

## The Watergate Scandal and Its Aftermath

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### Abstract

In the early 1970's, the Watergate scandal involving President Richard Nixon made headlines nationwide, but did he have anything to do with the break in at the Democratic National Committee? Even with the lack of evidence tying Nixon to the crime, it is believed he had something to do with the burglary, for why else would he go to great extent to try to cover up and hide the facts. This cover up attempt shows how easily a president may be above some checks and balances at times, and because of this scandal, many new legislature bills have been passed after Nixon's resignation to prevent such abuses of power from happening again. This article discusses not only the facts of the case, leading me to believe in his guilt, but also the consequences of President Nixon's actions and how the public viewed our governmental policies afterwards.

### The Watergate Scandal

Former President Richard Nixon has had a long and successful political career. He was a Duke University of Law attorney, and a Navy Reserve Commander in World War Two. His political career started as a House of Representative from 1947 to 1950 and then became a California Senator from 1950 to 1953. He served as the Vice President from 1953 to 1961 under President Dwight Eisenhower and by 1969, he became the 37th President with Spiro Agnew as his new Vice-President, with Gerald Ford becoming his Vice-President during his second election win. Nixon had many accomplishments as our President, including ending our involvement in the Vietnam War in 1973 and he put an end to our military draft. He also passed the Endangered Species Act in 1973, established the Environmental Protection Agency and presided over the Apollo 11 moon landing. [1]. Unfortunately, a scandal was about to break out, threatening the future of his second term, and the public's opinion of our political system as a whole. It is in my opinion that if Nixon was innocent, he would not have gone to such great lengths to obstruct the investigation concerning him, nor would he break further laws to cover up his involvement.

Back in June of 1972, five men were caught breaking into the DNC headquarters at the Watergate hotel and office complex located in Washington D.C. They carried more than \$3,500, and had with them electronic equipment, including surveillance systems. (senate.gov) they were caught trying to wiretap the phones and steal classified documents. Regardless of what happened, Nixon still won his re-election in November of 1972. An official FBI investigation began, and by January of 1973 the trial began for the burglars and two of their accomplices, with a total of 7 people being indicted [2]. By the suggestion of Nixon's aides, five of these people pleaded guilty to avoid trial. Even the judge presiding over the case, John Sirica, was skeptical all evidence was present that existed. The other two that were indicted were convicted in January of 1973. (senate.gov) Nixon raised hush money, which was also illegally obtained, to try to bribe the burglars, just a few days after the break-in. He even had some evidence

destroyed as well. While the trial was beginning, the select committee began to form and work on its own investigation.

On February of 1973, Resolution 60 was offered to the Senate by Senator Edward Kennedy, which was to help form a select committee on presidential campaign activities to investigate the 1972 campaign activities involving Richard Nixon. The committee had a budget of \$500,000 and had until June of 1974 to conclude with a final report with legislative recommendations if needed. The committee included Sam J. Ervin Jr. a N.C. Supreme Court Justice who had a law degree from Harvard and was a leading expert in the Constitution while in the Senate. He was well known for investigating issues such as surveillance and wiretapping technology. Vice Chairman of the committee was Howard H Baker, a Republican from Texas, and Sam Dash, who became the committee's Chief Counsel, coordinating the media's strategic planning. In total there were 4 democrats, and 3 republicans on the Select Committees board.

In the beginning of the investigation, Nixon would not release any evidence he had, nor would he allow any of his aides to testify. He denied all of the committee's requests to access the information and documents he was withholding. With enough public pressure though, Nixon finally allowed his aides to cooperate, but still denied the committee's access to his private papers. Nixon completely denied knowing anything about the burglary, but his former counsel, John Dean III, said that the president himself approved plans to cover up the White House's involvement in the break in. Another one of Nixon's aides, Alexander Butterfield, revealed that Nixon maintained a voice-activated tape recorder system in the White House, including in the oval office, leading the committee to want these tapes as evidence in their investigation. (History Channel) Since Nixon was still non-compliant, in order to access these tapes and other documents the Senate needed to file a subpoena, so they passed the Senate Resolution 194. Nixon still refused to comply with the subpoena, and cited executive privilege and separation of powers. His lawyers also suggested that Nixon could keep his tapes private, citing executive privilege as well. In the case of US v. Nixon, the special prosecutor found that the Rule 17(c) requirement was in fact satisfied and the

courts found that the Judiciary branch, not the President himself could decide claim to executive privilege. Nixon filed for an appeal and cited that the court lacked jurisdiction. Meaning that the President would not have to turn over his private conversation for it doesn't contain any "diplomatic secrets." Nowhere in the Constitution is privilege of confidentiality mentioned, and it in fact restricts the Presidents use of executive privilege. The court decided that it is the "duty of the court to decide what the law is." Therefore, the special prosecutor could decide for himself what executive privilege meant in this case. (law.cornell.edu) they decided that the use of executive privilege could not be used against any political opponents and just because the President's ideas don't match those of Congress, does not grant him the opportunity to make laws. Congress is the branch that passes laws, while the Executive Branch is supposed to just enforce them [3].

Proposed by Howard Baker (R-TX) in August of 1973, the committee sued the president in federal court to get access to the tapes and documents, but the court dismissed their action for lack of jurisdiction. In return, the House Judiciary Committee filed for impeachment proceedings against Nixon. (senate.gov) "Author gave 'em a sword. And they stuck it in, and they twisted it with relish. And author guess if he had been in their position, he'd have done the same thing." - Nixon.

As the investigation continued, more facts were becoming known that Nixon was in fact trying to obstruct the investigation. Known as the Saturday Night Massacre, in October of 1973, Nixon fired Archibald Cox for continuing to try to obtain Nixon's tapes, and as a result, many Justice Department personnel resigned. Any staff members that were not cooperative to his demands were eventually terminated. After months of dragging his feet, Richard Nixon eventually released some tapes, but not all of them. It was later found that Nixon himself told the CIA to impede the current FBI investigation, which was a more serious offense than the burglary itself, showing abuse of presidential power, and obstruction of justice. In early 1974, seven of Nixon's former aides were indicted. The House of Representatives voted towards three articles of impeachment for obstruction of justice, abuse of presidential power, criminal cover-up, and several other constitutional violations [4]. But before the House could impeach Nixon, he resigned on August of 1974, only three days after he released his tapes.

After Nixon resigned, his Vice-President, Gerald Ford became president, and granted immunity for Nixon from all charges, just six weeks into his new presidency [4]. Gerald Ford once said, "The political lesson of Watergate is this: Never again must America allow an arrogant, elite guard of political adolescents to by-pass the regular party organization and dictate the terms of a national election." Since the Watergate Scandal emerged, many new legislative bills were passed to prevent something like this from ever happening again. But even as new legislation is passed, this scandal had a deep impact on how citizens viewed their politicians, and it greatly affected how our future President's abused their powers.

It became obvious to the people of the United States that our executive branch's checks and balances needed to be revised after this scandal, and our legislative branch set out to do just that. With the passing of the War Powers Resolution of 1973, this granted Congress an easier way to control a Presidents power by either reforming or removing some of the powers granted to him by the passages of new bills [5]. In 1974, Congress passed the Federal Election Campaign Act. This act required that election committees report all their party contributions and expenses, limiting what could or could not be

accepted as a contribution. To help gain the trust of the general public again, the Freedom of Information Act (FOIA) was passed in 1974, granting that information held by the executive branch be released to the public and media, and the Government in Sunshine Act of 1976 made it a requirement that all federal agencies meet in public places (senate.gov). In 1978, The Presidential Records Act (PRA) and the Federal Intelligence Surveillance Act (FISA) were also passed, along with the Ethics in Government Act, which required that all executive and judicial branch officials had to disclose their financial information to the Office of Government Ethics, which acted as their oversight committee (senate.gov) as the government was working towards building a greater trust from its citizens with its checks and balances, it makes us wonder why Nixon impeded the investigation in the first place.

Our former President Richard Nixon made it obvious from the start that he did not like himself portrayed in a negative way in the media, and he was willing to go to great lengths to protect his image. Nixon always had a great mistrust for reporters, and held a total of only 39 press conferences during his entire presidency, always keeping them at a distance at the White House, and he's even called them names. Every conversation he had in the Oval Office was recorded as well, and as the years went by in his presidency, his paranoia seemed to have been getting worse. He even went as far as to hire a police detective, again paid with illegal funds, to keep him updated about who was talking negative about him behind his back. A reporter named Joseph Kraft was found to be saying negative things about the President in a newspaper, so Nixon had his phone's wiretapped [5]. After a speech the President gave received bad reviews in the media, he tried to get other republicans to defend him by coercing them call and harass the newspaper companies responsible for the bad reviews. Nixon even went as far as to ask for help from the FBI to wiretap 13 of his aides located in the State Department and Defense Department and 5 news reporters that were known to report negatively about him [6]. As a President, Nixon felt his powers were that as a King, and he legally could do whatever he wanted to accomplish, no matter what checks and balances were in place. "When the president does it that means that it is not illegal." - Nixon.

It's hard to believe the implications of everything Nixon did while he served as our President. The public lost their trust in the government and with the media as well, as the media liked to only present some facts, not all, and they were mostly one sided. As there was a great increase in the public discussion and media attention surrounding politics, there was also a great increase in the governments snooping. Big businesses were now greatly looked down upon, and both parties seen a drop in public trust as well. The Republicans were seen in a negative light, because Nixon himself was one, and the Democrats were as well, because they supported a large government involvement in our daily lives. All of this happened during a time when people were already upset about our involvement in the war in Vietnam. As time went on though, the Democrats started to regain the trust of the American people, and people started to feel that what happened with Watergate, most likely was common place in American politics. Nixon did accomplish many great things during his presidency though, including establishing the Environmental Protection Agency (EPA), ending our involvement in the Vietnam War, and ending our military draft. He even served our country as a Navy Reserve Commander in World War Two [7]. But even with these accomplishments, it hard to believe that he had nothing to do with the Watergate scandal that rocked his second term, ultimately leading to his resignation.

An innocent man would not impede the work of our judicial branch from leading an investigation, nor would he keep evidence from being turned in, especially when that evidence is subpoenaed by our Supreme Court. Nixon was known for using wiretaps and surveillance equipment on reporters, and in his oval office. The Watergate scandal involved the wiretapping of the Democratic offices, those who were trying to run against him during his second election bid. The entire operation even had a code name, named by Nixon himself, Operation Opal. Why would Nixon refuse to let his staff testify, and deny access to his presidential papers, all while firing anyone he legally could who believed he was in fact guilty. Why would he instruct his CIA to impede the FBI's investigation into him, when he first stated he had nothing to do with the burglary? And why would he illegally raise money to pay the robbers to keep quiet.

The answers are simple, Nixon obviously had something to do with the DNC break-in, for he felt the need to cover his tracks and withhold evidence the best he could. He was getting ready to be impeached for his actions, and was facing charges of obstruction of justice, cover-up of criminal activity, political espionage, abuse of power, and several other constitutional violations. He felt the best thing to do would be to resign and hope that his Vice President would pardon him. Lucky for him, his predecessor did just that. Gerald Ford, becoming the United States new President would grant Nixon immunity, saving him from the humiliation of going to court and in turn being prosecuted for his

crimes. It's no wonder why the citizens of this country have distrust for their government up to this day in history. Our recent Presidents have used their executive privilege to pass all sorts of laws, side-stepping our Congress altogether [8,9]. But perhaps over time the wound caused by the Watergate scandal can heal, and our people can once again place their trust in our government.

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