

Some Say Impeachment, What Does the Constitution Require?



Jake MacAulay

A new CBS News poll conducted by YouGov shows 55% of Americans think the newly opened probe for the impeachment of this President is necessary, while 45% of Americans think it is unnecessary.

Last Tuesday, House Speaker Nancy Pelosi announced a formal impeachment inquiry into the President after a “so-called” whistleblower complaint, accusing Trump of “using the power of his office to solicit interference from a foreign country in the 2020 US election.” The whistleblower alleged that Trump pressured the Ukrainian president into investigating Joe Biden, and Democrats have claimed this appeared linked to US military aid to Ukraine – which Trump denies.

I must explain that the government of America is not a democracy, but a Republic; “an empire of Laws, and not of men,” as Founding Father John Adams put it. Despite the fact that the authority of law does not come from the majority of unelected people, I do believe that all Americans should rightly understand that no public servant is above the law. Furthermore, “We the People” must understand we have the ability to remove any public servant from a position of power

under certain circumstances.

These circumstances can be found in Article II, Section 4, of the United States Constitution: "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."

Impeachment is a legitimate Constitutional check-and-balance, a powerful tool to rein in corrupt politicians. Yet it is rarely used today, so it is important to understand what encompasses an "impeachable offense" according to the contextual meaning of the framers' specific words. We can find these meanings by exploring their definitions as written by Founding Father Noah Webster in his 1828 Dictionary, a primary source document.

Treason means "to levy war against the United States, adhering to their enemies, giving them aid and comfort."

Bribery, also defined by Webster, means "giving or taking rewards for corrupt practices, false judgment, testimony or performance of that which is illegal or unjust."

The final term of Article 2, Sec. 4, – "high crimes and misdemeanors" – was defined by President James Madison's Supreme Court Justice appointee Joseph Story who said, "The offences to which the power of impeachment has been and is ordinarily applied as a remedy are...what are aptly termed political offences, growing out of personal misconduct, or gross neglect, or usurpation, or habitual disregard of the public interest."

If this president, or any member of public office, is deserving of impeachment, the following procedures must take place:

First, a 51% majority vote of the House is required to impeach

said official.

Following the impeachment vote, a hearing of the Senate will commence with the Chief Justice presiding. A vote will then be taken. If two-thirds or more Senators vote in favor of charges, said official will be removed from office.

Frustrated with certain public officials in his day, Thomas Jefferson made the cynical statement at one time that, "impeachment is scarcely a scare-crow."

I believe this further compounds the need "We the People" have to understand the powers that protect us from certain harassing fowls in our tremendously fruitful garden of American liberties. This will give us a greater ability to hold our elected officials accountable, and insist on impeachment proceedings from our legislators wherever, whenever and to whomever, they may apply.

Schedule an event or learn more about your Constitution with Jake MacAulay and the Institute on the Constitution and receive your [free gift](#).

© 2019 NWV – All Rights Reserved

E-Mail Jake MacAulay: Jake@TheAmericanView.com