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Madison on Impeachment

To the Editor:

It would be interesting to note (despite our feelings in the matter) what James Madison, father of the Constitution, thought of two issues paramount in the domestic news today: executive power and impeachment.

When the Convention was going through the draft of the Constitution clause by clause—Gouverneur Morris had been assigned the job to provide "the finish to the style and arrangement of the Constitution"—to polish the language, the proposal to reduce from three-quarters to two-thirds the vote in Congress necessary to override a Presidential veto deeply troubled Madison. The Convention voted 6 states to 4 for the smaller figure. Says a biographer of Madison, Ralph Ketcham: "No action in the Convention shows more clearly Madison's skepticism of legislative supremacy and belief in a powerful national executive."

But Madison and Rufus King did manage to defeat a motion that persons impeached should be suspended from office until tried. Such a stipulation would, in their opinion, subject the President and other officials to harassment and intimidation by a mere majority of the House of Representatives. Executive independence, Madison felt, had to be preserved.

OSCAR SHERWIN
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