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Impeachment in the United States

The United States was founded on the principle that citizens must be able to hold their government accountable. When the Thirteen Colonies revolted against British rule, their object was to free themselves from a king who had established “an absolute Tyranny over these States.”

¹ Having achieved independence, our Founding Fathers set out to create a Constitution that would safeguard the newly-formed nation against such tyranny: Article II, Section IV declares that “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.”² In conferring upon Congress the ability to impeach, the Constitution rebukes the English maxim that “the King can do no wrong”³ and creates the framework for a nation that respects the rule of law.

Three U.S. Presidents have been impeached: Andrew Johnson, Bill Clinton, and Donald Trump. Although no impeachment has removed a president from office, each has left an impact on the American political landscape.

Andrew Johnson was impeached in 1868 for violating the Tenure of Office Act. His acquittal encouraged Southern Democrats, who, like Johnson, opposed Reconstruction, and demoralized Radical Republicans, who aimed to establish former slaves’ rights. Indeed, some

¹ <https://www.archives.gov/founding-docs/declaration-transcript>

² <https://www.archives.gov/founding-docs/constitution-transcript#toc-article-ii->

³ <https://millercenter.org/the-presidency/impeachment/impeachment-1780s>

historians argue that his acquittal contributed to the ultimate failure of Reconstruction and the moderation of the Republican Party.⁴

Bill Clinton was impeached in 1998 for lying about his affair with Monica Lewinsky. Even though Clinton's approval rating remained high throughout the impeachment process, his reputation was tarnished. Al Gore, Clinton's vice president, felt the repercussions of his association with Clinton in the 2000 presidential election: James Rogan, one of the House Managers in Clinton's impeachment trial, asserts that it would have been "far better for the Democrats nationally in 2000 to have Clinton just go away and have Gore sworn in as president." According to Robert Shrum, one of Clinton's aides, "Without the Lewinsky episode, I don't think there's much doubt that Al Gore would've won the election."⁵

Donald Trump was impeached in 2019 for pressuring Ukraine to investigate a political opponent, Joe Biden, in exchange for the release of \$391 million in funds and a meeting with the Ukrainian president. Here, a distinction must be made: Unlike that of Johnson and Clinton, Trump's offense involved a foreign nation; thus, Trump's impeachment and subsequent acquittal have had not only intranational but international consequences. The cornerstone of U.S. foreign policy is to suppress corruption and promote the rule of law, yet the Senate acquitted a president who, for personal political gain, solicited foreign interference in a U.S. election; such a contradiction is a sharp blow to U.S. foreign relations and global credibility. Domestically, the results are similarly grim: even more polarization, with a Senate vote that, despite the evidence, fell sharply along party lines; a Trump-led Republican Party, with an unfettered and even more energetic base; and, perhaps most regrettably, a precedent for a dangerously powerful executive

⁴ <https://teachinghistory.org/history-content/ask-a-historian/25165>

⁵ <https://www.theatlantic.com/magazine/archive/2018/12/clinton-impeachment/573940/>

branch free to resist congressional oversight - a step toward the tyranny against which the Founding Fathers tried to safeguard.⁶

In the face of such an outcome, there are those who may wonder if Trump's impeachment was worth it. Rep. Adam Schiff insists that it was: "We needed to place a constraint on this president who was acting unethically...we had a constitutional obligation to make the case."⁷ Impeachment is not merely a tool for removing a current president; it is a sign to all future presidents that their power is not unfettered, that the frame of government established in the Constitution still functions to check and balance executive power. Had Congress never exercised their power to impeach, the guarantees of the Constitution would be nothing more than empty promises, and the executive branch would have unbridled power. It is for the sake of all future presidents, and our nation as a whole, that Congress continues to uphold this Constitutional duty. "No man is above the law"⁸ - not even the President.

⁶ <https://www.wsj.com/articles/trumps-impeachment-is-virtually-done-what-did-it-change-11580566870>

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<https://www.npr.org/2020/02/06/803407937/transcript-impeachment-process-was-absolutely-worth-it-schiff-says>

⁸ <https://oll.libertyfund.org/pages/rule-of-law-us-constitutionalism>

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