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IMPEACHMENT: A LEGAL AND POLITICAL MISH-MASH

By Steve Bakke  December 27, 2019



The confusion over impeachment dates from the 1700s when our Founders pieced together the puzzle that became the U.S. Constitution. They needed reasons, in an emergency, to remove a president. They didn't know for sure, so they used these words: "treason, bribery, or other high crimes and misdemeanors." They meant for it to be a "big deal."

They provided little guidance. The Federalist papers warn: it shouldn't be political; "maladministration" (doing a bad job) isn't a reason; and if presidential perfection is sought, it won't be found. I believe they wanted future generations to "fill in the blanks."

We're left knowing little more than: The House investigates and a majority vote can impeach, followed by a trial in the Senate with a two-thirds vote to remove from office. The House sets their rules and the political tone, and the Senate sets their rules, probably following the political tone set by the House.

The republicans rightfully screamed at the ridiculous partisan advantage grabbed by House democrats, so you can expect payback in the Senate, which the democrats are already anticipating and screaming about. What a tangled political web we weave! Isn't it interesting?

But did I mention it's really important too?