

## Standard online reader survey



**Q: President Trump has said he can pardon himself. Do you think the president is above the law?**

**YES or NO**

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## GUEST EDITORIAL

### Tennessee should study legal sports gambling

When the U.S. Supreme Court by a 6-3 vote recently announced a decision to enable more states to make money off sports gambling, Tennessee Gov. Bill Haslam and a couple of local lawmakers were not impressed. "That would obviously have to go through the legislature. ... It's not something I would focus on," Haslam said.

State Sen. Jon Lundberg and state Rep. Bud Hulsey didn't think Tennessee would be in the mix of about 30 states looking to legally get into the sports gambling business.

"No. Not in the foreseeable future," said Lundberg, R-Bristol. "I haven't seen any major push or initiative at all."

Lundberg noted that state Sen. Frank Niceley, R-Strawberry Plains, filed legislation in the last legislative session to set up a Tennessee Horse Racing Commission to regulate parimutuel wagering in the state, but the bill did not move forward.

Hulsey, R-Kingsport, agreed he doesn't see sports gambling happening with the GOP-controlled legislature.

"You may have a portion of folks who may be OK with that, but I don't think the majority of the legislature would support that," Hulsey pointed out. "The way it is right now, I don't think so."

We think the legislature

### Kingsport Times-News

at least needs to do a fiscal review of what it would cost to set up a structure to regulate sports gambling and what would be the potential revenues from it.

Currently, sports gambling under federal law is allowed only in Nevada and a few other exceptions, but the bucket of money looks big.

Of the \$58 billion wagered last year on NFL and college football games, \$56 billion was bet illegally through bookies or online operations, according to Nevada Assemblywoman Maggie Carlton.

And that's just football. Under the Supreme Court decision, sports gambling could take many forms. People could bet on balls and strikes, even fishing.

State lawmakers have their own think tank, the Tennessee Advisory Commission on Intergovernmental Relations, that could study this. The legislature also has a Fiscal Review Office that calculates the fiscal impact of legislation.

The resources are there to see if sports gambling in Tennessee is a good or bad bet. The money from sports gambling is going to go somewhere. State lawmakers at least need to see if it's worth bringing that cash to Tennessee.



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### Governing by tirades, tantrums

Here's a sampling of recent headlines describing President Trump's pugnacious trade policies. *Washington Post*: "Trump Thinks He's Saving Trade. The Rest of the World Thinks He's Blowing It Up." *Wall Street Journal*: "Wider Tariffs Threaten to Take a Big Economic Toll." *New York Times*: "America Declares War On Its Friends."

Trump is fighting his trade war on many fronts: imposing tariffs on steel and aluminum imports; proposing levies on autos from Europe and industrial products from China; threatening to end NAFTA. This all amounts to a very risky game with potentially disastrous consequences.

The president is jeopardizing relations with key allies and displaying a profound ignorance of the post-war international order that's built on mutual benefit, not narrow nationalism.

Jennifer Hillman, a former U.S. trade official who now teaches at Georgetown Law, was blunt in the *Post*: "Trump's actions create a feeling of chaos and lawlessness. America is no longer abiding by basic due process and commitments made to other nations."

Trump's historical illiteracy extends back to the Depression and the calamitous effects of punitive tariffs known as Smoot-Hawley. Chrystia Freeland, Canada's foreign minister, emphasized the perils of the president's obtuseness when she told CNN: "We know that beggar-thy-neighbor policies don't work. That was the lesson of the 1920s and the 1930s. And I really hope people will take some time to reflect on the lessons of history and not go down

that path again."

More than 1,100 economists echoed Freeland's alarm in a letter organized by the National Taxpayers Union. "Economists are pretty united in their opposition to protectionist trade policy," Union spokesman Bryan Riley explained to Bloomberg. "It's the economic equivalent of flat-earth trade policy."

Even Republicans generally intimidated by Trump are increasingly alarmed at his abandonment of the party's pro-trade traditions. "There's quite a bit of resistance to the tariffs," said Sen. John Cornyn, the second-ranking Republican. "This is an unguided missile, and the retaliation can occur in sectors that are vulnerable."

Research firm Oxford Economics estimates that steel and aluminum tariffs would preserve 10,000 jobs while costing 80,000. The reason: Companies using higher-priced metal components would have to charge more for products ranging from automobiles to beer cans.

Every economist surveyed by the *Wall Street Journal* warned that if Trump's policies triggered "tit-for-tat retaliation" by U.S. trading partners, many more jobs would be lost, with their predictions averaging to 845,000.

International leaders are learning what members of Congress already know: Trump is a mendacious negotiator, full of tirades and tantrums, who does not keep his word. Instead of making America great again, he is squandering the trust and goodwill other presidents from both parties have spent generations establishing.

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COLUMNISTS

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### President not above the law

President Trump tweets he has an "absolute right to PARDON myself" although he insists he's done nothing wrong. Absolute, mind you. He's the monarch of all he surveys. Anybody who thinks otherwise is treating him unfairly, one of the persecuted chief executive's favorite words.

Heartbreaking, ain't it? Meanwhile, in a remarkable memo sent to special counsel Robert Mueller and leaked to the *New York Times*, Trump's lawyers have declared the president literally cannot commit the crime of obstruction of justice.

"The President not only has unfettered statutory and Constitutional authority to terminate the FBI Director, he also has Constitutional authority to direct the Justice Department to open or close an investigation, and, of course, the power to pardon any person before, during, or after an investigation and/or conviction," they wrote.

According to his lawyers, Trump is literally outside the law, free to govern by presidential diktat. If he wanted to sack Mueller and direct the Justice Department to arrest Hillary Clinton, nobody could stop him: "The President has exclusive authority over the ultimate conduct and disposition of all criminal investigations and over those executive branch officials responsible for conducting those investigations," the memo reads.

It was left to the inimitable Rudy Giuliani to suggest that Trump could literally murder former FBI

Director James Comey with impunity. He appeared to be joking.

Evidently, these boys failed to ponder the clause in Article II of the Constitution mandating the president "shall take care that the laws be faithfully executed." The chief executive's oath of office also explicitly requires him to do exactly that. The law, like the Constitution itself, is by definition antecedent to the president, and not vice versa.

So no, Trump can't get away with pardoning himself, nor with declaring investigations of his own suspect conduct null and void. The reason there's no specific case law on self-pardoning, for example, is that even Richard Nixon was too much of a patriot to try it. The United States is a nation of laws, and we're going to stay that way whether Trump likes it or not.

What we have here is Putinism-lite: this president's envy of the Russian dictator whose machinations did so much to install him in office. But Americans aren't Russians -- heirs to centuries of political repression, secret police, concentration camps and state murder.

Unlike Vladimir Putin, Trump can't order his opponents jailed or journalists flung off balconies. All he can really do to retain the support of his enraptured base is continue to spin persecution fantasies.

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COLUMNIST

GENE LYONS

### THE SCOOP



### Wedding cakes and discrimination

The Supreme Court has ruled in favor of a Colorado baker and determined he doesn't have to make a wedding cake for a gay couple because of his religious beliefs.

After pondering this case for months, I reluctantly agree with the Supreme Court ruling, although there are some tough questions to tackle.

It won't be the last word from the Supreme Court on deciding gay rights vs. religious freedom as a similar case is pending that involves a florist who didn't want to provide flowers for a same-sex wedding.

One of the biggest obstacles for me is substituting another party for the gay couple. What if a baker refused to make a cake for a black person because of religious beliefs? Or what if a Japanese man refused to fix a laptop for a white woman based on his beliefs?

Religion is a tricky subject as we've all seen churches in the same denomination split because of differences in beliefs. When you factor in different denominations and different religions, a person can do just about anything in the name of their God.

Another roadblock for me, at least in the churches I've attended, is the preachers always stress how we should be welcoming and forgiving as Christians. We should show love and compassion. We should travel across the globe doing mission work for people we don't even know.

We should give as generously as we can and help those less fortunate than we are. We should do all this, I suppose, unless they are a same-sex couple and then it's OK to be mean and nasty.

With those two large objections, you might think it would be hard for me to side with the baker. Like I said, it's a challenging case, but I believe ultimately a private businessman has the right to deny service to any person he wants, whether citing religious beliefs or not.

It slaps the laws of business in the face to refuse service to a paying customer, but if a private business wants to take that route, that should be its choice. If refusing to serve a gay couple leads to more customers boycotting that business, that's a consequence. Or it could lead to a surge in customers from like-minded people who want to patronize the business for its stance.

Speaking for our business here at the *Standard*, I couldn't imagine refusing to sell a newspaper subscription to a gay couple based on religious beliefs. I couldn't imagine a restaurant posting a sign on the door declaring no service to gays because of religious beliefs of the owner.

Personally, I think the Supreme Court ruling is a very sad statement, but in this country where we enjoy so many freedoms, I have to side with allowing people to make their own decisions about who they serve.

In playing devil's advocate one last time, I can't help but wonder what the Supreme Court might say about a doctor going against his or her Hippocratic Oath and refusing to perform life-saving surgery on a gay man because of religious beliefs.

Would that be a totally different argument, or would it be pretty much the same?

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