

Works Cited

Debates in the Convention of the State of North Carolina, on the Adoption of the Federal Constitution. 21 July 1778, Hillsborough, NC. N.p.: n.p., n.d. *The Constitution Society*. Web. 11 Apr. 2014. <http://www.constitution.org/rc/rat_nc.htm>.

Jordan digs into North Carolina's debates over the ratification of the Constitution to recognize both the seriousness of impeachment and the obligation to hold accountable those who abuse positions of power. Note that the convention debates use the word "impunity." The texts of Jordan's speech universally employ the word "immunity."

Elliot, Jonathan. *The Debates in the Several State Conventions of the Adoption of the Federal Constitution*. Vol. 3. Philadelphia: J.B. Lippincott, 1861. *The Online Library of Liberty*. Web. 11 Apr. 2014. <http://lf-oll.s3.amazonaws.com/titles/1907/Elliot_1314-03_EBk_v6.0.pdf>.

Elliot's record of the Constitutional Convention and the ratification debates includes Madison's statement that "if the President be connected, in any suspicious manner, with any person, and there be grounds to believe he will shelter him, the House of Representatives can impeach him; they can remove him if found guilty; they can suspend him when suspected, and the power will devolve on the Vice-President." Madison offered this observation to offset concerns about the presidential power of the pardon, but it reveals a rather expansive vision of impeachment, more expansive, it seems, than has been applied in fact.

Elliot's account of the Virginia ratification debates also references the statements of convention representative George Nicholas, who provides the statement on the need for separate branches of government to protect the people's liberties.

- - -. *The Debates in the Several State Conventions of the Adoption of the Federal Constitution*. Vol. 4. Philadelphia: J.B. Lippincott, 1861. *The Online Library of Liberty*. Web. 11 Apr. 2014. <http://lf-oll.s3.amazonaws.com/titles/1908/Elliot_1314-04_EBk_v6.0.pdf>.

Volume 4 of Elliot's massive collection includes reference to C.C. Pinckney's assertion that those "who behave amiss or betray the public trust" ought justifiably to be subject to impeachment.

Farrand, Max, ed. *Records of the Federal Convention*. Vol. 2. New Haven: Yale University Press, 1911. *Google Books*. Web. 11 Apr. 2014. <<http://books.google.com>>.

Jordan may have misrepresented the original source slightly by indicating that James Madison has said that impeachment should apply to attempts to subvert the Constitution. The phrase does appear in the records of the Constitutional Convention based upon notes taken by James Madison. But in volume 2 of those records, p. 550, those words appear to have been spoken by George Mason, who proposed that "maladministration" be added to "Treason & bribery" as cause for impeachment, since acts not rising to treason or bribery

might nevertheless work "to subvert the Constitution." The assembly rejected Mason's term, "maladministration," but did ultimately add the phrase "high crimes and misdemeanors" as just cause for impeachment.

Hamilton, Alexander. "Federalist No. 65: The Powers of the Senate Continued." *New York Packet* 7 Mar. 1778: n. pag. *The Library of Congress: Thomas*. Web. 11 Apr. 2014. <http://thomas.loc.gov/home/histdox/fed_65.html>.

Jordan refers to Alexander Hamilton's "Federalist No. 65" to consider who has the authority to serve as an inquisitor in an impeachment hearing and for what purpose such a hearing might be held.

Story, Joseph. *Commentaries on the Constitution of the United States*. Vol. 2. Boston: Little, Brown, & Co., 1873. *Google Books*. Web. 11 Apr. 2014. <<http://books.google.com>>.

Jordan cites Justice Joseph Story for his assertion that impeachment empowers representatives to protect the rights of the people.

US Const. pmb1. *The Charters of Freedom*. Web. 11 Apr. 2014. <http://www.archives.gov/exhibits/charters/constitution_transcript.html>.

Jordan refers to the Preamble of the Constitution to ponder the significance of the opening phrase, "We the People," and to recognize with awe how a black woman, who was not included among "the People" at the Constitution's framing, could become an "inquisitor" in proceedings related to a proposed impeachment of the most powerful single individual in the government created by that very Constitution.

Wilson, Woodrow. *Congressional Government: A Study in American Politics*. Boston: Houghton Mifflin, 1885. *The Project Gutenberg*. Web. 11 Apr. 2014. <<http://www.gutenberg.org/files/35861/35861-h/35861-h.htm>>.

Jordan references Woodrow Wilson to acknowledge that only extreme and unusual cases might lead to impeachment. Indeed, Wilson, writing in 1885, saw impeachment as an "empty menace" with requirements set so high as to prevent the process from achieving its aim. Indeed, only two presidents have ever been impeached, and neither was found guilty. Nixon, of course, resigned before the impeachment proceedings could officially begin.