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THE CURRENT: What are the politics of impeachment?

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PITA: You're listening to The Current, part of the Brookings Podcast Network. I'm your host, Adrianna Pita.

This week, the House of Representatives is proceeding with its impeachment inquiry, requesting depositions from State Department employees and subpoening documents; the State inspector general has requested to brief congressional staff; former special representative to Ukraine Kurt Volker is scheduled to testify on Thursday; and former U.S. ambassador to Ukraine Marie Yovanovitch is testifying next week.

With us today to discuss the political calculations that drove the decision among House Democrats to take the plunge for impeachment and how this inquiry may proceed is John Hudak, senior fellow and deputy director of the Center for Effective Public Management here at Brookings.

John, thanks for being here.

HUDAK: Thank you.

PITA: John, while investigatory steps were already ongoing under House Judiciary and Representative Nadler, the phone call with the Ukrainian Pres really seemed to be the tipping point. Can you tell us about this shift that happened amongst House Democrats?

HUDAK: What the call with the Ukrainian president showed us is a president who is more than willing to step outside of democratic norms, and frankly to step outside of the law. This was an inappropriate communication with a foreign leader. It was a president using the powers of his office to advance his own personal political gain. And while there were a lot of allegations out there about presidential wrongdoing, Speaker Pelosi saw this as something not necessarily rising to the level of impeachment until this call happened.

There's a couple of reasons why this rose to that level. First, this is very easy for the American public to understand and digest. The Mueller probe was much more complicated and more harder for people to understand fully what was going on. Second, it is such a clear abuse of power that it is, other than some of the president's most ardent supporters in Congress, very difficult to excuse or explain it in

a way that is positive for the president. So that moved the speaker to come away from believing that there was political damage to be done by having an impeachment inquiry to going full-throttle and saying that this is something we need to do for the sake of democracy.

PITA: As the inquiry begins to take shape, there's the question of how narrow or broad to scale it. Our colleagues at Lawfare described Trump White House as a "target-rich environment" but there are risks both for going too narrow as well as looking like they're throwing everything at the wall and seeing what sticks. Can you talk about that balance?

HUDAK: The risk of going too narrow is a concern over excusing certain behaviors not related to the Ukraine call. There is a concern about the president's behavior with regard to Russia as it relates to the 2016 election, there is concern about the president's behavior toward Russia generally, there are concerns about emoluments, that is the president benefitting from payments from foreign governments, largely through his hotel. But those are very separate from the Ukraine call, the Ukraine inquiry. And the idea that simply focusing on Ukraine is a challenge or a misdeed by Democrats is something that a lot of progressive Democrats believe. They say if the president is misbehaving, if the president is breaking the law, if the president is violating the Constitution, we have to call him to the carpet on all those points.

Speaker Pelosi sees this differently, and I think a lot of Democrats see this differently. They argue that by focusing narrowly on something that is a clear violation of the president's oath, a clear violation of his office, and something – again – that the public can easily digest and understand is the path to go. At the end of the day, impeachment is a legal and constitutional act, but it's also a political act. And Speaker Pelosi understands the politics of this in a very serious way. She's been through an impeachment before. She understands that there are winners and losers to an impeachment, and she is trying to do what is best for her party and for her country, and that's oftentimes a v difficult act to balance. But she is doing what she sees as best, despite a lot of opposition to the path that she's taking and so ultimately, this will likely be a narrow impeachment inquiry, which I personally think is the right way to go. Colleagues here at Brookings certainly disagree with me, they think it should be a broader inquiry, and I think that speaks to the debate within the public and within the House of Representatives itself about where this impeachment inquiry needs to go.

PITA: Speaking about experiences from past impeachments most of us as we talk about it, we're looking back to Nixon, looking back to Clinton, as our guides to how this might go. Do we risk being too much like the military, always fighting the last battle, or how much lessons can we draw that will definitely be applicable?

HUDAK: That's a great question. I think that focusing too much on past impeachments is a mistake. Impeachment – presidential impeachments – have happened three times in our history: Andrew Johnson in the 1860s, Richard Nixon in the 1970s, Bill Clinton in the 1990s. They're all such unique events. The idea that you're going to look at that and say, "well this is going to tell us everything we need to know about how this is going to proceed" is really difficult for me to think is accurate. And so, I think there is, from a political perspective, the ability to look back and say, y'know what, this is what happened during Nixon's impeachment, this is what happened during Clinton's impeachment, we can draw some lessons about how the public reacts, or where the public needs to be in order for a certain political outcome to happen, but as I said, they're so unique that understanding a Trump impeachment is going to be informed by the Trump impeachment itself. And the idea that the Clinton impeachment

just 21 years ago is going to tell us everything we need to know going forward – anyone who takes that perspective is going to be disappointed.

PITA: Let's talk about the political calculations on the Republican side a little bit: the fundraising numbers for the 3rd quarter of the political cycle just came out on Monday. The Trump campaign and the RNC together reported a $125 million intake, which brings them up to a total of $300 million this year so far. So they seem to be seeing some benefit from being able to cast this as they're under attack, and they're bringing in fundraising. On the other hand, also this week, Texas Representative Mac Thornberry became the sixth Texas Republican, and I believe the 18th Republican overall, to retire from Congress just this year. Can you talk about the different currents going on on the Republican side?

HUDAK: Yeah, the current state of affairs surrounding the president has been great in terms of fundraising for the president and his campaign, and also for the Republican party. The irony I think of all of this is that Reps are applauding themselves for high-dollar fundraising, and surely the numbers are quite impressive, but what 2016 showed us is that the better-funded candidate is not necessarily the candidate who wins. Hillary Clinton outraised Donald Trump by a significant margin, and at the end of the day, it didn't matter. So yes, the Republicans are raising a lot of money, and certainly this impeachment inquiry will help them raise more money, but ultimately the American public understands the state of our current politics and most Americans have a very firm idea of what they think of Donald Trump. All of the Facebook ads and radio spots and TV hits are not going to move many voters in the United States. So yes, it's better to have more money than less money, or no money, but ultimately, it's not clear that this is going to be a game-changer.

And I think part of that, and part of the broader political environment, is demonstrated through the second part of your question. That is, this exodus from Congress. Six members of Congress just from Texas–six Republicans from Texas– have decided not to seek reelection. That's a quarter of the Texas delegation. Mac Thornberry is in the safest Republican seat in the country. Donald Trump won 81% of the vote in Mac Thornberry's district in 2016. Rep. Thornberry is not leaving Congress because he's worried he's going to be beaten. Now, some of the other Texas members of Congress and others are leaving because they don't want another bruising fight to seek reelection. That's not the case for Thornberry. What it tells you is that Republicans have no belief that they are going to take back the House. Mac Thornberry is the leading Republican on the House Armed Services Committee. If Republicans were to take the majority, he'd likely become chairman again. And if not of that committee, probably of another high-powered committee. But he understands–he's been in Congress long enough to understand–what the political tides are telling him. And those tides are telling him that R will be in the minority in the next Congress, and there's nothing worse than being a tenured House member in the minority power, because you have all of the benefits of serving in Congress for an extended period of time, and none of the power.

PITA: John, thanks very much for being here and explaining this to us today.

HUDAK: Thank you.