

TEACHING AMERICAN HISTORY PROJECT
***Watergate Articles of Impeachment* from Geri Dineen**

Grade – 11

Length of class period – 45 mins

Inquiry – What charges did the House of Representatives bring against President Nixon during the impeachment process?

Objectives – Students will be able to identify the charges brought against the President and analyze how this reflects the concept that Nixon was considered an “imperial president”

Materials – Excerpts from *Articles of Impeachment*.

Activities – Students will analyze primary sources and participate in a class discussion.

During the lesson, teacher should circulate throughout the room and facilitate student interaction with the document. Some students may need additional support to decode some vocabulary, or to draw their attention to specific concepts presented in the documents.

Assessment – Students will be assessed

- on constructive participation in class discussion
- on ability to accurately discuss lesson content on a written end-of-unit quiz

Connecticut Grade Level Expectations

- Standard 2: History/Social Studies Literacy
 - 2.3 Cite evidence from a source to determine an author’s purpose and intended audience.
- Standard 3: Application
 - 3.1 Use evidence to develop an interpretation of an event.

WATERGATE

The Articles of Impeachment voted by the Judiciary Committee of the House of Representatives give a good summary of the scope of Richard Nixon's alleged violations of the public trust. Use the reading that follows as a resource in completing the study guide at the end of the selection.

RESOLUTION

Impeaching Richard M. Nixon, President of the United States, of high crimes and misdemeanors.

Resolved, That Richard M. Nixon, President of the United States, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the Senate.....

Article I

In his conduct of the office of President of the United States, Richard M. Nixon, in violation of his constitutional oath...has prevented, obstructed, and impeded the administration of justice, in that:

On June 17, 1972, and prior thereto, agents of the Committee for the Re-election of the President committed unlawful entry of the headquarters of the Democratic National Committee in Washington, District of Columbia, for the purpose of securing political intelligence. Subsequent thereto, Richard M. Nixon, using the powers of his high office, engaged personally and through his subordinates and agents, in a course of conduct or plan designed to delay, impede, and obstruct the investigation of such unlawful entry; to cover up, conceal and protect those responsible; and to conceal the existence and scope of other unlawful covert activities.

The means used to implement this course of conduct or plan included one or more of the following:

(1) making or causing to be made false or misleading statements to lawfully authorized investigative officers and employees of the United States;

(2) withholding relevant and material evidence or information from lawfully authorized investigative officers and employees of the United States;

(3) approving, condoning, acquiescing in, and counseling witnesses with respect to the giving of false or misleading statements to lawfully authorized investigative officers and employees of the United States and false or misleading testimony in duly instituted judicial and congressional proceedings;

(4) interfering or endeavoring to interfere with the conduct of investigations by the Department of Justice of the United States, the Federal Bureau of Investigation, the Office of Watergate Special Prosecution Force, and Congressional Committees;

(5) approving, condoning, and acquiescing in, the surreptitious payment of substantial sums of money for the purpose of obtaining the silence or influencing the testimony of witnesses, potential witnesses or individuals who participated in such unlawful entry and other illegal activities;

(6) endeavoring to misuse the Central Intelligence Agency, an agency of the United States

(7) disseminating information received from officers of the Department of Justice of the United States to subjects of investigations conducted by lawfully authorized investigative officers and employees of the United States, for the purpose of aiding and assisting such subjects in their attempts to avoid criminal liability;

(8) making false or misleading public statements for the purpose of deceiving the people of the United States into believing that a thorough and complete investigation had been conducted with respect to allegations of misconduct on the part of personnel of the executive branch of the United States and personnel of the Committee of the Re-election of the President, and that there was no involvement of such personnel in misconduct; or

(9) endeavoring to cause prospective defendants, and individuals duly tried and convicted, to expect favored treatment and consideration in return for their silence or false testimony, or rewarding individuals for their silence or false testimony.

Article II

Using the powers of the office of President of the United States, Richard M. Nixon, in violation of his constitutional oath...has repeatedly engaged in conduct violating the constitutional rights of citizens, impairing the due and proper administration of justice and the conduct of lawful inquiries, or contravening the laws governing agencies of the executive branch and the purposes of these agencies.

This conduct has included one or more of the following:

(1) He has, acting personally and through his subordinates and agents, endeavored to obtain from the Internal Revenue Service, in violation of the constitutional rights of citizens, confidential information contained in income tax returns for purposes not authorized by law, and to cause, in violation of the constitutional rights of citizens, income tax audits or other income tax investigations to be initiated or conducted in a discriminatory manner.

(2) He misused the Federal Bureau of Investigation, the Secret Service, and other executive personnel, in violation or disregard of the constitutional rights of citizens, by directing or authorizing such agencies or personnel to conduct or continue electronic surveillance or other investigations for purposes unrelated to national security, the enforcement of laws, or any other lawful function of his office; he did

direct, authorize, or permit the use of information obtained thereby for purposes unrelated to national security, the enforcement of laws, or any other lawful function of his office; and he did direct the concealment of certain records made by the Federal Bureau of Investigation of electronic surveillance.

(3) He has, acting personally and through his subordinates and agents, in violation or disregard of the constitutional rights of citizens, authorized and permitted to be maintained a secret investigative unit within the office of the President, financed in part with money derived from campaign contributions, which unlawfully utilized the resources of the Central Intelligence Agency, engaged in covert and unlawful activities, and attempted to prejudice the constitutional right of an accused to a fair trial.

(4) He has failed to take care that the laws were faithfully executed by failing to act when he knew or had reason to know that his close subordinates endeavored to impede and frustrate lawful inquiries by duly constituted executive, judicial and legislative entities concerning the unlawful entry into the headquarters of the Democratic National Committee, and the cover-up thereof, and concerning other unlawful activities including those relating to the confirmation of Richard Kleindienst as Attorney General of the United States, the electronic surveillance of private citizens, the break-in into the offices of Dr. Lewis Fielding, and the campaign financing practices of the Committee to Re-elect the President.

(5) In disregard of the rule of law, he knowingly misused the executive power by interfering with agencies of the executive branch, including the Federal Bureau of Investigation, the Criminal Division, and the Office of Watergate Special Prosecution Force, of the Department of Justice, and the Central Intelligence Agency, in violation of his duty to take care that the laws be faithfully executed.

Article III

In his conduct of the office of President of the United States, Richard M. Nixon, contrary to his oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has failed without lawful cause or excuse to produce papers and things as directed by duly authorized subpoenas issued by the Committee on the Judiciary of the House of Representatives on April 11, 1974, May 15, 1974, May 30, 1974, and June 24, 1974, and willfully disobeyed such subpoenas. The subpoenaed papers and things were deemed necessary by the Committee in order to resolve by direct evidence fundamental, factual questions relating to Presidential direction, knowledge or approval of actions demonstrated by other evidence to be substantial grounds for impeachment of the President. In refusing to produce these papers and things Richard M. Nixon, substituting his judgment as to what materials were necessary for the inquiry, interposed the powers of the Presidency against the the lawful subpoenas of the House of Representatives, thereby assuming to himself functions and judgments necessary to the exercise of the sole power of impeachment vested by the Constitution in the House of Representatives.

In all of this, Richard M. Nixon has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the United States.

Wherefore, Richard M. Nixon, by such conduct, warrants impeachment and trial, and removal from office.

Adopted 21-17 by the Committee on the Judiciary of the House of Representatives.

Source: <http://www.watergate.info/impeachment/impeachment-articles.shtml>

**Analysis of House Judiciary Committee
Impeachment Votes**

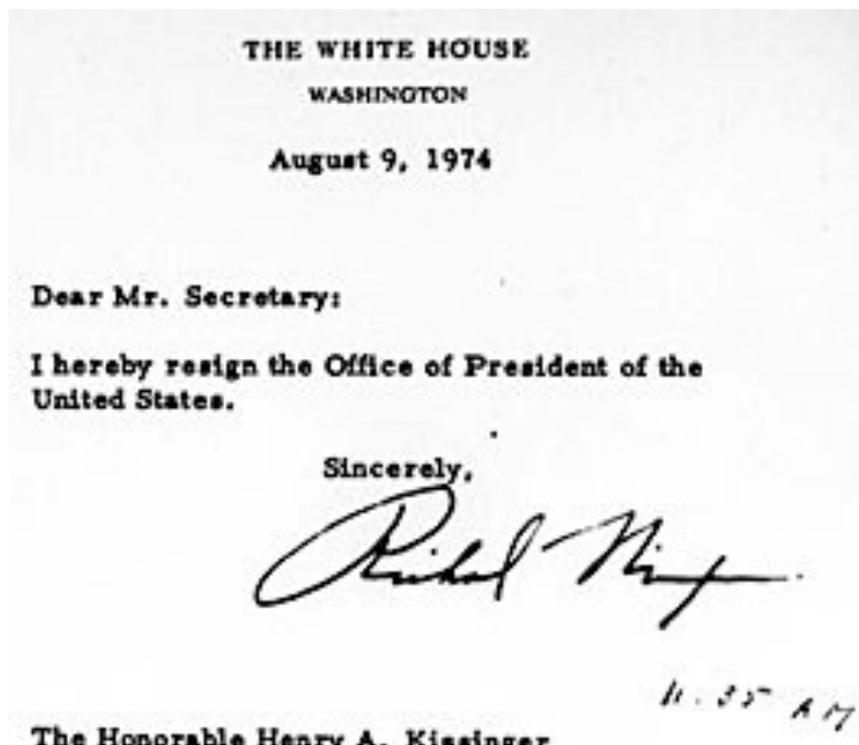
Members	Article 1	Article 2	Article 3
Democrats			
Peter Rodino	Yes	Yes	Yes
Harold Donohue	Yes	Yes	Yes
Jack Brooks	Yes	Yes	Yes
Robert Kastenmeier	Yes	Yes	Yes
Don Edwards	Yes	Yes	Yes
William Hungate	Yes	Yes	Yes
John Conyers	Yes	Yes	Yes
Joshua Eilberg	Yes	Yes	Yes
Jerome Waldie	Yes	Yes	Yes
Walter Flowers	Yes	Yes	No
James Mann	Yes	Yes	No
Paul Sarbanes	Yes	Yes	Yes
John Seiberling	Yes	Yes	Yes
George Danielson	Yes	Yes	Yes
Robert Drinan	Yes	Yes	Yes
Charles Rangel	Yes	Yes	Yes
Barbara Jordan	Yes	Yes	Yes
Ray Thornton	Yes	Yes	Yes
Elizabeth Holtzman	Yes	Yes	Yes

Wayne Owens	Yes	Yes	Yes
Edward Mezvinsky	Yes	Yes	Yes
Republicans			
Edward Hutchinson	No	No	No
Robert McClory	No	Yes	Yes
Henry Smith	No	No	No
Charles Sandman	No	No	No
Tom Railsback	Yes	No	No
Charles Wiggins	No	No	No
David Dennis	No	No	No
Hamilton Fish	Yes	Yes	No
Wiley Mayne	No	No	No
Lawrence Hogan	Yes	Yes	Yes
M. Caldwell Butler	Yes	Yes	No
Delbert Latta	No	No	No
William Cohen	Yes	Yes	No
Trent Lott	No	No	No
Harold Froehlich	Yes	Yes	No
Carlos Moorhead	No	No	No
Joseph Maraziti	No	No	No

Watergate Articles of Impeachment

Highlight, circle, or underline the parts of the document that answer these questions:

1. What is the main charge being brought against the President in each Article?
2. In Article I, what event is Nixon charged with covering up?
3. Identify at least six methods the President was accused of using to cover up the June 17, 1972 break-in at the Watergate.
4. In Article II, identify four ways that the President allegedly violated the constitutional rights of citizens.
5. According to Article III, in what way did Nixon violate the principle of separation of powers?
6. In what ways do these Articles support the assessment of the Nixon administration as an “imperial Presidency”?



SOURCE: <http://www.watergate.info/nixon/resignation-letter.shtml>