous states will support the Senate (Onion).

The House of Representatives is in charge of creating legislation and reviewing the government's performance. The Senate's primary function is to assess legislation authorized by the House of Representatives, and it only makes limited use of its ability to probe government actions. The government is expected to provide the necessary information to both chambers (Tweede and kamer). "The House of Representatives shall be composed of

Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature (Article 1, Section 2).

The Chamber of Representatives, sometimes known as Congress' "lower" house, has 435 members. Each member has one vote across all bills, amendments, and other measures decided to bring before the House, plus six non-voting members. To serve in the House of Representatives, a participant must be at least 25 years old, a U.S. citizen for at least 7 years, and a resident of the state in which he or she is elected at the time of election (House of Representatives of the United States).

Members of the House undertake two-year terms. This gives them a greater connection to their constituents—as well as more accountability, because they only have two years to please voters before having to seek for reelection. The basic responsibilities of a representative include initiating legislation and resolutions, proposing changes, and participating on committees. The system of district representation in the House was part of the Great Compromise of the Constitutional Convention in 1787 (Trethan).

#### 1.5.3 The Senate

The Senate, unlike the House, is a government institution. Two-thirds of Senators from the previous Congress are exempt from running for re-election in the next one, although all Members must run for re-election every two years. As a result, the manner and scope of forming each new Senate have not been formed in response to unique gaps between Congresses, nor have the Senate's legislative norms been similarly sensitive to changes (Dove). "The Senate of the United States shall be composed of two Senators from each state,

elected by the people thereof, for six years; and each Senator shall have one vote" (Article 1, Section 3).

As stated in Article I, Section 3, the Senate, like the Voting System and the judiciary, was intended to be a counter majoritarian body. The Writers of the constitution were afraid of tyranny, and the Senate was structured and equipped to oppose direct democracy while holding the House of Representatives in check. Members of the House of Representatives were chosen by popular vote in their respective districts. Senators were first nominated by their respective state legislatures, and as a consequence, they were subject to recall and recall if they did not obey the instructions of their respective legislatures (Gerhardt and Calabresi).

In the United States Senate, every state is represented equally. Regardless of population or size, each state has two senators who serve six-year terms. In contrast to the House of Representatives, where all members are required to seek for re-election every two years, the Senate only occupies one-third of its seats in each general election. Longer, spanning Senate terms promote stability and continuity while reducing the immediate pressure of public opinion on Senate members. Senators were elected by state legislatures until the 17th Amendment to the Constitution was passed in 1913 (The U.S. Senate).

#### 1.5.4 Impeachment

Alexander Hamilton explained that Impeachment strictly involves the "misconduct of public men, or in other words from the abuse or violation of some public trust." Individual state constitutions had provided for impeachment for "maladministration" or "corruption" before the U.S. Constitution was written. And, fearing misuse of executive authority, the founders deemed impeachment so crucial that they included it in the Constitution even before defining the parameters of the president (History, Art & Archives).

The President, Vice President and all civil officers of the United States, shall be removed from office on Impeachment for, and Conviction of Treason, Bribery, or other high Crimes and Misdemeanors (Article 2, Section 4). It was started by citizens who intended to hold all of their public servants, high and low, to the highest level of accountability. Everyone was envious of any Looking at monarchy, and they were determined not to grant the chief court officer any regal immunity, but rather to secure his trust and their own rights by holding him personally accountable for his misdeeds, and to protect the government by providing suitable provisions for his removal. (Davis).

By a simple majority vote, the House of Representatives charges a federal government official in impeachment proceedings. Following the House of Representatives' filing of articles of impeachment to the Senate, the Senate convenes as a High Court of Impeachment to assess evidence, hear witnesses, and vote to exonerate or condemn the accused person. In front of the Senate, a group of lawmakers serves as prosecutors. The chief justice of the United States is in charge of presidential impeachment proceedings. A two-thirds vote of the Senate is necessary to convict, and the punishment for an impeached official is removal from office if convicted. In other cases, the Senate has prevented such individuals from ever holding public office again (United States Senate). To put it in simple, the executive branch is the most prevalent danger to democratic survival. In this sense Impeachment is the best constitutional option for major transgressions against the governing system. However, the objective of impeachment is not to punish individuals; rather, it serves to preserve constitutional governance. The validity of this law will be proven further in the following chapters.

#### **1.6** The Checks and Balances

The other important effect of separation of powers is Checks and balances system. Each branch of government can participate in and influence the operations of the other branches under this structure. Using the idea, each branch has some authority over the others, and various governmental agencies are balanced against one another. The primary goal of the check and balance system is to preserve the system against anarchy and popular passion. One of the most significant legislative powers over the executive, as a result of the check and balance system, is the ability of Congress to impeach and remove the President (BOZTEPE).

The system of checks and balances promotes a mutually beneficial interaction between the several branches of the United States federal government. The three branches rely on one another—under the Constitution, the federal government cannot fulfill its responsibilities to the people unless each branch functions properly (Robinson 121).

The presidential branch has the authority to select Supreme Court justices, who are subsequently confirmed by the legislative branch by a Senate vote. Similarly, the executive branch has the power to impeach a Supreme Court justice if a majority of Congress agrees. The other two branches have authority over who is appointed to the judiciary, establishing a more equitable balance of power across the branches. In the other hand, if the election system does not have a majority in their vote, the legislative branch votes to install the executive branch's elected personnel. Impeachment of executive branch officials is started by the legislative branch and backed by the court through judicial examination of executive branch activities. If the judicial branch rules that the activities of the executive branch are unlawful, the legislative branch may vote to remove an official from office. This division of authorities and provision for checks results in a balanced system in which no one source has undue authority (Denomme and Dugger). In another words, the idea of separation of power wasn't enough and perfect for the constitution to prevent the possibility of arbitrariness and tyranny from the three branches. The checks and balance system was the golden key to limit the powers of the branches. In This way, no one branch gets overly powerful, and each branch "checks" the power of the other branches to ensure that power is distributed evenly.

#### 1.7 Conclusion

Modern constitutional systems show a great variety of arrangements of the legislative, executive, and judicial processes due to the doctrine of separation of powers. and To ensure the separation of powers, the US Federal Government is divided into three branches. Each of the three branches of government has "checks and balances" over the other two. The checks and balances system is designed to ensure that no branch or department of the federal government is permitted to overstep its limits, to prevent fraud, and to allow for rapid rectification of errors or omissions. **Chapter Two** 

The Development of Political Parties within the American Democratic System

#### **2.1. Introduction**

In the modern American political system, voters express themselves primarily through loyalties within a competitive party system of 1796 which was the first election in which this defining element of modern political life began to emerge. In US elections, Candidates try to get political support from a variety of organizations and locations.

In this chapter, we analyze the American political system. So first, we review the American two-party system. We refer to the origins and the development of the two major American political parties and we focus on the differences between them as well. We will study also the mass media that is used as an instrument of competition between the political parties.

#### 2.2. The History of American Political Parties

When the founders drafted the Constitution in 1787, they made no mention of political parties. The founders did not intend for political parties to play a role in electing the president. According to Willard Sterne Randall, professor emeritus of history at Champlain College and biographer of six of the Founding Fathers, "The Constitution did not provide for any political parties." It's not that the Founding Fathers didn't consider them, but the phrase "party" was toxic to them. They wanted a presidential election, the core of their political system, in which the highest vote-getter became president and the second-highest vote-getter became vice president (Randall).

The new Constitution's framers were desperate to avoid the divisions that had torn England apart during the bloody civil wars of the 17th century. Many of them considered political parties, or "factions," as corrupt vestiges of the monarchical British system that needed to be replaced by a truly democratic administration (Pruitt).

However, the leaders of the American Revolution did not support the idea of parties and political battles between parties. In his retirement, George Washington warned Americans against the dangers of faction. He said that it can lead to division and conflict, and can ultimately harm the nation. James Madison thought the party wasn't fully approved, but probably needed one. According to Alexander Hamilton, faction is a vice to watch out for at all times. If I could not go to heaven with a group, I would not go there at all. Nonetheless, the men who held these views founded the two great American political parties (Flanders).

In his final public address as president, George Washington warned against the two biggest threats to American prosperity political parties and foreign wars. He also advised Americans to avoid political polarization and involvement in European conflicts:

I have already intimated to you the danger of parties in the State, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally. This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but, in those of the popular *form*, it is seen in its greatest rankness, and is truly their worst enemy (WASHINGTON'S FAREWELL ADDRESS 16).

It appears that Despite Washington's warnings, even before the Constitution was written, the Spirit of the Party was growing and the partisan divide we're currently experiencing was an inevitable result of such a spirit. Washington's letter was significant because it served as both a warning and an encouragement to future generations.

#### 2.2.1. The Federalist party

Between 1789 and 1800 no individual or group of individuals could hold a monopoly upon political innovation. These changes, which resulted in the emergence of a national party system, a more open political climate and electoral process, and ever greater participation by the common people in political decision making, were instigated as much by elitists seeking to maintain their entrenched hold on national power as by those seeking equal access to political power (Rose 283).

The first political party was the Federalist Party; which had the majority in the Congress until 1800. During President George Washington's first administration (1789-1793), the Federalist Party arose in contrast to the Democratic-Republican Party in the administrative and legislative departments of government (History.com Editors).

The federalists desired agricultural and commercial expansion that would bring wealth and prosperity to all people, and they regarded the national government as a guide and participant in the nation's westward expansion. They also believed that the country required vitality and might to survive and wield influence in a perilous yet opportunity-rich international landscape (Ketcham 22).

The Federalists embraced a variety of ideologies, but their main aim was to favor a strong central government modeled after the British government. Their vision of a strong central government included the ability to maintain a large standing military to quell rebellions, levy taxes to raise revenue, and perform other functions for the benefit of the federal government (Brox 04).

The Federalists wanted tariffs on foreign goods, an effective navy to protect their interests abroad, and an army to protect their borders. They supported a strong federal government above states' rights and a stable monetary system on most issues. Businessmen supported the Federalists because they regarded Hamilton's formation of the Bank of the United States – the precursor of the Federal Reserve System – as a way to ensure that the U.S. economy would continue to develop (Liebman).

Despite the Federalists' inability to survive as a political party, their legacy lives on federal rights take precedence over state rights in areas granted to the federal government by the Constitution, a robust central banking system is required. And, the cases might be reviewed by federal courts to ensure their legality (Brox 06).

Perceiving the federalist aspirations and purposes, the anti-federalists were dubious and disheartened at the same time. They saw in federalist ambitions for commercial expansion and international reputation just the thirst of ambitious men for a "splendid empire" where the people would be burdened with taxes, conscription, and campaigns in the time-honored way. Unsure that any government over such a huge realm as the United States could be governed by the people, anti-federalists saw only the usual threats to the people's rights and freedoms in the expanded powers of the central government (Ketcham 24).

The few delegates who supported the Anti-Federalist cause, most notably George Mason of Virginia, Luther Martin of Maryland, and Elbridge Gerry of Massachusetts, were criticized for not having the sense to join their more numerous colleagues. The anti-Federalists had other disadvantages (Hamilton, Alexander, et al. 19).

#### 2.2.2 The Democratic-Republicans

The Democratic-Republican Party was founded in 1792 and is the country's oldest political party. The Democratic-Republican Party was created by James Madison and Thomas Jefferson, the Declaration of Independence's author and proponent of the Bill of Rights. Following the 1824 presidential election, it ceased to exist under that name and became

known as the Democratic Party, The party was created in opposition to the Federalist Party. Jefferson's conviction in the power of local and state governments was the major distinction between the Democratic-Republican Party and the Federalists . According to University of Virginia political scientist Larry Sabato, the Democratic-Republican Party began as a "loosely aligned group that shared its opposition to the programs introduced in the 1790s." .The party was first referred to as Republicans. However, the party was later renamed the Democratic-Republican Party (Murse).

The Democratic-Republican societies recognized the need of public education in improving civic opportunity and public discourse, rather than just economic opportunity. Only knowledge and awareness might enable ordinary people to identify tyranny in all of its manifestations. Ordinary people, armed with education, might hold their representatives and public officials responsible to the former's demands and expectations. According to Tunis Workman, a member of the Democratic Society of New York, delegates would function as "servants rather than masters" in this manner. The societies' educational philosophy emphasized active citizenship on par with that of an Adams or a Jefferson. Unlike the Federalists and Republicans, who both favored a society open to patriarchal types of leadership, the societies held that all citizens should be free to debate (Dotts 182).

#### **2.3.** The Development of the Two Major Political Parties

#### 2.3.1. Democratic-Republican Division

In the presidential election of 1824, the Democratic-Republican Party split into various groups. Adams, Clay, Crawford, and Jackson ran for Presidency on the Democratic-Republican ticket that year. The party was clearly in disarray. The contest was decided by the

United States House of Representatives, which picked Adams in what became known as "the corrupt bargain" (Murse). Library of Congress Wrote:

Clay received the smallest number of votes cast and was eliminated from the race. Since none of the other candidates had received a majority of the electoral college votes, the outcome was decided by the House of Representatives. Clay used his influence to help deliver the vote of Kentucky's congressional delegation to Adams, in spite of a resolution by the Kentucky state legislature that instructed the delegation to vote for Jackson (Public).

In 1824 presidential bid, Jackson won pluralities of both the popular vote and Electoral College. His supporters distinguished themselves from their rivals by calling themselves "Democratic" (Prokop).

#### 2.3.2. The Issue of Slavery and Civil War

Slavery was a hotly debated political topic in the mid-nineteenth century. The U.S. Congress passed the Kansas-Nebraska Act in 1854, asserting the right of the people of any territory to decide whether or not they would allow slavery. Pro-slavery and anti-slavery forces fought furiously in "Bloody Kansas," while opposition to this act in the North led to the formation of the Republican Party, a new political entity based on the principle of counteracting the spread of slavery to the western territories (McPherson). The Kansas-Nebraska Act was a major step on the road to Civil War. Opposition to it changed the political landscape across the nation. And it also had a profound effect on one particular American, Abraham Lincoln, whose political career was reinvigorated by his opposition to the Kansas-Nebraska Act (ENGS and MILLER 82).

#### 2.3.3. The Birth of the Grand Old Party: The Republicans
The Republican Party grew out of former members of the Whig Party. These individuals created the new party to prevent the development of slavery into the western provinces. The Whig Party was founded in 1834 to fight President Andrew Jackson's "tyranny." However, the party had demonstrated its inability to fight the national problem over slavery in the midnineteenth century, prompting its anti-slavery leaders to seek further means to assist their cause (RepublicanViews.org).

The party's founding was due to the Kansas-Nebraska Act, which was passed in the spring of 1854. According to Huston " the Kansas-Nebraska Act of 1854 stands by itself in terms of the monumental con-sequences it produced: the death of one political party, the rise of another, the promulgation of civil war (Huston 310). It seems that the birth of the parties was as reflect to several issues as well as fighting previous presidents and serving the public good.

According to a number of stories written in the nineteenth century, a conference of disgruntled Whigs and members of the Free Soil Party was held in Jackson, Michigan on July 6, 1854. Michigan Congressman Jacob Merritt Howard is credited with developing the party's first platform and giving it the name "Republican Party" (McNamara). The Republican Party name was written by New York newspaper magnate Horace Greeley. Greeley printed in June 1854:

We should not care much whether those thus united against slavery were designated 'Whig,' 'Free Democrat' or something else; though we think some simple name like 'Republican' would more fitly designate those who had united to restore the Union to its true mission of champion and promulgator of Liberty rather than propagandist of slavery (County).

John C. Fremont, the first Republican presidential candidate, ran in the 1856 election. Fremont was victorious in 11 of the 16 Northern states. Southern states began threatening secession if a Republican won the president between this election and the 1860 election. Abraham Lincoln was the second Republican contender in the 1860 election. He was elected president in November 1860, defeating a divided Democratic Party. Northern and southern Democrats ran opposing presidential candidates, leaving none with enough votes to win the office. South Carolina legally seceded from the Union six weeks after Lincoln's election (RepublicanViews.org).

Following the Civil War, Republicans saw their political dominance expand, culminating in the election of Benjamin Harrison and a majority in Congress in 1888. According to a Chicago Tribune writer, the victory signaled a victory for the "Grand Old Party," referring to the Republicans. The word was abbreviated, and the term GOP began to appear in tales concerning Republicans. However, there is some indication that the acronym may have originated earlier, maybe as early as 1875, when the party was referred to as the "gallant old party." (Reigle).

## 2.3.4. The Democratic Party

The Democratic Party is the world's oldest political party and one of the two major political parties in the United States. Franklin D. Roosevelt led the Democratic Party through a transformation during his time as president. Before Roosevelt rose to national prominence in the early thirties, the party represented a loose conglomerate of local and regional interests. Dominated by the "solid South" of the post-Civil War Reconstruction era, this group also included Great Plains and Western farmers influenced by the populist and progressive movements, as well as the burgeoning ethnic populations of the major cities of the North and East where the "machine politics" embodied by Tammany Hall in New York City ruled the day (The New Deal Democrats: Franklin D. Roosevelt and the Democratic Party 01).

FDR would overhaul the Republican Party's alliances of northern white Protestants, business interests, professional workers, farmers in the north and west, and the strong support of the African American community. He worked on creating a Democratic coalition that would include a majority of working people, farmers, and racial minorities - including millions of new voters. This coalition would be responsible for bringing enormous change to America, remaining a powerful force in American politics for many years to come (01). To put it differently the Republican Party put coalition strategies to gain the strong support of the African American community and more new voters. Clearly, the FDR's Deal was a new economic policy that leads to a split in economics programs between the two major political parties.

#### 2.4. Republicans VS Democrats

#### 2.4.1. The Philosophy of the State

Democrats and Republicans remain the two largest parties historically, holding a majority of seats in the Senate and House of Representatives. They have different views on many important issues, including economic, political, military, and social matters (Labossiere).

Many of the Democrats and Republicans differences stem from a decision about what role the government should play in serving that good. Republicans are more likely to the conservative philosophy of Adam Smith, . Smith's view, encourages individuals to act in their own self-interest in a free and competitive market in order to serve the good of all.also he spoke of the market's "invisible hand" as a metaphor to describe the self-regulating behavior (Labossiere).

While Democrats support capitalism, the present Democratic Party's attitude was influenced by the Great Depression and the New Deal. According to them, the economic crisis was created by letting the market's invisible hand to function with minimal control or regulation. As a result, Democrats tend to prefer having the state take a strong role in economic regulation. This enables it to serve the people's interests by reining in self-interest excesses in favor of the common good. Republicans argue that reining in excesses will undermine the public good by strangling the economy. Specifically, The Democratic Party believes that the government should be altruistic and provide support for programs like federal student aid, welfare and healthcare (Labossiere).

## 2.4.2. Republican and Democratic Approaches to Regulating the Economy

The Republican Party is often seen as pro-business and in support of little government control of the economy. This entails preferring policies that prioritize economic interests over environmental issues, labor union interests, healthcare benefits, and retirement benefits. Given their stronger pro-business stance, Republicans are more likely to obtain support from company owners and venture capitalists than from labor. Whereas, The Democratic Party is widely seen as more inclined to meddle in the economy, believing that government authority is required to control enterprises that disregard societal values in the pursuit of a profit for shareholders. This intervention might take the form of legislation such as carbon emission limits or taxes to fund social initiatives. Opponents frequently characterize the Democratic approach to governance as "tax and spend." (FURHMANN). Both of the parties focused on developing the country's economy in different ways. On the one hand, the Republican Party sport company owners and venture capitalists than from labor since they like working with pro- business .in the other hand, the democratic party appear some kind to be opportunists when they focus on tax and spend.

## 2.4.3. US Democratic and Republican Logo Designs

The Democrats were the first to utilize the donkey as a symbol of their party. The donkey marks the founding of the Democrats in 1828. President Andrew Jackson was the running President in 1828, and he was dubbed a "jackass" because of his populist ideals and belligerent personality. "Let the people rule," was his key campaign slogan. Despite the fact that the cartoon was intended to criticize Jackson, it was eventually chosen by Jackson himself to represent his Democratic party in 1837 (Burns).

The Republican elephant, on the other hand, was not as deliberate as Jackson's donkey. It came about as a result of a chain of events involving New York's two most popular publications. Thomas Nast created a cartoon of a donkey donning lion skin and frightening away all the animals. This cartoon was a metaphor for President Ulysses S. Grant, who was running for a third term and there was a lot of strife in the Democratic Party. This was one of the reasons why the cartoon included a scared elephant with the title "Republican Vote." Since then, the elephant has served as the Republican Party's primary symbol. Such attacks on political campaign branding, however, are not isolated events from the past. Today, we see Republican logo design blunders as well (Burns).



Fig 01: Thomas Nast, The Third-Term Panic, 1874 (artsy.net).

## 2.4.4. Red State, Blue State: How Colors Took Sides in Politics

In the 1976 U.S. presidential election, NBC used an on-air map to show which states were won by Democratic nominee Jimmy Carter and which were won by Republican nominee Gerald Ford (Peter). The Director General of the NBC Electoral Unit told that NBC used these colors and linked them to those parties from 1976 to 2000 because this is how things are going in England: "Without second thought, we said blue to the conservatives because the parliamentary system in London is the red color of the most liberal party". According to the Washington Post, the terms "red states" and "blue states" were first used on the Today Show roughly a week before the election of George W. Bush and Al Gore. Matt Lauer and Tim Russet were using a map and the color system that MSNBC had used a few days earlier—red for Republican, blue for Democrat—to debate which states would go to which candidate (McCarthy).

## 2.5. The Media's Role in Politics

New political media are means of communication that encourage the development, dissemination, and sharing of political content via platforms and networks that enable interaction and cooperation. The impact of new media on democratic governance and political activities is far-reaching. They have fundamentally transformed how government institutions function and political leaders interact. They have altered the political media system and reshaped journalists' roles. They have reshaped the way elections are contested and citizens participate in politics (Duggan and Smith).

When it comes to political involvement online, Democrats are more likely to claim that social networking sites are significant than Republicans and Independents. They're also more likely to claim they've grown more politically involved as a result of their interactions on social media platforms. According to Social Networking Sites "SNS", a new study from the Pew Internet and American Life Project Overall, 74 percent of liberals, 70 percent of moderates, and just 60 percent of conservatives use social networking sites. Democrats are also more likely than Republicans and Independents to believe that social media is useful for things like discussing political topics and encouraging people to get active in politics. In comparison to around a third of moderates and conservatives, over half of liberals said social media is helpful for keeping up with political news (McGee). Clearly, the Political parties have strengthened their infrastructure using social media. They believe that the media is more useful encouraging people to get active in politics since the media has the power to focus public attention in particular issue and shape it the way they want.



Fig 2: Politics on Social Networking Sites (Pew Research Center).

# 2.6. Political Parties and Democracy.

Democracy cannot exist without political parties. Political parties are critical to building pluralistic, consolidated multiparty democracies that meet citizens' needs and contribute to long-term growth. Political parties have responsibilities that no other actor can fulfill. They have a unique function in democratic regimes by filling the gap between the state and society. Civil society organizations play an important role in establishing democratic societies and keeping governments responsible, but they cannot replace political parties, which possess legislative and executive power through their involvement in legislatures and administrations. Political parties may anchor and strengthen democracy and encourage domestic accountability by participating in the formation of the administration or the opposition (Programming for Democracy 08).

# 2.7. Conclusion

American political parties have undergone various reforms and substantial organizational growth throughout the years. They also went through several internal splits and major elections and realignments. The most perilous progression, however, has been the increasing hatred and animosity among political parties. Indeed, political parties, which are meant to represent democratically the demands of all US residents, have become advocates of their own interests, employing all kind of tools and methods, including the trampling of private lives, in order to win elections and seize power. After all, a party is not a basic goal of man or government, but rather a valuable instrument when used appropriately for practical reasons in subordination to greater political and social goals.

**Chapter Three** 

Presidency of Donald J. Trump

#### **3.1 Introduction**

According to John Gramlich "It is impossible to understand previous President Donald J. Trump without understanding where he came from and The knowledge he gained from decades of running a successful, world-spanning business shapes every decision he make" (Gingrich 14).

Donald Trump's presidency showed unusually profound divisions in American society, yet he is a figure unlike any other in the country's history (Dimock and Gramlich).

In this chapter, we try to find how Donald trump who had no government or military experience won the elections of 2016 as well as how he abused the Presidency powers in a way that is both offensive and subversive to the Constitution and to democracy. We will start our study by a general overview of Trump's Presidency. Then, we will mention the main features and problems of his Presidency, and finally, we will follow the course of his first and second impeachment trial that marked the history of the United States.

## 3.2 General Overview of Trump's Presidency

## 3.2.1 Trump and the 2016 Elections

Donald J. Trump, a New York real estate developer and a Reality TV personality, defeated former first lady, New York Senator, and Secretary of State Hillary Rodham Clinton to become the 45th President of the United States (History.com Editors). The candidate was a star in his own right, a flamboyant tycoon and a divisive outsider in the Republican Party. He crisscrossed the country, stirring audiences with intemperate rants against blacks, Muslims, and Mexicans; caused uproar throughout the world with terrible statements about women; and tweeted insults to leaders and celebrities. The media couldn't overlook such an unusual

presidential candidate. They used the horse racing frame to cover his victorious march to the nomination, which they have become accustomed to. The haphazard coverage ended up boosting Trump's public image, donating him billions of dollars in free publicity, and, more crucially, legitimizing his position as Republican presidential frontrunner months before the Republican Convention in Cleveland (Koliastasis 21).

Trump's campaign was unusual in that it was very inexpensive. Trump spent minimal time and expertly explored the idea that his forceful, unconventional manner, as well as his status as an outsider, would provide him with the limelight without the need to pay for it. Furthermore, there are evidence that psychometrics and big data approaches helped Trump's campaign become more focused and successful, saving money for communicating with the people. Republicans had well-prepared teams to look into the regulations in order to get more delegates in the Electoral College such as restructuring districts, rather than aiming for a majority of popular votes (Moraes 313).

When Donald Trump was elected president in 2016, he was joined by Republican majorities in both chambers of Congress, and it was expected that the following four years would be different in both style and content from the previous eight years of Barack Obama's administration. What followed was four chaotic years in which President Trump was adversarial toward Obama's political legacy while offering few meaningful policy successes of his own (Smith 528).

## 3.2.2 Main Features of Trump's Presidency

## 3.2.2.1 The American Health Care Act

The Republican Party became the party of grand old promises during Trump's administration. "Repeal and Replace" was their healthcare slogan as they planned to demolish

the Obamacare. Trump said as president-elect that Republicans will provide "insurance for everybody."(Smith 531) He also said "Obamacare is one of the greatest threats our country faces. It is unsustainable and will lead America into complete insolvency" (Roger).

The Trump administration unveiled its initial plan to replace the Affordable Care Act "ACA" by the American Health Care Act "AHCA", on March 6<sup>th</sup>, generating widespread condemnation, even from Republicans. According to the analysis of Laurenz Waider , while the AHCA would reduce government budget expenditures by an estimated \$935 billion, nearly 24 million Americans would likely lose their health insurance. Costs for individual plans for Americans over the age of 50, as well as real out-of-pocket spending for Americans, will rise under the "AHCA". The bill was removed from consideration less than three weeks later, before it was ever voted on in the House of Representatives. Following this, the GOP leadership and the administration made minor changes to the measure, which led to its passage by the House on May 4<sup>th</sup>. However, the bill was defeated in a subsequent Senate vote (Waider 30- 43).

#### 3.2.2.2 Tax Cuts and Jobs Act (TCJA)

The Trump tax cuts were officially unveiled on February 28<sup>th</sup> with six phrases in Trump's first speech to Congress. He promised a "big, big cut" for companies, and "massive tax relief for the middle class," he also said. "Have to do it." (Cary and Holmes) The Act permanently decreased the corporation tax rate to 21%, made a variety of changes to company tax deductions, and made significant changes to international tax regulations. It also significantly changed individual income taxes, including an increase in the standard deduction and child credit that was partially offset by the elimination of personal exemptions, as well as rate decreases, itemized deduction restrictions, and a 20% deduction for pass-through corporations. These special rules are just transitory and will expire after 2025. The Act also included temporary provisions providing for an immediate deduction for equipment

investment and an increase in the estate and gift tax exemption. According to the Joint Committee on Taxation (JCT), these measures will lower tax collection by \$1.5 trillion over ten years (Gravelle and Marples).

There were no hearings on the bill directly, and specialists who could have helped ensure that provisions were correctly designed had little time to absorb legislative wording or analysis from the Congressional Joint Committee on Taxation, much alone give comments. Democratic legislators were also barred from entering the drafting room. As a result, the law contains numerous writing mistakes, untested special tax benefits, and new loopholes. While some appear to be unintentional errors, others look to be deliberate giveaways that will add complexity and confusion for taxpayers while having a major impact on federal income (Thornton 01).

#### **3.2.2.3 The Border Wall**

Trump said in his speech at Trump Tower : "I would build a great wall, and nobody builds walls better than me, believe me, and I'll build them very inexpensively, I will build a great, great wall on our southern border. And I will have Mexico pay for that wall," (Johnston 19).

Donald Trump's main campaign strategy for winning the 2016 United States Presidential Elections was to build a wall on the United States-Mexico border, which would be paid by Mexico. Following his election, Trump prioritized the wall, using themes of danger and risk from migrant refugees and Mexican immigration. His administration began soliciting prototype designs from contractors, and the building of the prototypes began in August 2017. The US border wall has been and continues to be a source of contention among both main US political parties (Rodriguez and DeMaio 171).

#### **3.2.2.4 Immigration**

Throughout the Trump campaign, keeping immigrants from taking American jobs was a significant topic. He threatened to pick up all of the estimated 11 million individuals residing in the United States without authorization from the government, whom some refer to as undocumented and others as illegal. Also He was very vociferous about deporting individuals who had employment. Trump stated again any noncitizen that does not have a Green Card, which is shorthand for federal government authorization to work, takes a job from an American and should be deported. Donald Trump has frequently raged against work visa schemes that allow foreigners to enter the country and work for durations ranging from 90 days to ten years (Johnston 212).

However, previous President and his backers have radically altered the immigration debate. In a sharp departure from the longstanding and generally bipartisan consensus among leaders of both major political parties that immigration is a net positive for society and the economy, the White House has structured immigrants, both legal and unauthorized, as a danger to Americans' economy and national security, and has accepted the idea of drastically reducing legal immigration. Trump's statements and actions on immigration represent a significant shift in thought and policy on the path of immigration and America's destiny (Pierce et al. 01).

#### **3.2.2.5** The Student Loan Debt

The Trump administration proposes removing the student loan interest deduction, which was originally included in the "Tax Cuts and Jobs Act". Borrowers can deduct up

to \$2,500 in student loan interest paid in a given year on their taxes using the student loan interest credit (Morris). According to Trump's proposed 2020 budget, Congress should merge all existing income-driven repayment plans into a single new repayment plan. Monthly payments under the new income-driven repayment plan would be capped at 12.5 percent of the borrower's discretionary income. Borrowers on income-driven repayment plans currently pay approximately 10% of their discretionary income, so this policy will indeed increase monthly payments (Kessler).

The New York Fed has cautioned that growing student debt has led to a drop in property ownership, which has stifled local economies. And when services fail to guarantee that borrowers can find affordable repayment plans and they default, taxpayers bear the brunt of the burden, as we are all ultimately responsible for federal student loans (Goldstein).

#### 3.2.2.6 Trump's Impact on the Judiciary

Trump, the 45th president of the United States, collaborated closely with Senate Majority Leader Mitch McConnell and other Republicans to restructure the federal judiciary — notably the appeals courts – for decades to come. Federal judges are appointed for life and often serve long after the presidents who nominated them leave office. However, in four years, Trump appointed 54 federal appellate judges, flipping the balance of many appeals courts from a plurality of Democratic appointments to a majority of Republican appointees (Gramlich). Trump's rise in the number of court justices appointed was not without purpose, and due to their age and the length of time they may serve on the bench, Trump's nominees will almost definitely play a disproportionate role in changing American law.

#### 3.2.2.7 Trade Policy

Donald Trump has called for more trade protectionism as part of his "America First" platform, and has levied tariffs on China, Mexico, Canada, the European Union, and other trading partners throughout his administration. His government defended these policies on three grounds: they would help American workers, particularly in manufacturing; they would give the US power to renegotiate trade deals with other nations; and they were required to protect American national security. One of Trump's first acts as President was to remove the United States from the Trans-Pacific Partnership TPP, and with the introduction of the United States-Mexico-Canada trade pact USMCA, Trump fulfilled his promise to renegotiate the North American Free Trade Agreement NAFTA (Walker 11).

# 3.3 Trump's undermining of Democracy

#### 3.3.1 Abuse of Power

Unfortunately, Trump's administration exacerbated rather than improved the issue, since the president demonstrated numerous authoritarian qualities. In his backing for xenophobic immigration policies, sexism, white supremacy, and demonization and delegitimization of his opponents, he exacerbated underlying ethnic differences. Those who did not do his bidding or resisted him were dubbed traitors by Trump. He is particularly well-known for his constant assaults on the media, branding them as "enemy of the people" and "fake media." He appeared to diminish the protection of civil and political rights, as well as the independence of the courts and federal law enforcement and intelligence agencies (Nishikawa 88).

The government was so patriotic and protectionist "America First" that it refused to sign free trade and climate treaties and put duties on a wide range of imported commodities. Despite its skepticism of its partners, the Trump administration does not hesitate to laud

authoritarian leaders such as Vladimir Putin, Recep Tayyip Erdogan, X Jinping, and Kim Jong-un. Professor of public policy Dr. James Pfiffner noted that Trump's falsehoods differed greatly from those of prior presidents. Some of his falsehoods, he said, were substantial, such as Muslims in New Jersey celebrating the 9/11 attack, Obama creating ISIS, or his bogus assertions about COVID-19. Dr. pfiffner also claimed that Trump has deteriorated political discourse by spreading falsehoods and misrepresenting facts, both of which are classic features of authoritarian dictators (pfiffner 02).

#### 3.3.2 Crime and Racism

Following Donald Trump's victory, there was an increase in the amount of hate crimes and internet abuse directed towards minorities. While pro-racial equality attitudinal tendencies in the United States had disseminated optimism about the future of race relations, Donald Trump's victory suggested that societal norms had changed towards a stronger acceptance of racist ideas. While the available data is limited to the United States, media outlets throughout the world expressed worry that Donald Trump's victory legitimized racist beliefs elsewhere. According to Al-Jazeera, "Trump's presidential success has served as a wake-up call for all democratic nations to ponder the consolidation of global right-wing and discriminatory ideologies in Europe and beyond."(Giani and Méon 01).

According to Professor Gregg Barak's criminological study of Trump's criminal history, the best moniker would be "Houdini of White-Collar Crime." Barak's investigation demonstrates how Trump, as a con artist, devious racketeer, and skilled gas lighter, exploited the Trump Organization as a legitimate cover for illicit activity for more than four decades. Trump's election to the presidency provided him with the chance to indulge his desire for power and fortune by establishing an autocracy (Barak 01).

According to Trumpism, Trump's ideology, attitude, and politics, undocumented migrants are a public burden, stealing employment away from U.S. residents and committing crimes, among other erroneous allegations and impressions. This environment has become a breeding ground for racists and xenophobes, allowing them to come out of the closet. These previously hidden racists have embraced xenophobic discourses and discriminatory attitudes toward immigrants, who've been badly impacted and irreparably harmed by Trump's anti-immigrant acts and policies. And, worst of all, calling migrants animals: "We have people coming into the country ... we're stopping a lot of them ... you wouldn't believe how bad these people are ... these aren't people, these are animals, and we're taking them out of the country at a level and rate that's never happened before". As a white nationalist, Trump believes that non-white immigrants should not be allowed to enter his country. When public persons in positions of power encourage hatred, they legitimate socially inappropriate behavior, pushing others to follow suit (Verea 199).

Another immigrant population Trump attacks are Muslims. By the six-month mark of his presidency, With the exception of Iraq, Trump has announced a second travel ban on six predominantly Muslim nations by the six-month mark of his administration. It was quickly challenged in Hawaii because its definition of family was too limited, and it prohibited access to foreign nationals who "credibly claimed links with this country." The agreement did not include refugees' ties with resettlement programs in the U.S. as having a credible assertion of a real relationship with a person or entity in the United States ,Exceptions were made by the Supreme Court for students permitted to study at an American institution, employees who accepted positions at an American corporation, and lecturers who came to talk to an American audience (Romero 39).

Following Donald Trump's victory, it is yet unclear if his activities contributed to the hate crimes and harassment. However, Donald Trump's election success may imply that social standards have altered to embrace public demonstrations of racial sentiments (Nishikawa 89).

#### **3.3.3 Trump-Era Corruption**

Corruption has been one of the few constants throughout the Donald J. Trump presidency. Since his first day as president, when he took the unusual action of refusing to divest from his private enterprises, Trump's administration has been defined by an ongoing endeavor by him, his family, and his closest aides to utilize their political position for personal advantage. Trump utilizes the government to market his assets, such as the Washington, D.C hotel and his Mar-a-Lago resort, whose membership costs rose to \$200,000 one year after he was elected president, providing people the opportunity to possibly influence the president for the cost of a membership (Kennedy, et al. 01).

Trump has fostered a culture of corruption in which individuals with public authority are expected to use it for personal advantage. One example when After Trump forced Michael Flynn to quit as national security advisor, it was revealed that he had been paid more than \$500,000 to discreetly work for Turkey's interests during the presidential transition and into Trump's presidency. When other countries' interests come first, America's safety suffers. And when elected officials' priorities are molded only by those with money or influence, the demands of the American people are unfulfilled (02- 06).

Donald Trump appears to be the most corrupt president in American history; Trump's election to the presidency provided him with the chance to indulge his desire for power and fortune by establishing an autocracy rule. He has fostered a culture of corruption in which individuals with public authority are expected to use it for personal advantage especially when he took the unusual action of refusing to divest from his private enterprises as well as

when he allow his family, and his closest aides to utilize their political position for personal advantage.

#### 3.3.4 Trump Weakened the Judiciary

The previous President Donald Trump has demonstrated an appalling contempt for the judiciary and the constitutional restrictions on his power in his first two weeks in office. He threatened to withhold funds from jurisdictions that limit the overlap of local police and federal immigration enforcement, and he questioned the validity of U.S. District Court Judge James Robart, who temporarily blocked his Muslim ban. He referred to Judge Robart, as a "so-called judge." Trump said that if a terrorist incident occurred, Judge Robart would be held accountable: "If something occurs, blame him and the judicial system." (Jawandock and Corriher).

Thus he demonstrated his total disregard for the need of an independent judiciary when he debased Judge Curiel on racial grounds and made ad hoc critiques of the court of appeals. A judiciary that lacks the trust of the executive is a threat to a free and open society. Trump's assaults on judges and judicial judgments damage the courts' legitimacy. This defeats the objective of having a neutral court that can work independently, in addition to a system of checks and balances. The disregard and contempt shown by the head of state for one of democracy's cornerstone values underscores why an independent judicial branch is necessary. The executive branch cannot take over the judicial branch, and it should not seek to undermine this fundamental constitutional framework (Judd and Watters). Trump's mockery of the US government and the system of checks and balances does violate the law. His tries attacking on judges threaten judicial independence. The courts define the constitution and its limitations on the authority of the other branches of government under the Constitution's

separation of powers. Thus, the system of checks and balances has proven to be the pillar of American democracy.

#### **3.4 Trump's Impeachments**

#### 3.4.1 The First Impeachment (2020 Presidential Elections)

Previous President Donald Trump pushed the boundaries of presidential powers like no other previous president, creating a record of unprecedented abuses ranging from violations of historical standards to potentially illegal actions. It was difficult to keep track amid the daily deluge of divisive tweets and diversions that characterized Trump's leadership. And some of the more severe abuses of power were not obvious at the time but emerged after extensive investigations (Cohen).

Americans were left waiting for the final results in the race between Democratic nominee Joe Biden and Previous President Donald Trump, who told an enthusiastic crowd of supporters that he believes he is on track to win the White House after all votes in key battleground states were counted. Trump's Twitter account was silent for much of the night, but he went to the site to assert, without evidence, that his opponents were attempting to steal the elections. The item was warned by Twitter, which stated that "part or all of the material published in this tweet is contested and may be deceptive regarding an election or other democratic process."(Kail).



**Fig 03**: Trump's Tweet Accusing Biden Campaign of Stealing Election. (India TV News Desk)

In a phone call, Donald Trump says he discussed political enemy Joe Biden with Ukraine's president, and that he used his power to help his son Hunter's private-sector business in Ukraine. Also, he dodged questions about the House Democrats' renewed push for impeachment proceedings in the wake of revelations about his dealings with Ukraine, including reports that he pressured Ukraine's leader to investigate Biden and his family while that country was awaiting U.S. aid he'd delayed, causing a \$400 million freeze in security and military aid. The Washington Post was the first to report on this timeframe (Timm).

Democrats on the House Intelligence Committee issued a 300-page report summarizing their months-long impeachment investigation into Donald Trump's behavior based on weeks of dramatic public hearings and extra papers obtained from the White House. The report summarized that the Ukrainian President Zelensky expressed thanks for US military aid during a phone call with previous President Trump on July 25, 2019. President Trump replied instantly by urging President Zelensky to "do us a favor" and openly pressured Ukraine to

examine former Vice President Biden and the 2016 conspiracy theory. Also to launch investigations into a political competitor he seemingly dreaded the most, former Vice President Joe Biden, as well as a discredited claim that Ukraine, not Russia, participated in the 2016 presidential election (Wolf and O'Key).

Donald Trump has abused the powers of the Presidency in a way that is both offensive to and subversive to the Constitution, as follows: The House of Representatives has launched an impeachment investigation into President Trump's corrupt solicitation of the Government of Ukraine to interfere in the 2020 United States Presidential election. As part of the impeachment probe, the Committees conducting the investigation issued subpoenas to numerous Executive Branch departments and offices, as well as current and former officials, seeking documents and testimony deemed relevant to the inquiry (HOUSE OF REPRESENTATIVES 132).

In reaction, without any legal justification or explanation, Trump commanded Executive Branch agencies, offices, and individuals not to cooperate with the subpoenas. therefore he interposed the Presidency's powers against the valid subpoenas of the House of Representatives moreover he misused his position of authority in the following ways: Directing the White House to resist a legitimate subpoena by refusing to produce documents sought by the Committees, Directing other Executive Branch departments and offices to resist legitimate subpoenas and delay production of documents and records from the Committees, and Directing current and former Executive Branch officials not to comply with the Committee members response, nine Administration officials refused to testify in response to subpoenas (133).

Despite Congress has several instruments at its disposal to defend its interests, it rarely employs them. Individual members of Congress may have a stake in the institution, but the

reelec-tion imper-at-ive dominates their decision-making because it is vital.thus They fail to defy a pres-id-ent of their own party because they require in most cases, endorse-ment from the exec-ut-ive branch. Hence Trump's first impeach-ment trial was flawed from the outset, with members of Trump's party more concerned with political unity than with reining in an out-of-control president. Before the first Senate trial even began, prominent Repub-lic-ans, including then-Senate Major-ity Leader Mitch McCon-nell and Senator Lindsey Graham, then chair-man of the Judi-ciary Com-mit-tee, went on the record saying they already had made up their own rules and that no evid-ence would change their decision to acquit President Trump (Neff).

## 3.4.2 The Second Impeachment (Capitol Riot attacks)

Donald Trump refuses to recognize the will of the American people after losing the 2020 election. He claimed for months, without evidence, that he won by a "landslide" and that the election was "stolen." He repeated these lies at every opportunity, attempting to persuade followers that they were the victims of a huge election scheme that threatened the Nation's survival. However, Trump's attacks were rejected by every single court. In addition, federal officials from both parties rebuffed Trump's increased demands that they break the law in order to maintain him in power (Raskin, et al 01).

Trump's holding to power reached a terrifying climax when he incited a massive crowd of followers in Washington to storm the US Capitol while the electoral votes were being tabulated. Trump urged supporters to march to the Capitol and "fight like hell," saying, "You'll never win back our nation with weakness, you have to show strength." The protests swiftly devolved into a violent mob that rushed the building and overran police barricades. After many hours of brutal battles, which resulted in five deaths, the occupation was put down (Cohen).

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Donald Trump defended the conduct of his enraged and violent followers who attempted a coup at the US Capitol with a tweet and video that peddled election falsehoods. He tweeted before ordering supporters to "Go home." (Hernandez).



These are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away from great patriots who have been badly & unfairly treated for so long. Go home with love & in peace. Remember this day forever!

This claim of election fraud is disputed, and this Tweet can't be replied to, Retweeted, or liked due to a risk of violence

3:01 PM · Jan 6, 2021 · Twitter for iPhone

Fig 04: Trump Appears to Justify Backers' Capitol Attack (local10.com).

Donald Trump's action following the first impeachment has led House Democrats to make a stronger case than they did the first time around. The chamber charged Trump in a 232-197 vote, with all Democrats and ten Republicans voting in favor. Democrats asked Vice President Mike Pence and the Cabinet to begin the expedited process of removing Trump using the 25th Amendment as soon as possible. Once the House delivers the impeachment article to the Senate, the upper body must begin the trial as soon as possible. It would then vote on convicting Trump (Pramuk).

The article accuses Trump of "incitement of insurrection" claiming that his remarks to a crowd of supporters on January. 6<sup>th</sup> "encouraged and plausibly culminated in lawless behavior

at the Capitol." According to the article, Trump's phone contact with Georgia election officials, in which he ordered them to "find" the votes he needed to win the state, was an attempt to "subvert and block the certification of the results." (Brewster and Solender).

One week after the incident, the House impeached Trump on the only charge of promotion to rebellion, but the Senate was not in full session, and McConnell denied Democratic calls to assemble promptly for the trial. Within a week, Biden was installed, Trump had left, and Pelosi had sent the article of impeachment to the Senate, kicking off the procedures (Mascaro et al). It seems that Trump worked to undermine public confidence in voting processes he used his popularity to invite his followers to protest in a guilty manner. His lawless behavior threatened his presidential positions. To put it differently, Trump's first and second impeachment proved the biggest weakness of the US Constitution's checks and balances.

President Trump's tenure will end before the Senate gets a chance to examine the House's articles of impeachment. The Senate Majority Leader has stated that he does not intend to reconvene the Senate to hold Mr. Trump's trial before his term expires , this would occur only after Joe Biden assumes the presidency, creating what some legal experts consider a legal murky area. Even if the House has already authorized articles of impeachment, Congress lacks the constitutional ability to conduct impeachment proceedings against Trump after his office expires (Kaplan).

#### **3.5 Conclusion**

After nearly four years in office, President Trump appears to be the most corrupt president in American history. Whenever Trump has held positions of power or authority, he has shown a habit of attempting to use his political position for personal gain. Proof criminality has never been required for impeachable offenses. Impeachment has historically served as a primary constitutional check against executive abuse of power. Mr. Trump's actions are a perfect illustration of presidential power being exploited for personal or political gain, and he is thus properly impeachable.

## **General Conclusion**

Power abuse was traditionally frequent. It is also common nowadays as a result of sophisticated technology and societal developments. Abuse of power is described as the use of a powerful position in a certain company, public office, or government to take unfair advantage of others. This study asserts that the abuse of power of president have severe implications for the government and the health of US democracy, causing damage to the country's reputation and adding to political instability.

There were several instances of abuse during Donald Trump's presidency, including benefiting from the position, abusing the pardon power, and repeatedly blocking and undermining Congress. However, the impeachment of a president whose party controls both the House and Senate would be both politically difficult and dangerous. In the case of Donald Trump, the voters who supported him also supported Republican members of both the House and the Senate. However, under a unified government, if the majority party in Congress intends to impeach and remove a president, they must consider two options whether they will suffer more politically if they impeach and remove their president, or whether they will suffer more if they enable him to remain in office and continue to abuse the party or the country.

Thus, this becomes especially evident when the same party controls both the presidency and one or both chambers of Congress. Individual members of Congress are afraid to resist a president of their own party; they require favors and, in most cases, approval from the executive branch. Hence, Trump's first impeachment trial was doomed from the beginning, with members of Congress from Trump's party more concerned with maintaining party loyalty than checking an out-of-control president. Republicans, including the Senate majority leader, and senators and the Judiciary Committee, went on record as declaring they had already decided to acquit Donald Trump and that no evidence would change their position. Trump demonstrated his total disregard for the need for an independent judiciary. He didn't want a neutral court that could work independently. His obsession with spreading the roots of his power throughout the government demonstrates his disregard for one of democracy's cornerstone values, which harms the legitimacy of the courts and the US democracy as a whole.

It's not easy for a democratic government to impeach a president twice, since this leads to questioning the credibility of its structures and damages the health of the democracy. Trump's impeachment trial already shows how far US democracy has been undermined. His impeachment trial is confusing to many Americans. The first presidential impeachment procedure of Trump was unjust. He used his power to change the work of the Congress in his favor as well as he messed with the work of the government structures and weakened the US democracy. Trump's first and second impeachments proved the biggest weakness of the US Constitution's checks and balances.

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