



Worksheet 7 – Impeachment Questions and Answers

Read this extract and then answer the questions that follow.

MEMORANDUM REGARDING STANDARDS FOR IMPEACHMENT

Issued by Lawyers acting for the Clinton Administration

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Apart from a declaration of war, the most solemn and important responsibility Congress bears is to wield the power of impeachment wisely. The significance of this process can scarcely be overstated. ... It is therefore critical that the process of impeachment, through which 535 people may undo a national decision, both be fair and be perceived to be fair.

...

The Framers included specific provisions for impeachment in the Constitution because they understood that only the most serious forms of public wrongdoing warranted the most severe political remedy. Impeachment is a basic constitutional safeguard, designed both to correct harms to the system of government itself and to protect the people from serious malfeasance in the carrying out of public functions. Nothing less than the gravest executive wrongdoing can justify impeachment. The Constitution leaves lesser wrongs to the political process and to public opinion.

....

It was emphatically not the intention of the Framers that the President should be subject to the will of the dominant legislative party. Our system of government does not permit Congress to unseat the President merely because it disagrees with his behavior or his policies. The Framers' decisive rejection of parliamentary government is one reason why they caused the phrase "Treason, Bribery or other high Crimes and Misdemeanors" to appear in the Constitution itself. They chose to specify those categories of offenses subject to the impeachment power, rather than leave that judgment to the unfettered whim of the legislature.

...

Therefore, when the issue of impeachment is raised, the House (and ultimately the Senate) confront this inescapable question: is the alleged misconduct so profoundly serious, so malevolent, that it justifies undoing the people's decision? Is the wrong alleged of a sort that not only demands removal of the President before the ordinary electoral cycle can do its work, but also justifies the national trauma that accompanies the impeachment process itself?

<https://clinton4.nara.gov/WH/New/html/clinton10-2b.html>

Question 1: Why must the process of impeachment be not only fair but also perceived to be fair?

Question 2: Under what circumstances did the Framers of the Constitution consider impeachment to be necessary?

Question 3: Why did the Framers of the Constitution specify the offenses that justified impeachment?

Question 4: Are there ways of holding the president to account other than by impeachment?