

But Why: A Podcast for Curious Kids

What Happens When A President Is Impeached?

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[Jane] This is *But Why: A Podcast for Curious Kids*, from Vermont Public Radio. I'm Jane Lindholm.

On this show, we answer the questions you send us about the things you want to know more about. We love your questions about animals and bubbles and gravity and the way the world works.

And sometimes you send us questions about things you're hearing in the news right now or in the adult conversation swirling around you. And today's show tackles one of those kinds of topics. Today, we're going to be answering your questions about impeachment.

[Evie] My name is Evie, I am seven years old. I live in Downers Grove, Illinois. And my question is, "what happens when presidents get impeached?"

[Jane] Have you been hearing about impeachment? It's been in the news because the U.S. president, Donald Trump, has been impeached and there's been a lot of news and conversation about whether he did something so bad that he should no longer be the U.S. president. As we are putting this episode out, it's just been decided by the U.S. Senate that President Trump will stay the president. He won't lose his job. We held off on putting out the episode to make sure we knew the results so we could tell you that. And the voters will have a chance to decide in November whether they want to have Trump be president for another four years or if they want someone new to take over. We thought you might appreciate having a little bit more of an understanding of what impeachment actually is, how it works and when it has happened before in U.S. history. So we called up Jessica Levinson to help us with this. She's a professor, or a teacher, of law at Loyola Law School in California. So she teaches people how to become lawyers. She also focuses on politics and government in her work. So she looks at the rules around elections and she looks at government ethics, how people should behave in government. So she really knows what's going on when it comes to impeachment. Here's Evie's question again.

[Evie] What happens when presidents get impeached?

[Jessica] So impeachment is basically a way of removing one of our leaders in government. We have a couple of ways to remove people from their job so they don't get to keep doing what they already do. And one of them is through

elections. We can choose to vote somebody out of their current position. We can choose to say, “you don't get to keep your job, somebody else is going to do your job now.” And we could also decide to use a process called impeachment, which means that people will basically decide you did something that is really bad and really problematic and that it's so bad that we might have to remove you from your job before the next vote, before the next election. And so that's basically what impeachment is. It's a way so that people don't get to keep doing their job because they did something pretty bad.

[Jane] Impeachment is a process that was written into our constitution. The Constitution is the document that was created to lay out the fundamental rules of what the United States was going to be. Here's our other guest to help explain the history.

[Kenneth] I am Kenneth C. Davis, the author of *Don't Know Much About History*.

Impeachment is simply a term that was adopted by the men who drafted and wrote the United States Constitution in 1787. And the word comes from an old English term for how to remove an official if he somehow did something that was wrong, corrupt, criminal, unethical or some other form of needing to be removed. And so this was an idea that was important to the founders of the country because they were giving a great deal of power to one man in particular, the president, as they finally decided on it, as well as other federal officials. That it's important to remember that impeachment isn't only for presidents, it's also for other high ranking federal officials who might have to be removed from office, including federal judges.

[Jane] Because our presidential elections only happen every four years, the men who wrote the U.S. Constitution thought there needed to be a way to remove the president in between elections if he had done something so wrong that he shouldn't be president anymore, even before an election happened. And I'm saying “he” here instead of “he” and “she” or “him” and “her,” because back in the seventeen hundreds, the founders couldn't imagine that a president or a judge or a person in that kind of power would be a woman. One of the most important things about a democracy, where the people choose their leaders, is just that: that the people choose. So it needs to be a really big deal for a president to be removed from office by other elected officials instead of by the voters in an election. So the writers of the Constitution created rules around when and how a president can be impeached. The House of Representatives can bring charges against a president when they think he has done something wrong. If a majority, more than half of the members of the House, votes to bring those charges to trial, then a president has been impeached. That has happened three times so far

in U.S. history. And that's what happened to the current president, Donald Trump.

[Kenneth] Andrew Johnson in 1868 was the first president to be impeached. The second one was Bill Clinton in 1998. So it was more than hundred and thirty years between the first two impeachments. Bill Clinton and Andrew Johnson were not removed from office. Now, there was one other near impeachment in that time. Richard M. Nixon, who was the president elected in 1968, resigned from the office in 1974 because he was going to be impeached. And it was quite certain that he was going to be removed from office because of what he had done in what we now know as "Watergate."

[Jane] So impeachment is pretty rare, but it also might be a little confusing because being impeached doesn't mean that you're no longer the president. Being impeached is kind of like being accused of doing something wrong. Here's how Jessica Levinson describes it.

[Jessica] Just because that first group of people, the House of Representatives, decides to impeach you, nothing actually happens to you as president. It might be that it's really embarrassing. Maybe the people who don't like what happened use this against you. Think about something that happens at school where somebody does something like take a marker that wasn't theirs. If the teacher tells the whole class, look at this person, they took the marker. That's really bad. That's kind of like impeachment. If nothing happens other than the teacher just saying that's really bad. But it's really what happens next, which is called a trial in the Senate, where you might be able to lose your job. The trial in the Senate is kind of like if the teacher says that's so bad that you don't get to use markers for the rest of the day. And so there's consequences to that.

[Jane] So it's up to the Senate to hold a trial. And if enough of them, two thirds, agree that the president should be removed, only then would a president have to step down. And that has so far never happened in U.S. history.

[Esme] My name is Esme, I am 8 years old. I live in Montpelier, Vermont. And my question is, "the president of the United States, why have none of them ever gotten fired?"

[Jane] Here's Kenneth Davis again.

[Kenneth] Why hasn't it happened? Partly because the bar was set so high for removing the president.

And the idea also was that this system really works pretty well to protect the country because of the system of checks and balances that we have very few presidents throughout our history, even though many have done things that people disagree with. They've rarely done something that rises to a set of words that we didn't talk about. We should mention quickly the words in the Constitution that are what a president can be impeached for. There is only treason. Treason means betraying the country to an enemy, bribery, taking money or something else in exchange for something. And then this phrase, other high crimes and misdemeanors. And that's a more difficult term to describe. Essentially, most historians and most legal experts believe that high crimes and misdemeanors means an abuse of power by a high level public official. That doesn't actually have to be an actual crime like stealing or all of the other things that we think of as crimes. But using your office in a way that benefits yourself either financially or politically.

[Jessica] And the Senate takes that decision pretty seriously. It also takes not just half of the Senate to vote to remove you, but it takes two thirds of the Senate, meaning a lot of people who are in the Senate to vote to say you're going to be fired. You don't get to keep your job anymore. And so it's hard to get that many people to agree to something in any situation. It's really hard to get that many people to agree to something when it's as serious as firing the president of the United States.

[Jane] So that brings us to what's been going on in the last few months here in the United States and what our president has been accused of and on trial for. In just a minute, we'll learn a little bit more about why President Trump has been on trial and how you might think about the role of impeachment in American politics. Is it a tool that should be used very, very rarely? Or is the way our system is set up too hard to remove someone like a president from office?

This is *But Why: A Podcast for Curious Kids* from Vermont Public Radio. I'm Jane Lindholm. This week, we're answering your questions about impeachment. That's the process to remove the president of the United States, or another very powerful government official, from office. You've probably been hearing the word "impeachment" a lot lately. It's been in the news because the U.S. president, Donald J. Trump, was impeached in December. And we've been going through the Senate trial where the senators decide whether or not he should stay the president for the last couple of weeks. We asked Jessica Levinson, a law professor who studies government and politics, to help us understand what President Trump has been accused of.

[Jessica] At it's kind of most basic level, what people think our current president, President Trump, did is that instead of serving all the people who

elected him, instead of serving all of us, the people who live in this country, he actually tried to make a decision that benefited him as a person. So when you are the leader of our country, when you're the president, the decisions you make are supposed to be good for everybody who lives in this country. And that's supposed to be your primary goal. But the accusations here on this most basic level, is that the president actually made decisions that are good for him, but not good for the rest of us. You know, in a bit more detail, what is the president accused of doing, basically using the trust that we all gave him when we elected him to try and make sure that he keeps his job, as opposed to trying to make sure that he makes decisions that are good for the rest of us. This is not about whether or not the president actually committed a crime. This is about whether or not he did something in his job that's so bad that he can't keep his job. It goes directly to what he was elected to do, which is to lead us. And it goes directly to the question of whether or not he's leading us well. In this case, we have the other people who we elect to be the leaders of our country who are trying to determine basically what happened and whether or not the president should lose his job.

[Jane] So in the case of President Trump, a majority of the House of Representatives, which is controlled by the Democrats, said they did think the president should lose his job. So they impeached the president. But in the Senate, which has more Republicans than Democrats, there were not enough senators who agreed. In the Senate trial, you need two thirds, or 67 of the 100 of them, to remove the president. And they did not agree that the president should lose his job. So that's where things stand now. As of right now, President Trump will stay the president. But there's an election coming up in November and it's in the elections where the people who are allowed to vote can make the decision about whether or not they think the president should get to stay in office for another four years. Kenneth Davis says our country has a system of checks and balances, and when that gets out of balance, the voters are the one who can set things right again. And he thinks generally that works pretty well.

[Kenneth] Looking back over more than 200 years of presidential history, the system has worked pretty well. When presidents did things that were wildly unpopular or the situation in the country was very bad, they were usually voted out of office and someone else came along and took their place. For instance, when Herbert Hoover was the president back in the 1920s, the country went into a terrible economic tailspin called the Great Depression, partly brought about because of a stock market crash in 1929. So Herbert Hoover was voted out of office. He didn't have to be impeached. He hadn't done anything wrong. He hadn't abused his powers. But he certainly had proved that he was not a popular president and was voted out after one term. There've been a lot of one term presidents, John Adams, the second president, after George Washington was a one term president. So was his

son, John Quincy Adams. So the system has really worked very well to take care of presidents who are either unpopular or seemed to be doing things that aren't in the country's best interests. Or someone comes along who says, I can do a much better job.

[Jane] You might also be noticing that a lot of people are really angry right now, mad at some of the people in the government. And it doesn't feel very good to live in a place where people are really angry and upset at the way their government is working.

[Jessica] It doesn't feel very good. And in fact, it makes me really sad because the government should be a group of people who we all vote on to choose who's going to make decisions for us the best. So if you think about, for instance, if you think about what your listeners parents do, a lot of them probably don't work in government. They might be radio hosts. They might be lawyers. They might be doctors. They might be firefighters. So they don't have the time to make all the decisions that we need to make in order for our government to work. So we elect people to do that and to represent us. And we tend to get really upset when those people don't make decisions we agree with. And I think that's totally understandable, particularly when we think those people who we vote to represent us don't really make good decisions and aren't really serving us or maybe are serving themselves. And so, you know, it's really hard once people are angry. I think one of the best things to try and do at this point is figure out, well, why exactly are you angry? You know, is there anything, what can we do at this moment? One of the things that the people we elect tend to respond to is if we call them a lot and tell them that we like or don't like what they're doing because they like to keep their jobs. And if we're calling them, they know that we're interested in what they're doing. But there's no easy solution. The best government is a government where as many people as possible vote and pick who our representatives will be, because then they know that we're all watching them. We all care about what they're doing. And there's a lot of us who are affected by their decisions. But unfortunately, there's not a quick fix, I think, to the anger.

[Jane] If we're not yet voters, if we're maybe seven or eight, can we still call our representatives?

[Jessica] Absolutely. There is no age limit to calling. You can say I live in this state and you represent me. Even though I can't vote for you, you still represent me. You can describe whether or not your parents are happy with what's happening, but you can make your voice heard.

[Jane] And you can write letters to write.

[Jessica] You can absolutely write letters. You can write letters with your parents. You can write letters on your own. You can make phone calls. You can contact these elected officials. Because the truth is, a lot of the decisions they're making will affect not just your parents or your grandparents, but they're going to affect you as well.

[Jane] So if you have things you want to say to your elected officials, take that to heart. You may not be old enough to vote, but you can still tell them what matters to you.

That's it for this episode. Big thanks to Kenneth C. Davis and Jessica Levinson for helping us understand this complicated topic of impeachment. If you have a question about anything, have an adult recorded. They can send the file to questions at but why kids dot org. We can't answer all of your questions, but they do help us understand what it is you might want to hear more of. So we love hearing your questions and your voices. *But Why* is produced by Melody Bodette and me, Jane Lindholm at Vermont Public Radio.

Our theme music is by Luke Reynolds. We'll be back in two weeks with an all new episode. Until then, stay curious.