Nadler Opens Hearing

Wednesday 4 December 2020 10:00 am

Obstruction the worst in history. Fear was foreign corruption from within. Washington warned us.

Most dangerous foes of republic government. Hamilton wrote in Federalist – most deadly adversaries would try to raise on of their own. . . . What kind of president would do that How will we know? Hamilton wrote when am unprincipled man in private life, rich, hobby horse of profiting . . .

President Trump put this same storm in action. He sent agents to foreign nations. It does not matter he got caught on the Ukraine issue. It does not matter that Trump thought our investigations were wrong -. .

He has shown his pattern of conduct. He will try again – interference in the election.

Our witness panel will guide this investigation of one or multiple impeachable offenses. IF so, we must ....

COLLINS – Founders were concerned about political election. This is not about new stuff. OH YES IT IS. This is not about facts so the blame can go to one or two committees. Clock and calendar are moving this – the want it before the end of the year – and we have an election next year – NOT THAT WE ARE AFRAIID AMERICAN WILL NOT SEE WHY MOST PEOPLE DON’T GOT LAW SCHOOL BECAUSE COLLINS AUDIENCE ARE UNDEREDUCATIONED AND TARGETED AND STARVED FOR GOOD EDUCATION BY THE REPUBLICAN PARTY, BY TRUMP. AND INSTITUTINS FORMED THEREUNDER.

Collins lies and says the whistleblower is not protected by the law. ANOTHER LIE Idiot
begins quoting people who said this is about getting rid of Trump =WELL THAT WAS AN OBVIOUS GOAL FROM THE MOMENT BE HEGAN TO RUN FOR THE PRESIDENCY. USED THE RUSSIANS TO GET IT. AND BEGAN A CRIME SPREE OF UNPRECEDEANTED MASS IN DEMORCRATIC HISTORY.

BRING ON FACT WITNESSES – YES BUT YOU HAVE STOPPED ANYONE FROM TESTIFYING WHO ARE ABLE TO GIVE FACTUAL TESTIMONEY – HOWEVER THERE WERE DOZENS WHO DID TESTIFY UNDER OATH AND ALL CARRIED THE SAME MESSSAGE – THE PRESIDENT IS AN ARCH CRINIMAL FOR PERSONAL GAIN, AND WAS RESPONSBILE OF THE DEATH OF OUR ALIES Ukrainians who died under RURSAIN gunfire!

THIS IDIOT ASKS PARENTHETICALLY WHY EVERYONE HATES HIM. HE’S A SOUTHERN DRAWL MORON FILLED WITH RACIST AND GREED FILLED ETHICS.

THIS IS JUST A RAILROAD JOB – YES – FROM YOUR SIDE – AND FROM YOU.

MOTION OF COLLINS IS TABLED BY WIDE MARGIN.

BIIGS – are we going to use the federal rules of evidence??? OF course, not – this is not a criminal trial – it’s an impeachment, based on the rules of the House, not your weasel attempt here.

Noah Feldman – Harvard Prof. Harvard, Oxford, Rhodes Scholar, Suiter aide

Pamela Karlan – Prof, served Blackmun, Yale jd ma ba

Martin Gerhardt – looks like he is a coma jd Chicago ms London school of econ bay ale

Jonathon Turley – GW Law School – by someone else paying him – he has written more than 3 dozen law review articles. Hiago and Northwestern school of law.

NADLER swears them in un penalty of perjury.

Summarize your written testimony in 10 minutes
Prof Feldman – Felix Frankfurter Prof of Law at Harvard.

Same asshole is trying to state some motion - three times already.

I am hear to why, what, how it applies to this President – impeachable offense.

The frames feared people like Trump. Personal. Treason, bribery, etc.

On the basis Trump coprruption used the presidency. He defrauded Zalinski.

Why – the framers borrowed the impeachment from England – to limit ministers – they could not impeach the King however 1787 – in the USA – the president was not a King – he was subordinate to the law. July 20th, 1787 – a long hot summer – two members tried to take out the impeachment - The president must stand for re-elections – Disagrrrmment ensues. “pres will spare nothing to be re-elected” “no point is more important – no one above the law. Madison – indispensable 

Election was not enough to protect the president. Then a remarkable thing happened – the guy who proposed NO stood and said I WAS WRONG. In order to avoid corruption, the pres. would have to be subject to impeachment.

High crimes and mis – refer to personal advantage, t subvert the process, and to endanger the nation’s security. The classic form was for personal gain – this was elections and national security.

How do these apply – THE CONST GIVE THE HOUSE OF REPS SOLE POWER OF IMPEACMENT. – THAT IS YOUR RESPONSIBITY – NOT MINE. LET ME APPLY THE MEANING TO TRUMP.

Trump’s conduct clearly constitutions high crimes and misdemeanors. The July 25th call from Trump to Zalinski – to gain personal advantage for himself by damaging VP Biden. When thepres uses a feature of his power -for himself – electoral evidence. Finally, on its own – soliciting the leader of a foreign government would constitute a high crime alone – but the Trump did two other things – Trump placed a hold on critical aide to Ukraine – and conditioned a white how visit to the White House.

REP ARMSTONG – moves to move the meeting to a later date! Read the motion – Wednesday December 11th 2019. Table the motion – Dems all aye – reps all vote no.
SAME OLD CRAP FROM REEPS. 24-17 REEPS LOSE

PROF KARLAN. – TWICE I HAVE BEEN BEFORE THIS COMMITTEE. PRORECTING THOSE ELECTIONS REQUIRES TO IMPEACH THE PRESIDENT IS HERE TODAY. I READ EVERYONE OF THE WITNESSES – I AM INSULTED THAT I DON’T CARE ABOUT THE FACTS. WHEN TRUMP DEMENANDED FOREIGN INVOLVEMENT IN THIS UPCOMING ELECTION – CONAN ABUSE OF POWER – DRAWING A FOREIGN GOV INTO OUR ELECTIONS UNDERMINES THE DEMOCRACY ITSELF – WE THE PEOPLE – Elections matter – but often appear not to JMK – countless Americans have died to protect our right to vote in the revolutionary war, and in the civil war. The founders like William Davey – a pres. might spare nothing to get re-elected. So, we know this portion was done to stop men like TRUMP. Foreign governments, as we often do, can interfere greatly with the outcomes of elections.

ANY MEMBER OF CONGRESS THAT SUPPORTS THIS – SHOULD ALSO BE IMPEACHED FOR THE SAME REASONS.

Bribery risking elections is another John Story. Based on the record before you – we have never seem before. Doubled down on violating his oath – he used his power to demand a foreign gov to undermine a candidate trying run against trump BIDEN – What happened in 2016 was bad enough. Worse though is this.

What would you do if a candidate abuses in a state election to get someone to write or say my opposition is a crook?

Remember – Russia if you are listening – strong arming smearing Hillary Clinton in unmeasurable actions on social and all media and other printed material.

PROF GERHARDT – This is a matter of grave concern. The const standard has been met. The record shows the president bribery, foreign leader aide and obstructing congress. Three features protect – ABOVE THE LAW – elections are the crucial means, in our system – framers separated the powers – so a president could not be tyrannical or corrupt. The framers pointed t matter the King of England used illegally against the American settlers. The chief Exec is accountable to congress
for crimes, etc. Another N Carolinian James – a president is personally responsible for any abuse of trust placed in him.

YES, I WOULD GUESS THAT HAPPENED AT LEAST 40 THOUSAND TIMES JUST FROM LIES TOLD TO THE PEOPLE – TO ENEHANE TRUMP NTHING ELSE – AND TO MAKE MARKETS ACTIVE FOR BILLINAIRRES WHO OMTINEU TO RUST THE MARKETS BECAME THEY ARE STACKED IN FAVOR OF UPWARDNESS.

NOT IMPEAHMENT OFFENSES ARE CRIMIANAL - IT IS OFTEN THE CONTEXT THAT ONTROLS. The pres. has attacked every safeguard against monarchy. He also has added China, Russia, and the Ukraine – he refused to response to subpoenas to high staff and secretaries. As Lindsey Graham said – the day Richard Nixon refused a suponeed was the day he faced certain impeachment.

He claims he can shoot someone dead on 5th avenue, that he does not have to cooperate with Congress or the Courts, and worse. No misconduct is more antithetical to Democracy.

If Congress fails to impeach here – the impeachment.

LOWCLASS PIG JONATHON TURLEY – 21 YEARS AGO – I TESTIFIED AT THE CLINTON IMPEACMENT. I HEVER THOUGHT I WOULD HAVE TO SIT AGAIN ON ANOTHER SITTING PRESIDETN. RANKER AND RAGE IS THE SAME. The atmosphere is the same three famrers anticipated.

However, let me state an irrelevant fact. I voted against Trump. I am not supportive of Trump. What we leave in the wake will shape our democracy-

I am opened about lowering gate standards for impeachment and creates a dangerous precedent for the future. Framer remember the Hastings case. The American model was simpler. Various standards were rejected – corruption, perfidy, obtaining office by corruption were rejected?

The closest case is the impeachment of Andrew Johnson -a trap door crime was created. Speed was also another rival of shortness. All involved established crimes. The abbreviated period of the investigation. Facialy incomplete in order to impeach a president. We are living in the same Madsion-descrribibed period – you are mad, my rep friends, my wife is mad – even my dogs seem mad and
golden doodle do no get mad. We are all mad – Where a slipshod impeachment wrong. It is wrong bec Trump is right – It is not wrong bec it is an election year. This case is not a case of the unknowable – it is a case on a record inchoative impeachment. Forget the measure of crimes are immaterial – NO – legal standards are what derive rage from reason.

Divide Rage from Reason – HAHAHHAHA – just like the GOP and TRUMP!!! Turley is the same idiot he was 30 year ago.

COUNSEL (Dem Chosen) Questions for Scholars

Interesting and will be included in final piece on this specific meeting of scholars of law, sans Turley, on completion.

No impeachable offenses are not necessarily crimes – not at all!

TURLY – There is much to be learned in this scandal – WSJ there is much that is worthy, and impeachment does not require a crime.

KARLAN- Betrayal, Corruption of Elections are also impeachable. The framers tried to design elections that were incorruptible. The one office that is not open to you is the PRESIDENCY. Then there is the emoluments clause.

IF WE LOOK LIKE WE ARE NOT THE SHINGING CITY ON A HILL – THE WORLD WILL LABEL US HYPOCRITICAL AND WORSE.

FELDMAN – The president sough personal gain by withholding critical assistance. And may have never remitted that $400 mill had the whistleblower not uncovered this activity.
GERHARDT – I have a lot of thoughts – we have not mentioned that the impeachment power requires the investigation – but if the President stops the investigation – by betrayal, by corruption – and refusing subpoenas.


FELDMAN – BRIBERY EXSITED UNDER THE CONSTITUTION – IN THIS CASE THE VALUE WAS THE PRIMSE TO ANNOUNCE OR UNDERTAKE. BRIBERY YES.

GERHADT AGREES WITH BRIBERY. IF THIS IS NOT IMPEACHMENT – THEN NOTHING IS IMPEACHABLE - THIS IS PRECISELY WHAT THE FRAMERS THOUGHT THROUGH – SO IF THIS MAN IS NOT IMPEACHED – OTHER PRESIDENTS COULD OR WOULD DO THE SAME – DEGRADING THE DEMOCRACY.

COUNSEL – DOES IT MATTER THAT THE 400 MILLION WAS ULTIMATELY DELIVERED – FELDMAN SAYS NO. THE PROCESS OF GETTING CAUGHT DOES NOT CHANGE A THING.
KARDEN - DOES IS MATTER UNANNOUNCED – SOLICITING ITSLEF IS THE IMPEACHABLE CRIME. EVEN IS HE WAS REFUSED ON THE PHONE WITH ZALINKSY. SO NOW HE SAYS CHINA SHOULD INVESTIGATE BIDEN.

GERHADT – IMPEACHMENTS ARE OFTEN FOCUSING ON PEOPLE WHO DID NOT GET WHAT THEY WANTED. SO THE PERSON SAYS – OKAY I DROP THE MONEY AND LEAVE -OKAY? A GOOD AUGHT IN THE MIDDLE IDEA FOR MORONS SUPPORTING TRUMP.

COUNSEL – OBSTRUCTION OF CONGRESS – IS THEIR ENOUGH EVIDECNE.

GERHARDT – THERE IS MORE THAN ENOUGH – THE THIRD ARCTILE AGAINST NIXON WHO ALSO FAILED TO COMPLY WITH - THIS PRES AND THE EXEC BRNACH HAD OBSTRUCTED OF CONGRESS. ALL OF THEM.


ARTICLE TWO – TRUMP SAID IT GIVES HIM THE RIGHT TO DO ANYTHING UNDER THE CONSTITUTUION.

TRUMP ALSO ORDERED A CAMPAIGN TO OBSTUCT THE ONGRESS. IMPEACHABLE

COUNSEL – HOW ABOUT OBSTRUCCITON OF JUSTICE

GERHARDT – ASSUMING THE FACTS IN REPORTS THE MUELLER REPORT INDICATE FACTS THAT THE PRESIDENT OBSTRUCTION OF JUSTIEC – AT LEAST FIVE. RUSSIAN INTERFFERENCE – 1. President ordering Don MdGahn fire the specai counsel. 2. Pres ordered mcGan to create a force record about this 3. He also met with corey lweabdoqske to obstruct justie 5. Mike Cohen – and that is not all of it.

Ther is very strong eveidne of obstruction of justice.

KARLAN – I see a pattern – interfering by foreign goverments as the pres asked so often and through others – “a straightforward principal – fundamental do not have a onst right to partciapte in democratic eledtions. Kavanaugh wrote this!!
Check it out. It is Constituionally demanded to keep foreigners out of our national elections – or perhaps any election..

FELDMAN – WAS CONVINCED THAT THE PRESIDENT DID IN FACT DO EXXactly what the constituiaion formers worried about.

NADLER – LET ME SAY THE COMMITTEE STAN DDS IN A HUMANITARIANEAN 10 MINUTE RECESS. AT THIS TIME THE COMMITTEE STANDS IN RECESS.

IDIOT LAWYER ON PBS SAID – “ON THIS RECORD”???????? MUST BE THE WEAK DEFENSE FROM GOPERS.

GOPERS KEEP TRYING TO INTERRUPT – BUT NOT TO LEARN.

**Ranking member 45 minutes – idiot Collins**

Says our motion you did not do on hearing – get it done

Phase 2 – there is always the phase two – or Phase lies

The facts themselves belie this

The majority is not here to give exculpatory evidence.

The Inspector General is still being withheld – there must be a reason a problem for the proseutors investigation.

PROFESSOR TURLEY – YOU ARE WELL RESTED.

ELABORATE ON WHAT YOU DISAGREE WITH. THIS IS THE COLDEST HEARING ROOM! THIS CHAIR IS TERRIBLE!

I WOULD LIKE TO HIGHLIGHT – THESE THREE LAWYERS ARE MY FRIENDS AND I RESPCT THEM

BRIBERY – THIS IS CLEAR CASE OF BRIBERY? IT IS NOT? IT FITS THE 18TH CENTURY DEFINITION. ORIGINALISM – DOES NOT EXIST IN THIS MATTER.
Bribery was not defined – that’s why they put it in the standard.

To the contrary – Mal-administration would be broad said the founders – once again channeling the framer’s intent is dangerous.

Let me offer the words of the framers – on that exchange – Madison objected on Mal-administration – what Morris said we need to protect again bribery – accepting actual money by the French and Charles Kings at the time. That was not the broad nature of – look at the US Supreme Court – the Supreme Court – gifts were actually received! The court unanimously over-turned that conviction – you cannot use a boundless interpretation. Rejected setting up meetings for instance – I would caution that these “crimes” have meaning – you can’t accuse a president of bribery – it’s too boundless. We do not have to prove the elements. (Bullshit) and they can do that – just wait. It is unfair to use the broader standard – there were criminal allegations – accepted crimes – were agreed upon – Clinton purchased – in Nixon the crimes were questionable for proved somewhat. The trap door crime – firing the secretary of war – the underlying statute was the crime.

I would also caution you about obstruction – it has elements and record authority – if you except all of their presumptions given by these three – abbreviated schedule – fast is not good for impeachment. – Obstruction – theory is that Trump obstructed by not turning over committee requested materials. I am against the third article of the Nixon impeachment – their worst – Peter Rodino, chairman the courts have no role in this. Any refusal by a president would be the basis of an impeachment. Trump has gone to court on this – he has the right – you are doing the same thing with article one when we demand -it must be turned over. Bullshit argument again. The criminal prosecutor could impel production by arrest and police action. The Supreme Court ruled against Nixon – but they said there are executive action defenses – but did not write about them?

You won on the McGahn issue.
YOU CAN GO TO COURT. MYABE – BUT WHAT COULD THIS MANIAC PRESDIETN DO IN THE UNFOLDING MONTHS OR EVEN YEARS THAT COULD TAKE!

IT IS YOUR ABUSE OF POWER – BUSLLHIT. THE COURTS HAVE NO STANDING HERE.

COLLINS – FACTS DON’T MATTER – BS AGAIN – THERE WAS PLENTY OF FACTUAL EVIDENCE – IN THESE INVESITGATIONS.

TURELY – OBAMA SAID THAT NO COURT HAD A ROLE ON WITHHOLDING FAST AND FURIOUS EVIDENCE? TOTALLY DIFFERENT SITUATION. SO WHY DIDN’T THEY APPEAL?? SCUM BAG. I AM FRIENDS WITH BILL BARR – WE DISGREE ABOUT EXECUTIVE PRIVELIGED. BARR HAS RELEASED TONS OF EXECUTIVE PRIVELGGE MORE THAN ANYOE – BSBSBSBSBSBS.

PAUL TAYLOR – GOP COUNSEL – IN MANY CASES IT WILL CONNECT ITSELF WITH PRE-EXISTING FACTIONS AND ENLIST TODAY’S RULES – OR HYPERPARTISON - HYPERPARTISIONSHIP GOES BOTH WAYS MORON. TURLEY SAID THIS WAS WRITTEN IN TIMES LIKE OURS. JEFFERSON CALLED THE REIGN ON THE WITCHES.

THEN THEY ACTUALY KILLED EACH OTHER – (AS THEY DO TODAY). THYE KNEW NOT TO DO IT! HAHAHHHAHA – WHAT A MORON TURLEY IS. EVERYTHING GOES BOTH OF EVEN SEVERAL WAYS – THAT IS WWHY THE IMPEACHMENT CLAUSE WAS GENIUS.

LET’S TAKE A QUICK LOOK AT THE DEEPLY PARTISON ISSUES HERE. THE IMPEACHMENT LEADERS REP HIGHLY LEFT HILLARY VOTERS. THE SITUATION IS ESSENTIALLY THE SAME. HAHAHAHA-

PROCESS – NIXON IMPEACHMENT WAS DESCRIBED. THIS WAS SUPPORTED BY BY BOTH PARTIES.

TODAY THE CURRENT DRIVE WAS APPROVED ONLY BY DEMOCRATS – GEE WONDER WHY – HOW ARE THESE GOPERS BEING PAID OFF – BY ALLOWING THEM TO SERVER MORE THAN TIME SERVED NOW – THEY WOULD ALL BE GONE IF WE HAD A MORE EDUCATED POPULATION – WITH A SENSE OF HISTORY – WHICH IS NOT EVEN TAUGHT IN SMOST PRIMARY AND SECONDARY SCHOOLS!!!!

LAWRENCE TRIBE BOOK – THE AUTHOR STATES PURELY PARISAN IS SEEN AS POLITICAL CHIEFLY. CONGRESSIONAL AGREEMENT OR TAKING NO SIDES IS IMPORTANT.

NOT ON THIS SCHEDULE – YOU NEED SATURATION AND MATRUATION. IF YOU RUSH IT YOU WILL LEAVE HALF THE NATION BEHIND1!!!! AND TRUMP TO BE RE-ELECTED – TURLEY IS SHOWING HIS IDIOICY – THE NATION COULDBE CONVINECCED WITH A FEW HUNDRE MILLION IN LENGTHY COMMERCIALS EXLLPAING. TURLEY SAYS THAT THE CONTROLLING LAWS STAND AGAINST THESE THEORIESES - AGAIN CALLING A CRIME DOE NOT MAKE IT A CRIME.

SO THAT COULD PUT TRUMP IN CATEGORY IN HIGH MISDEMANROS. SAYS COUNSEL. SAMUEL JOHDONS DICTIONARY – SUPREME COURT CITED IT 300 YEARS AGO! HHAHAHAH- HIGH TREASON, ATROIOUS, YES YES YES YES – THAT IS TRUMP. HE SAYS “LESS THAN A CRIME” – HAHAHAHAHAHAHAH – BULLSHIT

NOW THE IDIOT TALKS ABOUT HUNTER BIDEN HAVING NO BACKGROUND IN ENERGY – NOT ALL BOARD MEMBERS OF ANY CORPORATION HAVE EXPERIENCE IN WHAT IS MADE OR MANUFATCTRRED, OR TAUGHT, OR SERVICED – TOS COUNSEL FOR GOPERS – A DAMN LIAR.

THERE IS NO WORDING IN THE TRUM PHONE CALL – THAT WOULD MAKE THIS PROVABLE! - HAHAHAHAHAHHA – A PILL FOR IDIOTS. SORT OF LIKE NAZIS DON’T ALL HATE JEWS.

THIS GUY IS QUOTING BOOKS WRITTEN BY ANYONE WHO CAN WRITE ABOUT APPEACMENT – WHICH WOULD INCLUDE 12TH GRADERS WITH SOME SMARTS THAT READ ON THEIR OWN,

LOOKAT THE SIZE OF THE RECORD – THIS IS WAFER THIN COMPARED TO THE NIXON CLINTON IMPEACHMENT. MY MY – LIAR-PREVARITCATOR – ENEMY OF DEMOCRACY
IS IT ESSENTIAL FOR TRUTH TO HAVE BOTH SIDES BE PRESENTING THEIR EVIDENCE OR VIEWS OR BUSLLSHIT. TURLEY TALKS ABOUT EDMUND BURKE WHO NO ONE EVER HEARD OF

DUE PROCESS QUADRUPLED ARE CALLED FOR.

TURLEY SAID LEWINSKY WAS NOT CALLED IN THE CLINTON IMPEACHMENT. WHAT HAPPENED THERE – WAS HOW MUCH ID THE HOUSE HAVE TO DO – TO IMPEACH A GUY FOR DUCKING A SLUT? HAHAAHAAHA. TURLEY THINKS THIS IS A STANDARD! ABOUT A YEAR AGO – LEWINSKY WOULD NOT BE CALLED AS A WITNESS – IT SHE SIGNED THE FFADAVITE.

TURLEY TURD.


HLIARIOUS TURLEY QUOTE – “. Mueller was not Rowley’s only critic. From a civil libertarian perspective, Professor Jonathan Turley assailed Rowley’s memo for betraying a skewed understanding of constitutional rights and probable cause. Jonathan Turley, Commentary, Wrong, As a Matter of Law: FBI Agent Coleen Rowley Ignores Our Constitutional Rights In Her Memo, L.A. TIMES, May 30, 2002, at B15. Curiously, Rowley’s claim that probable cause existed prior to September 11 has aroused skepticism on the political right as well. See Richard Lowry, A Better Bureau, NAT’L REV., July 1, 2002, at 28, 28 (“There was certainly evidence prior to September 11 that Moussaoui was a Muslim extremist, but ‘probable cause’ that he was an agent of a foreign power or terrorist group? It was by no means a slam dunk.”); Ann Coulter, The Whistle-Blower They Like, FRONT PAGE MAGAZINE,”


Jonathon Turley, Professor of Law of George Washington University Law School, has written, ``. . . And perjury committed by a president may be one of the most serious forms of criminal conduct since it is the crime that shields all other criminal acts from the public . . . by any
reasonable measure, perjury and obstruction of justice clearly fall within `high crimes and misdemeanors.' "

To return to Hamilton's statement, I can think of several ways in which the President's perjury injures society. If President Clinton escapes impeachment, if an elected official can commit felony crimes (perjury and obstruction of justice) what does this say about our country's commitment to equal justice under the law? If a Pam Parsons, a David Holland, a Jeffrey Goltz can spend time in prison for perjury, what does it do to society to see `little' people spend time in prison for breaking the law and `big' people let off? If the President walks, cynicism reigns.

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5. IMPEACHMENT
Judgment—Removal and Disqualification

Article II, section 4 provides that officers impeached and convicted “shall be removed from office”; Article I, section 3, clause 7 provides further that “judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States.” These restrictions on judgment, both of which relate to capacity to hold public office, emphasize the non-penal nature of impeachment, and help to distinguish American impeachment from the open-ended English practice under which criminal penalties could be imposed.\footnote{853}

The plain language of section 4 seems to require removal from office upon conviction, and in fact the Senate has removed those persons whom it has convicted. In the 1936 trial of Judge Ritter, the Senate determined that removal is automatic upon conviction, and does not require a separate vote.\footnote{854} This practice has continued. Because conviction requires a two-thirds vote, this means that removal can occur only as a result of a two-thirds vote. Unlike removal, disqualification from office is a discretionary judgment, and there is no explicit constitutional linkage to the two-thirds vote on conviction. Although an argument can be made that disqualification should nonetheless require a two-thirds vote,\footnote{855} the Senate has determined that disqualification may be accomplished by a simple majority vote.\footnote{856}

Footnotes

\footnote{853}{See discussion supra of the differences between English and American impeachment.}

\footnote{854}{3 DESCHLER ’S PRECEDENTS OF THE UNITED STATES HOUSE OF REPRESENTATIVES ch. 14, § 13.9.}

\footnote{855}{See MICHAEL J. GERHARDT, THE FEDERAL IMPEACHMENT PROCESS: A CONSTITUTIONAL AND HISTORICAL ANALYSIS 77–79 (2d ed. 2000).}

\footnote{856}{The Senate imposed disqualification twice, on Judges Humphreys and Archbald. In the Humphreys trial the Senate determined that the issues of removal and disqualification are divisible, 3 HINDS ’ PRECEDENTS OF THE HOUSE OF REPRESENTATIVES § 2397 (1907), and in the Archbald trial the Senate imposed judgment of disqualification by vote of 39 to 35. 6 CANNON ’S PRECEDENTS OF THE HOUSE OF REPRESENTATIVES § 512 (1936). During the 1936 trial of Judge Ritter, a parliamentary inquiry as to whether a two-thirds vote or a simple majority vote is required for disqualification was answered by reference to the simple majority vote in the Archbald trial. 3 DESCHLER ’S PRECEDENTS ch. 14, § 13.10. The Senate then rejected disqualification of Judge Ritter by vote of 76–0. 80 CONG. REC. 5607 (1936).}