

**UNIT I**  
**WATERGATE**  
8/30/09

**Administration (as in presidential)**

- Another way of referring to the president and the people who work for him
- As in “the Nixon administration announced today that it would begin work tomorrow on finding ways to lower the national debt.”

**Associate Justice and Chief Justice (as in USSC)**

- Associate Justice is not chief justice
- One of eight
- Associate justices on the court today are named: John Paul Stevens, Antonin Scalia, Anthony Kennedy, David Souter, Clarence Thomas, Ruth Bader Ginsburg, Stephen Breyer, Samuel Alito (2/5/07)
- Chief Justice is John Roberts (2/5/07)

**Bureaucrats**

- The appointed officials who operate government agencies from day to day.
- As is FBI, CIA

**Chairman (as in of a legislative committee)**

- Head of committee
- Calls committee to order
- Calls witnesses
- Calls for vote

**CIA**

- Stands for Central Intelligence Agency
- National spy force
- Created in the
- Headed by a director, appointed by the President
- First director
- Directors of the CIA discussed in class include:
- Current director is named Michael V. Hayden (2/2/07)
- CIA located in Langley, Virginia

**Congress**

- Consists of the US Senate and the US House of Representatives
- Located in Washington D.C.
- 100 seats in the Senate; 435 in the House
- Powers stated in Article I of the US Constitution

**Conservative**

- In general, a person who favors more limited and local government, less government regulation of markets, more social conformity to traditional norms and values, and tougher politics toward criminals.
- Those with a set of political beliefs that include a limited role for government, support for traditional values, and preference for the status quo.

**Court**

- Government entity authorized to resolve legal disputes.
- Judges sometimes use “court” to refer to themselves in the third person, as in the “the court has read the briefs.”

**Defendant**

- In a civil suit, the person complained against.
- In a criminal case, the person accused of the crime.

### **Democracy**

- A term used to describe a political system in which the people are said to rule, directly or indirectly.
- A system of government in which the people have ultimate political authority. The word is derived from the Greek *demos* (people) and *kratia* (authority).
- See attached notes from reading/lecture

### **Democrat / Republican**

- Democrats are more likely than republicans to label themselves as “liberals.”
- Republicans are more likely than democrats to label themselves as “conservatives.”
- City dwellers are more likely than republicans to call themselves democrats than republicans
- Black people are more likely to call themselves democrats than republicans
- Democrats are more likely than republicans to believe that adequate medical care should be guaranteed by the federal government
- Democrats are more likely than republicans to support a woman’s right to an abortion
- Democrats are more likely than republican’s to support the concept of affirmative action
- People in working class occupations are more likely to call themselves democrats than republicans.
- Those belonging to the highest income groups are more likely to call themselves republicans than democrats.

### **Director**

- Title of person who normally heads under our form of government either a “bureau” or an “agency.”
- The title of the person who heads the CIA and the FBI

### **Direct/participatory democracy**

- A political system in which all or most citizens participate directly by either holding office or making policy.
- The town meeting, in which citizens vote on major issues, is an example of participatory democracy.
- A system of government in which political decisions are made by the people themselves rather than by elected representatives. This form of government was widely practiced in ancient Greece.

### **FBI**

- Stands for Federal Bureau of Investigation
- National police force
- Created in the 1920
- Headed by a director, appointed by the President
- First director J. Edgar Hoover
- Hoover dies in the 1970’s, replaced by L. Patrick Gray
- Current director is named Robert S. Mueller (2/2/07)
- FBI located in Washington DC
- Building in which FBI is located is called the Hoover Building

### **Felony**

- A crime carrying a penalty of more than a year in prison.

### **General Election**

- An election used to fill an elective office.
- The presidential general election is held I November, every 4 years
- The purpose of the general election is to see which party representative is elected.

### **Hearing**

- Generally speaking, under our form of government, what committees do “hold.”
- As in “A House committee today began to hold hearings on the impeachment of President Richard Nixon.

### **Impeach(ment)**

- A formal accusation against a public official by the lower house of a legislative body.

- According to lecture ““A formal charge brought against a public official for misconduct or wrongdoing in office
- Article I; Section II of the US Constitution states “The House of Representatives shall chuse [choose] their Speaker and other Officers; and shall have the sole Power of Impeachment.”
- Impeachment is merely an accusation and not a conviction.
- US House of Representatives impeaches; the US Senate tries the president (public official)
- AT the trial in the Senate, the USSC Chief Justice presides (serves as the judge); the Senators serve as jurors; and one or more members of the House of Reps serves as prosecuting attorneys (aka “managers.”
- Only two presidents, Andrew Johnson in 1868 and Bill Clinton in 1998 were ever impeached. They were not, however, convicted, for the Senate failed to obtain the necessary two-thirds vote required for conviction. Nixon resigned before having been impeached
- A president cannot pardon himself.

### **Incumbent**

- The person currently in office
- During the '72 Presidential election, Nixon was the incumbent; McGovern the challenger

### **Key Articles of the Constitution related to Impeachment**

- Article I, Section II: “The House of Representatives shall . . . have the sole Power of Impeachment”
- Article I, Section III: “The Senate shall have the sole power to try all impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present. Judgment in cases of impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.”
- Article II, Section IV: “The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.”

### **Key Articles of the Constitution related to Pardon / Reprive**

- Article II, Section II: “The President [...] shall have Power to grant Reprives and Pardons for Offences against the United States, except in Cases of Impeachment”

### **Liberal**

- In general, a person who favors a more active federal government for regulation business, supporting social welfare, and protecting minority rights, but prefers less regulation of private social conduct
- Those who hold a set of political beliefs that includes the advocacy of active government intervention to improve the welfare of individual, support for civil rights, and political change.

### **Misdemeanor**

- Usually a petty offense, a less serious crime than a felony, punishable by less than a year of confinement.

### **Pardon / reprives**

- A pardon is the act of granting a release from punishment.
- In the US Constitution it states: “The President shall have the power to grant reprives and pardons for offenses against the United States, except in cases of impeachment.” Article II.
- Notable Pardons
  - ❑ Whiskey Rebellion rebels (Washington, 1795; amnesty)
  - ❑ Confederate rebels (Johnson, 1868; amnesty)
  - ❑ Marcus Garvey (Coolidge, 1927; clemency for mail fraud conviction in 1923)
  - ❑ Oscar Collazo (Truman, 1952; commuted death sentence to life imprisonment for attempting to assassinate President Truman in 1950)

- ❑ Jimmy Hoffa (Nixon, 1971; commutation; for his involvement with organized crime while head of America's largest union)
- ❑ Richard Nixon (Ford, 1974; for his involvement in Watergate)
- ❑ Tokyo Rose (Ford, 1977)
- ❑ Vietnam draft resisters (Carter, 1977; amnesty)
- ❑ G. Gordon Liddy (Carter, 1977; commuted sentence for Watergate break-in in 1972)
- ❑ Irving Flores Rodriguez, Lolita Lebron, and Rafael Cancel-Miranda (Carter, 1979; clemency for machine-gunning the U.S. House of Representatives and wounding five Congressmen in 1954)
- ❑ Oscar Collazo (Carter, 1979; clemency for attempting to assassinate President Truman in 1950)
- ❑ Patricia Hearst (Carter, 1979; commuted sentence for armed robbery; pardon by Clinton in 2000)
- ❑ Peter Yarrow (Carter, 1981; clemency for sexual offence in 1969)
- ❑ W. Mark Felt and Edward Miller (Regan, 1981; clemency for authorizing FBI agents to break into Vietnam protesters' offices without warrants)
- ❑ Gilbert Dozier (Reagan, 1984; commuted sentence for extortion and racketeering)
- ❑ Junior Johnson (Reagan, 1985; pardoned for liquor offences committed in the 1950s)
- ❑ Albert Alkek (Reagan, 1987; clemency for withholding information from federal officials regarding an oil price-fixing scheme)
- ❑ George Steinbrenner (Reagan, 1989)
- ❑ Armand Hammer (Bush, 1989; pardoned for making illegal contributions to President Nixon's re-election campaign in 1972)
- ❑ Caspar Weinberger (Bush, 1992; for his involvement in the Iran Contra Scandal)
- ❑ Edwin L. Cox, Jr. (Bush, 1993; pardoned for bank fraud)
- ❑ Aslam P. Adam (Bush, 1993; clemency for heroin trafficking)
- ❑ Joseph Occhipinti (Bush, 1993; commuted sentence for violating the civil rights of accused criminals)
- A pardon can be granted by a president or a governor before or after a criminal conviction.
- Pardon's can be conditional
- A pardon can be granted against the will of the grantee
- A pardon can also be granted to a class of people
- Civil liability can not be pardoned
- Contempt of court cannot be pardoned
- There is no "review" of pardons (no check) and pardon's need not be explained.
- A reprieve is a postponement of punishment
- Commute means to lessen punishment.
- Amnesty is usually a term meaning pardon applied to a group.

### **Power**

- The ability of one person to require another person to act in accordance with the first person's intentions.

### **Precedent**

- A court decision in an earlier case with facts and law similar to a dispute currently before a court.
- Precedent will ordinarily govern the decision of a later similar case, unless a party can show that it was wrongly decided or that it differed in some significant way.
- In this class we will make frequent mention of "precedent setting US Supreme Court cases"

### **President**

- Head of the federal executive branch
- Also known as the Chief Executive
- Office located in the White House, Washington DC
- Powers stated in Article II of the US Constitution

### **Prosecute**

- To charge someone with a crime.
- A prosecutor tries a criminal case on behalf of the government.

**Sentence**

- The punishment ordered by a court for a defendant convicted of a crime.

**Supreme Court**

- Located in Washington DC
- At the top of the judicial branch
- Powers stated in Article III of the US Constitution

**Verdict**

- The decision of a petit jury or a judge

**Watergate**

- A period of time beginning with the break-in and burglary of the so-called Watergate building in June of '72 and ending with the resignation and pardon of President Richard Nixon in August of 1974

**Watergate Complex**

- Resort apartment complex located in Washington DC
- Site of DNC headquarters in 1970's
- Target of break-in

**United State vs. Nixon (1974)**

- (Separation of powers) During the investigation of Watergate, a special prosecutor subpoenaed tapes of conversations between Nixon and his advisors
- Nixon refused to release the tapes but was overruled by the Court, which ordered him to release the tapes rejecting his argument that they were protected under "executive privilege"
- See attached notes from reading/lecture