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Administration Ethics

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Nixon's Administration's Scandal and Policy Influence

Since serving his term for presidency, former president Donald Trump, has come under fire for actions done during his administration that have since required prosecution on federal charges. Some outcomes of these prosecutions have led members of the administration to require incarceration. Some administrators have raised concerns over if this is the potential chance for a repeat of the Nixon Administration, whose scandals became so renowned, it is hard to hear former president Nixon's name without an attached statement referencing Watergate. Since Watergate, there have been additional procedures and laws put into place in order to assist in the prevention of a scandal such as the one mentioned. However, as more comes to light of the Trump administration, and as the 2024 election date advances, constituents are faced with the need to review the ethics tied into the previous presidential administration. If administrators truly are concerned over the ability to replicate the Nixon administration, it is imperative to review the scandals associated with the former administration and the influence it had regarding the policies and procedures that took place within the year of his ultimate resignation.

On the day of June 17th, 1972, at the Watergate Hotel which contained a space that served as Democratic National Committee headquarters, a security guard on duty noticed a taped open door, which led him to contact authorities. From the investigation it was determined that "five burglars had illegally entered in the offices" in the Watergate Hotel (La Fontaine, 2007). This was deemed as not a normal burglary due to the circumstances and "the FBI immediately found itself involved in the most politically sensitive investigation in its history" as it was revealed there was a connection between one of those arrested and the Re-Election Committee for the Nixon administration (FBI, 2024).

As the years would continue, the investigations would lead to the reveal of an array of ethical violations committed during the Nixon administration. The term Watergate now emulates a “broad range of misbehavior committed over several years by members of the Nixon administration” (Mackenzie and Hafken, 2003). This broad range includes partaking in activities that “were illegal under existing laws, some were excess of campaign fund-raising and campaign activities, some were expansion of executive authority beyond what was politically acceptable at the time, and some were just in bad form” (Mackenzie and Hafken, 2003).

In response to the situation, the public developed distrust for the government. It is thought “Nixon did more than any other figure in the twentieth century to diminish confidence in government (Mackenzie and Hafken, 2003). The House Judiciary Committee in the meantime had begun collecting evidence in order to begin formal impeachment hearings. These hearings began on May 9th in 1974. On July 25th of that same year, “Barbara Jordan delivered a speech discussing the nature of constitutional checks and balances and the House’s responsibility to serve as a check on executive power” (Bartl, n.d.) After the result of these hearings, “on July 27th, 1974, Richard Nixon was served with Articles of Impeachment: Approved by a vote of 27-11 by the House Judiciary Committee” (La Fontaine, 2007). However, Richard Nixon declared he was resigning from his position as President of the United States on August 8th, therefore, evading impeachment.

Post Nixon administration, it was agreed between committees there would need to be changes made in order to prevent another Watergate situation from occurring. “And most were certain the best insurance was the increasingly detailed set of ‘Thou shalt not’s’ (many with criminal penalties for violators) and an elaborate network of procedures designed to deter”(Mackenzie and Hafken, 2003). However, one reform that began while he was still in his presidency was the The War Powers of Act of 1973, which was brought upon after concern rose regarding Nixon’s actions which created questions about former “presidents’ unilateral decisions” in regards to the war in Vietnam (Berger and

Tausanovitch, 2018). This was created in order to limit the presidential power and ensure there were no hostilities created without the prior knowledge of congress with approved authorization.

Another policy that came about from the influence of the Nixon administration was the Privacy Act of 1974. During the investigation of Watergate, it was noted President Richard Nixon had planned on using private tax information from opponents in order to discredit them. “The Privacy Act sets a standard for how agencies collect, maintain, use and disseminate people’s personal information” (Berger and Tausanovitch, 2018). This law also protects people’s personal information from being used without written authorization or for their information to be used outside of the perimeters in which disclosure is allowed and considered legitimate. Additionally, it allows individuals the ability to view their information previously shared with entities and provides them with the opportunity to make changes to this information when it is needed.

In terms of changes made towards the influence of money in politics, amendments were made to the Federal Election Campaign Act. “The Select Committee on Presidential Campaign Activities—comprised a set of new campaign finance regulations including the creation of ‘an independent Federal Elections Commission’” (Berger and Tausanovitch, 2018). These amendments made in 1974 “introduced comprehensive limits on contributions to and expenditures by political campaigns” which was a “radical change to the way American politics was financed and conducted” (Berger and Tauanovitch, 2018). The changes created from this Act are most notable in today’s political campaigns as those running are still required to disclose all financial information regarding money obtained and money spent.

Also in 1974, amendments were made to the Freedom Information Act, previously passed in 1966. Previously, before the amendments were made, the executive branch held the ability to deny disclosures by deeming them as “classified”. After discussion arose due to “the backdrop of President Nixon’s refusal to provide information to Congress, including tapes of conversations in the White House” the changes were implemented (Berger and Tausanovitch, 2018). It has since been determined that “only

properly classified information can be withheld on national security grounds and gave judges the power to determine whether information was properly classified” (Berger and Tausanovitch, 2018).

While these are only a few of the immediate changes seen post the Nixon administration, as time would progress, his administration would continue to have influence on policy and procedural changes throughout the rest of the 70’s. Upon review of this circumstance of Nixon and his administration, a reiteration of social contract theory should be at the forefront of the conception of any additional administrative policies. More specifically, a review of “the language of the social contract” which then “includes limitations on the sovereign and the abuse of power that are essentially in moral nature” (Garth-James, 2021).

Many have speculated we will run into a similar issue in a post Trump administration world as new information continues to become public. There are those who fear the re-election of the former president could lead to continued opportunities for unethical practices under his administration. Reviewing the Nixon administration scandal and the policy and procedural changes made during the year of his resignation, it is possible to see similarities between the former president Richard Nixon’s scandal and the continued scandals associated with the former President Donald Trump. However, the review of what occurred in a post-Nixon administration can provide a framework of the preparations that may be needed during another Trump administration with a reiteration from government leadership on social contract theory in relation to administrative ethics associated with that level of government.

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