

# Impeachable Offenses

"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."

*Constitution of the United States,  
Article II, Section 4*

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"Mr. [James] Madison: 'Some provision should be made for defending the Community against the incapacity, negligence or perfidy of the chief Magistrate. . . . He might pervert his administration into a scheme of speculation or oppression.' . . ."

"Mr. [Gouverneur] Morris: . . . 'Corrupting his electors and incapacity were other causes of impeachment.'"

*Records of the Federal Convention, 1787*

"The subjects of [impeachment] jurisdiction are those offenses which proceed from the misconduct of public men, or in other words from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated Political, as they relate chiefly to injuries done immediately to the society itself."

Alexander Hamilton, *The Federalist no. 65, 1788*

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"We define therefore an impeachable high crime or misdemeanor to be one in its nature or consequences subversive of some fundamental or essential principle of government or highly prejudicial to the public interest, and this may consist of a violation of the Constitution, of law, of an official oath, or of duty, by an act committed or omitted, or, without violating a positive law, by the abuse of discretionary powers from improper motives for any improper purpose."

Benjamin F. Butler, *Representative from Massachusetts, arguing for impeachment of President Andrew Johnson, 1868*

"It would be impossible in any statute to define or describe all the various ways in which a judge or other civil officer might so notably and conspicuously misbehave himself as to justify and require his removal. . . . Every impeachment case ever presented to the United States Senate has been founded upon articles, some or all of which charged offenses not indictable."

Martin E. Olmstead, *Representative from Pennsylvania, arguing for impeachment of Judge Charles Swayne, 1905*

"[Impeachment] relates solely to the accused's right to hold civil office; not to the many other rights which are his as a citizen and which protect him in a court of law. . . . What then, is an impeachable offense? The only honest answer is that an impeachable offense is whatever a majority of the House of Representatives considers it to be at a given moment in history."

"Something less than a criminal act or criminal dereliction of duty may nevertheless be sufficient grounds for impeachment."

Gerald R. Ford, *Representative from Michigan, arguing for impeachment of Justice William O. Douglas, 1970*