

Will Trump Be First US President Removed From Office or Convicted Post-Tenure?

By [Stephen Lendman](#)

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Only three US presidents were impeached — Andrew Johnson for sacking his war secretary Edwin Stanton, Bill Clinton for lying about sex, and Trump twice.

The first time was for winning an election he was supposed to lose and unorthodox actions in office.

The second coming Wednesday is largely to prevent him from serving in public office again, along with wanting him and supporters vilified for wrong reasons, ignoring justifiable ones.

Legitimate reasons existed to impeach, convict and remove most former US presidents from office — notably for crimes of war and against humanity on invented enemies.

This step was never taken because most elected and appointed US officials would share guilt in the above offenses and others.

Impeachment of US presidents is a politicized affair, for invented offenses, not real ones.

Charges against Andrew Johnson, Bill Clinton, and Trump twice were meritless, the same true for Richard Nixon's forced resignation.

The Constitution's Article II, Section 4 is supposed to be used as a check against abuses of power.

It empowers Congress to impeach, convict, and remove an unfit to hold office president or other elected or appointed officials.

It's supposed to be for "treason, bribery, or other high crimes and misdemeanors."

The latter phrase is undefined and thus abused.

House members are empowered to impeach by a simple majority.

A Senate two-thirds majority is required to convict.

While unlikely, Trump may become the first sitting or former US president to be convicted by Senate members.

If before his term expires on January 20, he'd be forced from office.

If after his tenure ends, he could be barred from holding public office again by a separate vote.

He could be denied benefits afforded former US presidents under the 1958 Former Presidents Act.

He could lose them by removal pursuant to Article II, Section 4 of the Constitution, according to the law — including his pension and Secret Service protection.

The law states that presidents “whose service in such office shall have terminated other than by” removal from office are entitled to benefits.

According to Law Professor Josh Blackman, if convicted by a Senate super-majority after leaving office, benefits afforded former US presidents would not be affected, adding:

Under this scenario, he’d be “former president (who) cannot be removed from a position he no longer holds.”

Other legal experts believe it’s unlikely that Trump would lose Secret Service protection even if convicted and removed from office before January. 20.

In 2013, enacted US legislation authorized lifetime Secret Service protection for “former president(s)” without further elaboration.

Political Science Professor Cary Coglianese said if Trump is removed from office before January 20, “he would almost certainly not automatically lose the Secret Service protection which he would otherwise expect to receive...”

According to the NYT, Majority Leader Mitch McConnell “told associates that he believes...Trump committed impeachable offenses and that he is pleased that (Dems) are moving to impeach him, believing that it will make it easier to purge him from the party, according to people familiar with his thinking.”

House Minority Leader Kevin McCarthy reportedly spoke to other GOP House members about whether they should call on Trump to resign before January 20.

At the same time, he expressed opposition to impeachment, but he, McConnell, and other GOP congressional leaders will not formally call on congressional Republicans to vote against impeachment, according to at least three unnamed party members.

According to The Hill:

“McConnell has made it clear to his allies that he’s done defending Trump and that the Senate GOP leader hasn’t spoken to the president since December,” adding:

He “had given a speech sharply breaking with Trump over the election — which the GOP leader tellingly said had not been that close — moments before the Capitol was overtaken by a mob.”

“He’s genuinely furious about what happened last week and what led up to it.”

“Senate Republican sources told The Hill that McConnell hasn’t revealed whether he would vote to convict Trump on an article of impeachment.”

“A majority of House Republicans are expected to oppose impeachment, and

it's also likely a majority of Senate Republicans would vote to acquit Trump in a trial."

While it's unlikely that McConnell, other congressional GOP leaders, and a required Senate super-majority would vote to convict Trump, what never happened before in US history is possible this time.

The Times, The Hill, and other US media reported that House impeachment vote will come Wednesday after Pence rejected using 25th Amendment authority to remove Trump from office pre-January 20.

Last week, he was quoted saying:

"I will not now yield to efforts in the House of Representatives to play political games at a time so serious in the life of our nation."

The Washington Post reported similar information to the above, saying:

"The push for an unprecedented second impeachment of President Trump took a dramatic bipartisan turn Tuesday, as several senior House Republicans joined the (Dem) effort to remove Trump..."

Fox News, Reuters, and other media reported much the same information.

During December 2019 impeachment proceedings as well as pre-Capitol Hill violence, McConnell publicly opposed the process.

According to an unnamed GOP official, "(h)e's not doing that this time," adding:

"I don't know if he ultimately supports it or he doesn't support it."

"Part of it probably depends on what case and what articles House Democrats ultimately place on their desk in the Senate."

"He doesn't see this as a political exercise. It may very well warrant that kind of action."

Last week, I called what happened on Capitol Hill America's Reichstag fire — what Trump had nothing to do with.

None of public remarks and tweets incited a violent insurrection "against the government of the United States."

His post-Election 2020 rhetoric, including last week, has been constitutionally protected speech under the First Amendment.

Claims otherwise by Dems, some

Republicans and establishment media were fabricated.

They seek lynch mob action against Trump, unjustifiably justified by invented charges, not legitimate ones.

If Trump is removed from office for using protected speech in addressing supporters, all Americans are potentially threatened with recrimination for truth-telling on major issues that diverges from the official narrative.

If constitutionally guaranteed free expression dies, all other major rights may go with it along with abolition of the rule of law.

That's what the scourge of tyranny is all about.

That's where things are heading in the US if the present trend continues uncontested by nonviolent resistance to preserve and protect what's too precious to lose.

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Award-winning author Stephen Lendman lives in Chicago. He can be reached at lendmanstephen@sbcglobal.net. He is a Research Associate of the Centre for Research on Globalization (CRG)

His new book as editor and contributor is titled "Flashpoint in Ukraine: US Drive for Hegemony Risks WW III."

<http://www.claritypress.com/LendmanIII.html>

Visit his blog site at sjlendman.blogspot.com.

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About the author:

Stephen Lendman lives in Chicago. He can be reached at lendmanstephen@sbcglobal.net. His new book as editor and contributor is titled "Flashpoint in Ukraine: US Drive for Hegemony Risks WW III."
<http://www.claritypress.com/LendmanIII.html> Visit his blog site at sjlendman.blogspot.com. Listen to cutting-edge discussions with distinguished guests on the Progressive Radio News Hour on the Progressive Radio Network. It airs three times weekly: live on Sundays at 1PM Central time plus two prerecorded archived

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