Impeachment Essay, Research Paper

Impeachment: A long process It is the ultimate punishment for a president: impeachment. But it is a long and complicated route to removing a political official from office and never in more than 200 years of U.S. history has it happened to a president for “treason, bribery or other high crimes and misdemeanors,” as spelled out in the U.S. Constitution as reasons for impeachment.

The Constitutional process

Article II, Section 4, of the U.S. Constitution specifies the procedures to be used to remove the president, vice president or other officials from office. The rarely used procedure is complex, reflecting 18th-century formalities.

The process opens in various ways through the House. In one process, the House votes on an inquiry of impeachment which would direct the Judiciary Committee to investigate the charges against the president. If a member of Congress takes the more serious step of introducing a resolution of impeachment, all other work must stop until a decision is reached.

Either the president is cleared of the charges through an investigation, or the committee votes to send articles of impeachment to the full House.

If the House approves articles of impeachment, a trial is conducted in the Senate, presided over by the chief justice of the Supreme Court. At the conclusion, the Senate may vote to simply remove the official from office, or to remove him or her from office and bar from holding any other federal office. Removal requires a two-thirds majority in the Senate.

Could Clinton be impeached?

House Judiciary Committee Chairman Henry Hyde, respected by both parties as a thoughtful lawmaker, said on CNN that impeachment could follow if Clinton were found to have urged a former White House intern to lie under oath.

“If he (independent counsel Kenneth Starr) verifies the authenticity of these charges, impeachment might very well be an option,” the Illinois Republican said.

At the Capitol some of Clinton’s staunchest Republican critics showed deep discomfort at the prospect of impeachment proceedings. Only Rep. Bob Barr, the Georgia Republican who has campaigned for Clinton’s impeachment for months, called the allegations the “smoking gun” and urged the House to start the process when it returns next week.

But Clinton could face up to 10 years under a federal statute for obstruction of justice and conspiracy to commit crimes for persuading Monica Lewinsky to lie under oath.

Only two other presidents came close to impeachment:

In 1868 President Andrew Johnson was saved by one vote in the Senate after the House approved articles of impeachment against him over a dispute on the post-Civil War reconstruction of the South.

In 1974 President Richard Nixon chose to resign in disgrace rather than face impeachment for his role in the cover-up of the Watergate break-in.

There is substantial and credible information supporting the following eleven possible grounds for impeachment:

1. President Clinton lied under oath in his civil case when he denied a sexual affair, a sexual relationship, or sexual relations with Monica Lewinsky.

2. President Clinton lied under oath to the grand jury about his sexual relationship with Ms. Lewinsky.

3. In his civil deposition, to support his false statement about the sexual relationship, President Clinton also lied under oath about being alone with Ms. Lewinsky and about the many gifts exchanged between Ms. Lewinsky and him.

4. President Clinton lied under oath in his civil deposition about his discussions with Ms. Lewinsky concerning her involvement in the Jones case.

5. During the Jones case, the President obstructed justice and had an understanding with Ms. Lewinsky to jointly conceal the truth about their relationship by concealing gifts subpoenaed by Ms. Jones’s attorneys.

6. During the Jones case, the President obstructed justice and had an understanding with Ms. Lewinsky to jointly conceal the truth of their relationship from the judicial process by a scheme that included the following means: (i) Both the President and Ms. Lewinsky understood that they would lie under oath in the Jones case about their sexual relationship; (ii) the President suggested to Ms. Lewinsky that she prepare an affidavit that, for the President’s purposes, would memorialize her testimony under oath and could be used to prevent questioning of both of them about their relationship; (iii) Ms. Lewinsky signed and filed the false affidavit; (iv) the President used Ms. Lewinsky’s false affidavit at his deposition in an attempt to head off questions about Ms. Lewinsky; and (v) when that failed, the President lied under oath at his civil deposition about the relationship with Ms. Lewinsky.

7. President Clinton endeavored to obstruct justice by helping Ms. Lewinsky obtain a job in New York at a time when she would have been a witness harmful to him were she to tell the truth in the Jones case.

8. President Clinton lied under oath in his civil deposition about his discussions with Vernon Jordan concerning Ms. Lewinsky’s involvement in the Jones case.

9. The President improperly tampered with a potential witness by attempting to corruptly influence the testimony of his personal secretary, Betty Currie, in the days after his civil deposition.

10. President Clinton endeavored to obstruct justice during the grand jury investigation by refusing to testify for seven months and lying to senior White House aides with knowledge that they would relay the President’s false statements to the grand jury — and did thereby deceive, obstruct, and impede the grand jury.

11. President Clinton abused his constitutional authority by (i) lying to the public and the Congress in January 1998 about his relationship with Ms. Lewinsky; (ii) promising at that time to cooperate fully with the grand jury investigation; (iii) later refusing six invitations to testify voluntarily to the grand jury; (iv) invoking Executive Privilege; (v) lying to the grand jury in August 1998; and (vi) lying again to the public and Congress on August 17, 1998 — all as part of an effort to hinder, impede, and deflect possible inquiry by the Congress of the United States.

The first two possible grounds for impeachment concern the President’s lying under oath about the nature of his relationship with Ms. Lewinsky. The details associated with those grounds are, by their nature, explicit. The President’s testimony unfortunately has rendered the details essential with respect to those two grounds, as will be explained in those grounds.