

The history of impeachment in the US

By Maruja Rosario
Assistant Editor
mxr300@psu.edu

Richard Nixon and Bill Clinton are the two names that are automatically associated with the word "impeachment." However, though these are the most famous, Congress has actually used its power of impeachment 16 times throughout US history.

Article II, Section IV of the US Constitution says, "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." It is known as "Congress' ultimate power" and has dual power in the House of Representatives and Senate. It has a two-step process, a formal accusation presented by the House, and should it pass, a trial and conviction by the Senate. The Vice-President presides over Senate impeachment hearings unless it is the President under trial, then the Chief Justice presides.

Article I, Section III, explains the Federal Impeachment process:

Clause 6: The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Clause 7: 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: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Congress has been using its power of impeachment since 1797 when they put William Blount, United States Senator from Tennessee, on trial for a plot attempting to get rid of the Spanish with a battalion of English and Native Americans. The case was thrown when the Senate ruled that Senators cannot be impeached.

The first person to ever be impeached and convicted was Judge John Pickering in 1803 for drunkenness, loose morals and unlawful judicial procedures. He was convicted and removed from office March 12, 1804.

The House has impeached one Supreme Court Justice, eleven federal judges, one Senator, one cabinet officer, and two US Presidents, Andrew Johnson and Bill Clinton. The most famous president, President Richard Nixon, does not count for he chose to resign rather than face impeachment proceedings.

Johnson, who took presidency after Lincoln's assassination, angered Republicans with his lenient stance towards punishing ex-Confederates and lack of concern for ex-slaves by abolishing the Fourteenth Amendment and his veto of civil rights bills. Congress reacted by passing the Tenure

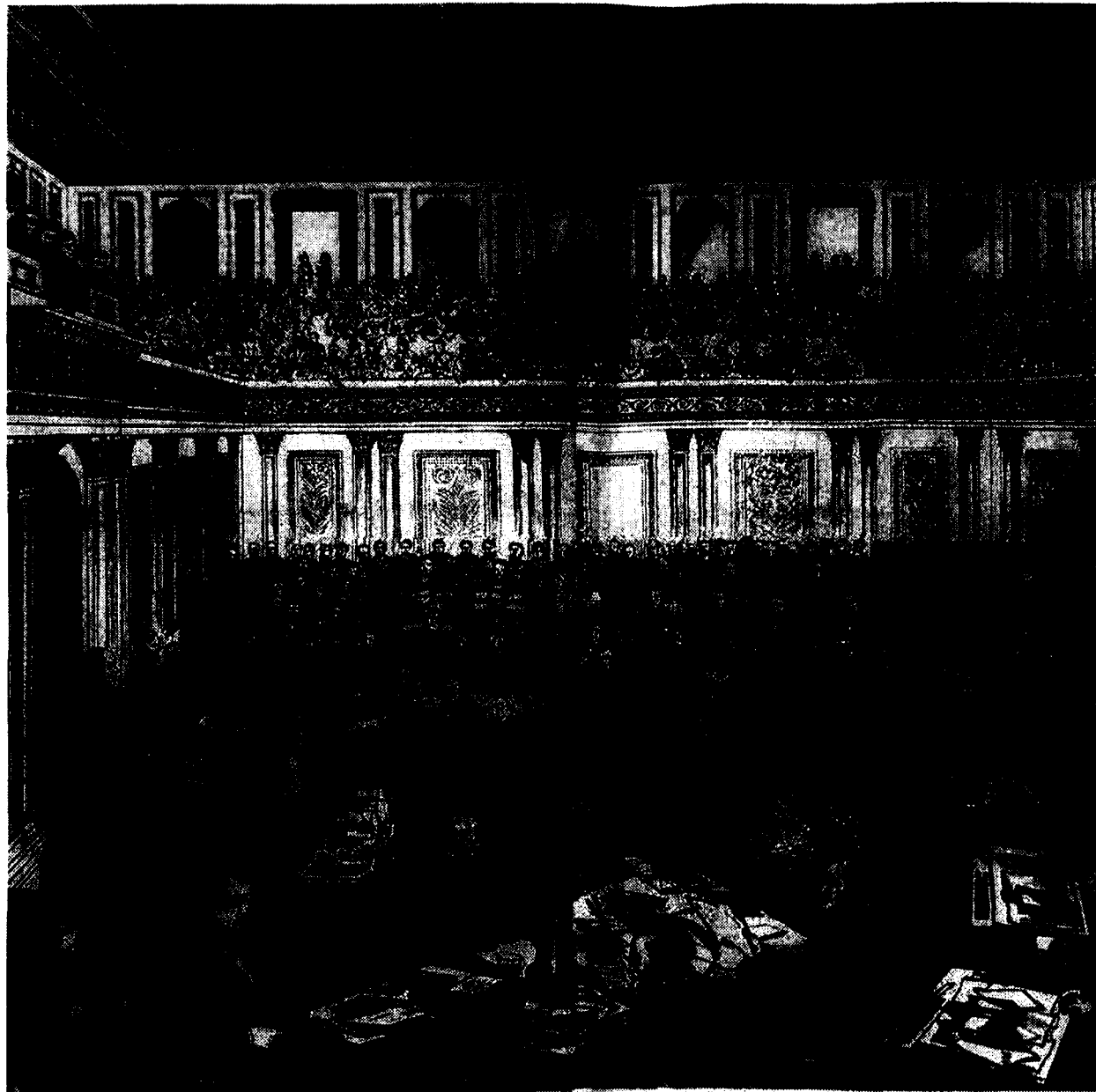


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Depiction of the impeachment trial of Andrew Johnson, then President of the United States, in 1868.

of Office Act in 1867, prohibiting the president from dismissing office holders without Senate's approval. Johnson went ahead and removed Edwin M. Stanton, Secretary of War, violating the act and providing the grounds for his impeachment. Johnson's

impeachment failed conviction by one simple vote, causing the charges to be dropped and Johnson was acquitted May 26, 1868.

Clinton did get impeached on some grounds, but not enough to actually remove him from office.

His sexual advances became the grounds for Kenneth Starr's statements delivered to the House. The House approved four out of the 11 statements and impeached him on two of four accounts. When the grounds came to the Senate,

the Republicans were not able to gather the support they needed and the charges against Clinton were dropped on February 12, 1999.

Of course no article could be complete without a discussion of President Richard Nixon. Nixon was found to be involved with covering up the burglary of the Democratic Headquarters by five members of his own reelection committee, refusing to turn over the evidence, and alleged illegal wiretapping, misuse of the CIA, perjury, bribery, obstruction of justice, and other abuses of executive power. For Nixon, impeachment was not only inevitable, it was absolutely going to pass the House and come in front of the Senate. So instead of putting Congress through the process that Nixon knew that he was going to probably lose, he resigned on August 9, 1974.

Since 1789, the House has gone through 62 impeachment proceedings, impeached 16 federal officers, and the Senate has convicted seven. The power of impeachment is only used in extreme cases, and England even considers the process obsolete. Requiring a supermajority vote, Congress has only chosen to impeach those who they considered to have seriously abused their power, however that definition of abuse of power certainly has changed throughout the years. One can only wonder how long this archaic process will survive as the times continue to change.

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