

# The Watergate Investigation

The Senate investigation into the Watergate scandal is one of the best-known examples of congressional oversight. It is a story of how members of Congress, despite differing parties, opinions, and political ambitions, ultimately came together at a time of crisis in the best interests of the country, showing what can be achieved when principles rise above politics. The investigation led to the resignation of the president and legislation to strengthen transparency and accountability in presidential elections and in the operation of the federal government.

## The Break-Ins and Formation of the Watergate Committee

On May 28 and June 17, 1972, seven operatives from the Committee to Re-Elect the President (CREEP) broke into the headquarters of the Democratic National Committee, located in the Watergate complex in Washington, D.C. During the second of the two break-ins, five of the burglars were arrested while attempting to **wiretap** telephones and steal sensitive documents.

Over the next year, Carl Bernstein and Bob Woodward of the *Washington Post*, working with a secret source called “Deep Throat,” discovered and disclosed financial connections between the burglars, CREEP, and the White House. This was significant, as it indicated President Nixon’s potential involvement in the break-ins and the effort to cover up White House involvement in the plot.

On February 7, 1973, the Senate responded to public disapproval of the break-ins by unanimously establishing the Senate **Select Committee** on Presidential Campaign Activities, or the Watergate Committee. Members were chosen with extreme care by both parties to avoid **partisanship**. The goal of the committee was to investigate “illegal, improper or unethical activities” occurring in connection with the 1972 presidential campaign and to determine the need for new legislation to safeguard U.S. elections.

As the committee commenced its investigation, revelations about the break-ins and subsequent cover-up continued to emerge. Evidence surfaced revealing that **perjury** had been committed on behalf of the White House and that CREEP had used “dirty tricks” to undermine and successfully sink the presidential campaign of Democratic frontrunner, Senator Edmund Muskie.



*Wanted poster of Watergate conspirators  
(Source: Library of Congress)*

**Wiretapping:** Secretly attaching a listening device to a telephone line to monitor or overhear a conversation.

**Select Committee:** A small committee in Congress formed for a specific purpose.

**Partisanship:** Lack of cooperation between opposing parties.

**Perjury:** The act of providing untruthful information while under oath.

## White House Aides' Testimony

Although President Nixon initially said that White House aides would not be permitted to testify due to **executive privilege**, the committee pushed back, arguing that executive privilege did not apply to information about alleged crimes. The president ultimately did not prevent his aides from testifying.

The televised hearings lasted 51 days and captured 237 hours of witness testimony including by President Nixon's top aides, directors at CREEP, and the Watergate burglars. This testimony was crucial; many testified to destroying sensitive or stolen documents, sabotaging Senator Muskie's campaign, paying bribes, and feeling pressured by the White House to commit perjury.

**Executive Privilege:** The ability of the US President to withhold certain confidential information from the legislative and judicial branches and the public.

**Immunity:** A legal status in which an individual is exempt from punishment for violations of the law in exchange for aiding in a criminal, civil, or legislative investigation.

**Obstruction of Justice:** The act of inappropriately interfering with the justice system, in particular the laws and processes of prosecutors, investigators, or other government officials.

**Money Laundering:** The process of illegally covering up the origins of money that was obtained in illegal ways.

John Dean, who was granted **immunity** by the committee for his cooperation, began his famous week-long, televised testimony on June 24, 1973. He admitted to **obstructing justice** while serving as White House counsel, encouraging perjured testimony, **laundering money**, and other misconduct. He famously reported that he had told President Nixon, "there was a cancer growing on the presidency" that needed to be removed. He outlined six conversations with President Nixon that indicated the president was aware of, or even involved in, the Watergate cover-up; Dean was the first witness to make that allegation.

### Discovery of President Nixon's Recording Devices

On July 16, Alexander Butterfield, former presidential appointments secretary, told the committee in testimony that President Nixon had recording devices installed in the Oval Office and his office in the Executive Office Building in the spring of 1971, shocking both Congress and the public. These tape recordings offered an unexpected and potent source of information about what the president knew and said, documenting his level of involvement.

President Nixon refused to turn over the tapes, claiming that they were protected by executive privilege. After the special prosecutor sued to obtain them, U.S. District Judge John Sirica ruled that the White House must surrender relevant tapes to the court for private review. On October 12, 1973, the D.C. Circuit Court of Appeals upheld Sirica's ruling, finding that the federal court had jurisdiction to resolve the dispute, that presidents are not absolutely immune from grand jury **subpoenas**, and that the courts may rule on matters related to executive privilege. Later, on July 24, 1974, the Supreme Court held 8 to 0 that President Nixon must turn over 64 tapes to the special prosecutor, rejecting his claim of executive privilege. These rulings produced a crucial moment in U.S. political history in which courts relied on our democratic system of checks and balances to resolve an emerging constitutional crisis and established limits on the president's privilege.

## The “Saturday Night Massacre” and the Turning of Public Opinion

During the court proceedings, rather than turn over the tapes, President Nixon offered to provide a transcript of the tapes. When Special Prosecutor Archibald Cox’s refused President Nixon’s offer, Nixon ordered Attorney General Elliot Richardson to fire Mr. Cox. The Attorney General refused and resigned immediately. When President Nixon gave the same order to Deputy Attorney General William Ruckelshaus, he also refused and resigned.

Desperate, President Nixon issued the order a third time to Solicitor General Robert Bork, who complied by firing Mr. Cox.

**Subpoena:** A written order demanding a person to testify or share documents in a court or legislative proceeding. Failure to comply may result in a penalty.

**Impeachment:** The process of investigating charges of misconduct against a holder of office, such as the president.

**Bipartisanship:** Cooperation and collaboration between opposing political parties.

Dubbed by the press as the “Saturday Night Massacre,” the president’s attempt to interfere with a criminal investigation by firing a sitting federal prosecutor resonates to this day.

President Nixon greatly underestimated the consequences of his actions. An NBC News poll showed that 75% of the public disapproved of his actions, and House members overwhelmingly agreed, voting 410 to 4 to authorize the Judiciary Committee to open an **impeachment** inquiry.

## The Impeachment Hearings

The House Judiciary Committee was chaired by Democrat Peter Rodino of New Jersey and was composed of 21 Democrats and 17 Republicans. The gravity of the task before the committee led members to proceed in a **bipartisan** manner. Despite the White House’s continued assertion that they were not required to turn over any evidence to Congress, Judge Sirica granted the new Special Prosecutor, Leon Jaworski, permission to turn over the tapes to the Judiciary Committee as well as other grand jury information. The most important tape recording concerned a conversation on March 21, 1973, between President Nixon and John Dean, in which they discussed paying off the Watergate burglars, and Mr. Dean told the president that some of his aides, himself included, could go to jail for **obstruction of justice**. This tape was key evidence of President Nixon’s involvement in and attempted cover-up of the events associated with the Watergate scandal.

Over the course of the hearings, the rejection of President Nixon’s claims of executive privilege was integral to Congress’ ability to obtain important evidence. Further, President Nixon’s unwillingness to cooperate with the committee was deemed significant; Archibald Cox said of the unfulfilled subpoena issued by the Judiciary Committee that “non-compliance with the House subpoena was itself a cause for impeachment.” Democrat Barbara Jordan of Texas further claimed that, “A president is impeachable if he attempts to subvert the Constitution.”



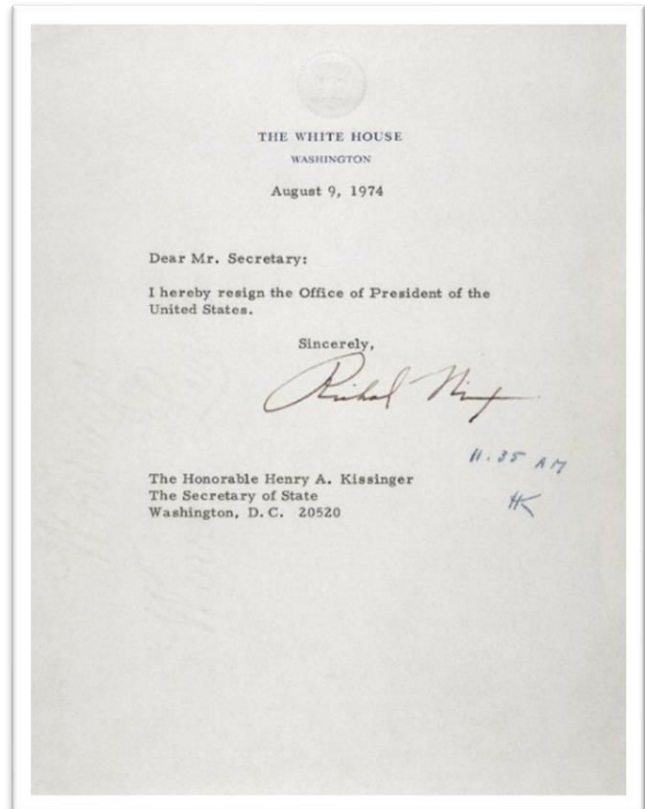
*Representative Barbara Johnson during the House Judiciary Committee impeachment hearings  
(Source: U.S. House of Representatives Photography Office)*

Following the hearings, the committee voted on five articles of impeachment, approving three of them. The impeachment charges, however, never received a vote by the full House membership. Instead, at 9:01 pm on August 8, 1974, President Nixon addressed the nation live on television from the Oval Office and announced he would step down, effective at noon the next day.

### Ford's Pardon and the Aftermath

Following Nixon's resignation, Vice President Gerald Ford took the Presidential Oath of Office and became the 38th President of the United States. One month later, on September 8, 1974, President Ford issued Richard Nixon a **pardon** and gave the former president control of the White House tapes recorded during his time in office. This decision was unpopular with the public and outraged many in Congress after their long battle to obtain access to the tapes. To stop the turnover, Congress overwhelmingly passed the Presidential Recordings and Materials Preservation Act of 1974, which gave control of the tapes and other materials relating to Watergate to the National Archives. Congress subsequently passed the Presidential Records Act of 1978 to preserve all presidential, vice presidential, and White House records going forward. This legislation was an important result of Watergate.

The Watergate investigation led Congress to take other steps as well to prevent presidential and government abuses. Key legislation included: The Federal Election Campaign Act (FECA) Amendments, the Freedom of Information Act, the Privacy Act of 1974, the Tax Reform Act of 1976, and the Ethics in Government Act of 1978. These legislative reforms were designed to increase transparency and accountability by giving judges the authority to evaluate certain documents, requiring federal tax returns to be treated as "confidential," requiring certain government officials (including the president and vice president) to submit financial disclosure forms, and reforming the process for investigating government misconduct.



*President Richard Nixon's letter of resignation  
(Source: National Archives)*

**Pardon:** A government decision to relieve a person of the legal consequences resulting from a criminal conviction.

**Conspiracy:** In legal terms, the act of plotting to commit a crime.

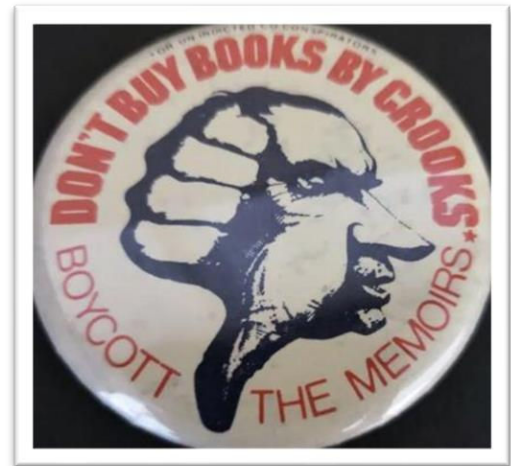
**Precedent:** A prior ruling or judgment that may influence future proceedings.

### Conclusion

Ultimately, 48 people were convicted of crimes related to the Watergate scandal including **conspiracy**, obstruction of justice, perjury, burglary, wiretapping, and distributing illegal campaign literature. Twenty corporations pled guilty to making illegal campaign contributions. Federal courts issued key **precedents** establishing that presidents are subject to grand jury subpoenas and limiting the scope of executive privilege.



Following his resignation, President Nixon and his wife, Pat, returned to their home in San Clemente, California. In 1977, he participated in a series of televised interviews with David Frost, drawing an audience of 45 to 50 million viewers. Over the years, he published ten books, including his memoirs in 1978, which became a bestseller. In 1990, he oversaw the opening of the Richard Nixon Presidential Library and Museum. He traveled the world, met with foreign leaders, and was a popular guest speaker until his death in 1994.



*Political button promoting the boycott of President Nixon's memoirs  
(Source: Kyle Goedert, private collection)*

#### **Learn more about The Watergate Investigation:**

- [\*Congress Investigates: A Critical and Documentary History\*, Volume Two, Chapter Eight by the Robert C. Byrd Center](#)
- ["Gavel-to-Gavel": The Watergate Scandal and Public Television](#)
- [History Channel documentary: Watergate](#)
- [Watergate Files Exhibit \(Ford Library Museum\)](#)
  - [Watergate Hearings: 45 Years Later](#)
- [Watergate hearings videos \(American Archive of Public Broadcasting\)](#)
- [Watergate trial tapes \(Richard Nixon Presidential Library and Museum\)](#)
- [Impeachment Inquiries into President Richard Nixon](#)
- [Levin Center Portraits in Oversight: The Watergate Hearings](#)

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