

No one is above the law

The United States Constitution is the “supreme law of the land.” All laws, rules, and regulations at the state and local level must agree with the constitution. Everyone, including state and national elected officials, executive and judicial officers are, under the authority of the constitution, bound by oath to support the constitution and obligated equally to obey the law.

United States v. Nixon (1974)

In 1972, an election year, several men broke into the Democratic National Committee headquarters located in the Watergate Office Building in Washington, D.C. FBI agents, journalists, including Carl Bernstein and Bob Woodward, and congressional investigations of the break-in led to discoveries that these men had significant ties to President Nixon’s administration. Under continued scrutiny, many members of Nixon’s administration were also linked to the break-in and indicted by a grand jury of participating in a cover-up.

During the hearings, a White House aide revealed that President Nixon recorded Oval Office conversations. The special prosecutor obtained a subpoena that required President Nixon to turn over the audio recordings as evidence in the criminal proceedings. The president released over 1,200 pages of edited transcripts, but refused to turn over the tapes citing “executive privilege.” Nixon argued he had the power to withhold the tapes from other government branches in order to maintain confidential communications within the executive branch and to secure the national interest. Both the special prosecutor and Nixon filed special petitions to have the issue heard immediately by the U.S. Supreme Court.

In July 1974, a unanimous Court ruled against the president. In the decision, Chief Justice Burger indicated that the president doesn’t have “absolute, unqualified, presidential privilege.”

Nixon was ordered to turn the tapes over to the Court. After a judge listened to the tapes to determine if they were relevant to the trial of the former Nixon aides, the Court ordered them released to the public. About two weeks after the Supreme Court’s decision, President Nixon resigned from office.

Newspaper Activities: In print or online, look for investigative news reports into government wrongdoing. Who or what is being investigated? Are records being withheld?

Look for news of people being held accountable for breaking the law. Discuss what you find as a class.

Next installment: **Everyone is treated equally under the law**

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