

Corrupted From The Start

If a President Is Impeached and Removed for Corruption, Every Pardon Issued From That Office Should Be Under Review

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A Power Built on Trust

The pardon power granted to the President of the United States by Article II of the Constitution is one of the most absolute authorities in the entire framework of American government. There are almost no checks on it. No congressional approval required. No judicial review. No requirement to explain the reasoning. No limitation on timing. A president can pardon anyone, for any federal offense, at any point during their term, including in the final hours before leaving office.

This power was designed with a specific assumption embedded in it: that the person holding it was legitimate. That the office itself was being operated in good faith. That the pardon was an act of executive judgment — mercy, or justice, or national interest — rather than an instrument of personal protection or criminal enterprise.

What the framers did not fully architect was what happens when that assumption fails completely. When the president is not a legitimate executive exercising lawful authority but a corrupt actor using the office itself as the instrument of the crime. When the pardon is not mercy but a weapon. When the power to forgive federal offenses becomes the power to insulate an entire network of co-conspirators from the legal consequences of their shared conduct.

That is the question this article is asking. And it applies equally to any president of any party who is impeached and removed from office for corruption. This is not a partisan argument. It is a constitutional one.

The pardon power was built on the assumption that the office was legitimate. What happens when the office itself is the crime?

The Loophole Nobody Talks About

Here is the specific vulnerability in the current framework that makes this question urgent rather than theoretical.

A president under impeachment investigation can issue pardons. A president who has already been impeached by the House but not yet removed by the Senate can issue pardons. A president can pardon cabinet members, advisors, family members, business partners, and anyone else connected to the conduct that triggered the impeachment — all before a single Senate vote is cast.

There is no requirement that the pardon specify what offense it covers. Blanket pardons covering all federal offenses within a specified time period are legally recognized. A corrupt president can issue a pardon so broad that it covers crimes not yet charged, investigations not yet opened, and conduct not yet publicly known.

The pardons can be issued at any hour. They require no countersignature. They can be announced or unannounced. By the time the Senate votes to remove a corrupt president from office, every person who participated in the corruption with him can already be legally untouchable under federal law.

The impeachment succeeds. The accountability fails. The corrupt network walks free. And the constitutional remedy that was supposed to restore integrity to the office leaves the damage from that office fully intact.

By the time the Senate votes, the entire criminal network can already be pardoned. Impeachment without pardon review is a verdict with no sentence.

The Entire Presidency, Not Just the Final Days

The argument being made here goes further than the timing loophole. It addresses the entire tenure of a president who is ultimately impeached and removed for corruption.

If a president is found by the constitutional process of impeachment and Senate removal to have corrupted the office — to have used the presidency as an instrument of personal enrichment, criminal protection, or abuse of power — then every official act issued from that corrupted office during that corrupted tenure carries a legitimacy question that the current framework does not address.

A pardon issued in year one of a presidency that ends in impeachment and removal in year three was issued by the same corrupt actor operating the same corrupted office. The corruption did not begin the day the impeachment articles were filed. It was present, by definition, throughout the conduct that warranted removal.

This means that pardons issued to cabinet members who participated in the corruption, to advisors who facilitated it, to business associates who benefited from it, to family members who were implicated in it — all of those pardons were issued from an office that the constitutional process has since determined was being operated corruptly. They were signed by a hand that the Senate has since determined had no legitimate claim to the authority it was exercising.

The legal term for an act that is invalid from its origin is void ab initio. Invalid from the beginning. A contract signed under fraud is not a real contract. A deed transferred through coercion is not a real deed. A pardon issued from a presidency that was itself a criminal enterprise deserves the same scrutiny.

What the Constitution Actually Says — and What It Doesn't

The Constitution grants the president the power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment. That exception — except in cases of impeachment — is narrowly interpreted to mean that the president cannot pardon someone to prevent their impeachment or pardon an official act that is itself the subject of impeachment proceedings.

But the broader principle embedded in that exception is significant. The framers recognized that there are limits. That the pardon power cannot be used to obstruct the constitutional accountability mechanism. That there is a category of conduct the pardon power was never meant to reach.

What the Constitution does not explicitly address is the downstream question: if the presidency itself was corrupted, what is the status of the pardons that flowed from it? This is not a settled question. It is an open constitutional frontier that the courts have never been forced to fully navigate because the combination of presidential impeachment, removal, and subsequent pardon review has never been fully tested in the modern era.

That does not mean the answer is that those pardons stand untouched. It means the answer has not yet been written. And in a functioning constitutional democracy, the absence of a rule is an invitation to make one — through legislation, through constitutional amendment, or through judicial interpretation that takes seriously the principle that the pardon power was never designed to be a criminal's best tool.

The Constitution says the pardon power has limits. It does not say those limits end at the Oval Office door. A corrupt presidency is itself a limit.

The Bribery Argument

There is an existing legal framework that already treats certain pardons as criminal acts rather than legitimate exercises of executive authority. Federal bribery statutes make it illegal to offer, solicit, or receive anything of value in exchange for an official act. A pardon is an official act.

A president who pardons a co-conspirator in exchange for that person's silence is not exercising the pardon power. He is committing bribery and obstruction of justice simultaneously. A president who pardons a cabinet member who facilitated financial crimes that personally enriched the president is not exercising mercy. He is destroying evidence and protecting a participant in his own criminal enterprise.

These are not hypothetical scenarios constructed for the purposes of argument. They are the specific fact patterns that impeachment proceedings address. And if the impeachment succeeds — if the Senate votes to remove because the evidence of

corruption is sufficient to meet that constitutional threshold — then the pardons issued in furtherance of that corruption were not legitimate pardons. They were criminal acts dressed in constitutional clothing.

The remedy is not complicated in principle even if it is complex in execution. Congress should have the authority, following a successful impeachment and removal, to establish a review process for pardons issued during the removed president's tenure. That review would not automatically void every pardon. It would examine each one against the documented conduct that warranted removal and determine whether the pardon was an arm of the corruption or a legitimate independent exercise of executive authority.

Some pardons would survive that review. Others would not. That is how accountability is supposed to work.

Both Parties. Every Time. No Exceptions.

This argument must be stated without partisan qualification and it will be stated that way here.

A Democratic president impeached and removed for corruption should face the same pardon review as a Republican president impeached and removed for corruption. A president of any party who uses the pardon power to protect co-conspirators, silence witnesses, reward loyalty, or insulate a criminal network from legal consequences has abused an authority that belongs to the office, not to the person. And when that person is removed by the constitutional process, the abuses of that authority should not survive them.

This is the same principle that runs through every argument in this series. The rules either apply to everyone or they apply to no one. A system that allows the most powerful person in the country to commit crimes, pardon everyone involved, and leave office with the entire network legally protected is not a system of laws. It is a system of connections. Of scale. Of who you know and how much power you accumulated before the accountability mechanism finally caught up with you.

We have seen what that system produces in the economic sphere. Bailouts that protect shareholders while workers absorb the loss. Buybacks that enrich executives while wages stagnate. Fraud prosecutions that reach the mid-level operator while the architect walks free. The pardon abuse question is the same dynamic operating at the highest level of constitutional authority.

The rules either apply to everyone or they apply to no one. A president is not an exception to that principle. He is its most important test.

The Agency Argument

In the companion piece to this article — *Buying Back The Middle Class* — the central theme is agency. The power of ordinary people to determine what happens to their own lives. The systematic stripping of that agency by an economic and political system that has been rewritten over decades to protect the connected and extract from everyone else.

The pardon abuse question is an agency question at its core.

When a corrupt president pardons his cabinet, his advisors, his associates — blanketing an entire network of people who used public power for private benefit — the people who lost something because of that corruption lose their agency twice. First when the corruption happened. Then when the pardon foreclosed any possibility of legal remedy.

The investor defrauded by a scheme that the administration protected. The whistleblower retaliated against by officials who were later pardoned. The community harmed by a regulatory decision made corruptly and then shielded from accountability by a pardon that made the decision legally unreachable. These people did not get a review process. They did not get a hearing. They got told that the person who wronged them was now untouchable, signed and sealed by the same corrupt hand that wronged them.

Reclaiming agency means building systems where that cannot be the end of the story. Where the constitutional removal of a corrupt president is not merely a symbolic gesture that changes the nameplate on the door while leaving the damage fully in place. Where accountability means something beyond the ceremony of impeachment and extends to the actual consequences of the corruption that made impeachment necessary.

What a Review Process Would Look Like

The practical architecture of a post-impeachment pardon review does not require a constitutional amendment to begin, though an amendment would provide the most durable foundation. It could be established through legislation and tested through the courts.

The review would be triggered automatically upon a Senate vote to remove a president from office. It would be conducted by a joint congressional committee with independent counsel, examining every pardon issued during the removed president's tenure against the documented conduct cited in the impeachment articles.

The standard would not be reversal by default. It would be a specific finding that the pardon was issued in furtherance of the corrupt conduct that warranted removal — that it protected a participant in that conduct, silenced a potential witness, destroyed potential evidence, or was issued in exchange for something of personal value to the president.

Pardons that meet that standard would be referred to the courts for a ruling on their validity. Pardons that do not meet that standard would stand. The process would be transparent, on the record, and subject to judicial review at every stage.

This is not a revolutionary proposal. It is a gap-filling measure that takes seriously the principle the Constitution already established: that the pardon power has limits, that impeachment is one of them, and that a corrupt presidency is not a legitimate source of legitimate official acts.

The Precedent We Need to Set

No constitutional framework survives indefinitely without being tested, refined, and occasionally repaired. The framers built a remarkable system. They did not build a perfect one. They built one that assumed good faith actors operating within norms that would constrain the worst impulses of the people who held power.

When those norms fail — when the bad faith actor reaches the highest office and uses it as an instrument of personal and political corruption — the framework requires repair. Not abandonment. Repair.

The pardon power needs a corruption exception. Not a broad exception that allows political opponents to challenge pardons they dislike. A specific, narrow, evidence-based exception that applies when and only when a president has been impeached and removed and the pardon in question can be connected by evidence to the corrupt conduct that warranted removal.

That exception would not weaken the presidency. It would restore the integrity that makes presidential authority legitimate in the first place. A pardon issued from a corrupted office by a removed president is not a real pardon. It is the last act of an abuse of power. And the constitutional system that correctly identified and removed that abuse of power should have the tools to address its consequences completely — not just symbolically.

Impeachment without pardon review is a trial with a verdict and no sentence. It tells the country that corruption has consequences right up until the moment it doesn't.

The Same Question, Asked Again

At the end of *Buying Back The Middle Class*, the question was: if we don't start reinvesting in the people, what will we have left?

Here the question is parallel: if we allow a corrupt presidency to fully insulate itself and its network through the pardon power before accountability can reach it, what does the constitutional remedy of impeachment actually mean?

The answer, under the current framework, is that it means less than it should. It means a verdict without full consequences. It means the corrupt actor leaves, but the corruption stays, protected by the same power that should never have been available to someone operating in bad faith from the first day they took the oath.

The oath is the foundation. The corruption violates it from the beginning. The pardons issued from within that violation should not outlast the presidency they were designed to protect.

This is not a complicated idea. It is common sense. The same common sense that says if you pay for the crash you should own the car. The same common sense that says the rules should apply to everyone or they apply to no one.

A corrupted presidency is corrupted from the start. Its pardons should answer for that. Both parties. Every time. No exceptions.

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