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The Impeachment of Samuel Chase I

Lead: The impeachment and trial of Supreme Court Justice Samuel Chase in the early 1800s threatened to undo the growing independence of the Federal judiciary and perhaps even the structural balance of the Constitution.

Intro.: *A Moment in Time* with Dan Roberts.

Content: The impeachment of federal officials has been a relatively rare event in U.S. history. It may or may not flow out of criminal activity, but it is essentially a political act

designed to remove persons from office deemed unfit. Considering the intensity of American partisan politics, it is remarkable that impeachment has not been used more often. The founders believed that some mechanism had to be in place to remove from office those guilty of malfeasance - treason, bribery, or other high crimes and misdemeanors. Yet, the bar was set very high for impeachment in the House of Representatives and even higher for conviction in the Senate.

Perhaps because leaders have seen impeachment as having the potential for undermining the separation of powers and the delicate constitutional balance between the branches they

have hesitated to use it except in the most extreme circumstances. When used it has been found to be an explosive, yet blunt, largely ineffective weapon in the political wars. Often those who wield this weapon against their enemies, find that they suffer greater harm than those they sought attack.

This hesitation to use impeachment over the decades grew in part from the upheaval caused by the impeachment and trial of Supreme Court Justice Samuel Chase during the Presidency of Thomas Jefferson. Chase was an irascible, indiscrete, egregious partisan of Federalist sentiment. Appointed to the Court in 1796 by George

Washington, he despised the newly ascendant Democratic Republican Party which swept to victory in 1800 and was not too shy about his opinions. Jefferson decided to get rid of him. Next time: political assassination.

At the University of Richmond, this is Dan Roberts.

Resources

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“The answer and pleas of Samuel Chase one of the associate justices of the Supreme Court of the United States, to the articles of impeachment exhibited against him in the said Court, by the House of Representatives of the United States in support of their impeachment against him for high crimes and misdemeanors, supposed to have been by him committed.” U.S. 8th Congress, 1803-1805. Washington City: Printed by William Duane & son, 1805. February 7, 1805.

http://www.senate.gov/artandhistory/history/minute/Senate_Tries_Justice.htm

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