

**Why it is necessary  
to impeach President Nixon.  
And how it can be done.**

- Richard Nixon has not left us in doubt. His firing of Special Prosecutor Archibald Cox clearly indicates that he means to function above the law. If he is allowed to continue, then the destruction of the Bill of Rights could follow. If, after all the Watergate revelations, we allow him to continue, we are accomplices to that destruction.

Consider what has already happened:

- On July 23, 1970, the President personally approved the "Huston plan" for political surveillance by such methods as burglary, wiretapping, eavesdropping, mail covers and spying on students by the CIA and other agencies. These methods were employed against dissenters, political opponents, news reporters, and government employees.
- In 1971, the President established within the White House a personal secret police (the "plumbers"), operating outside the restraints of law, and engaging in burglary, illegal wiretaps, espionage and perjury.
- While Daniel Ellsberg was facing trial, his psychiatric records were burglarized by White House aides and, at the direction of the President, a White House aide discussed the directorship of the FBI with the judge presiding over Ellsberg's trial.
- Private detectives were hired by White House aides to spy on the sex life, drinking habits and family problems of political opponents.
- Supporters of possible presidential opponents of President Nixon were marked as "enemies" on a special list, and targeted for harassment by the Internal Revenue Service.
- During three days in May 1971, over 13,000 people were illegally arrested in Washington, D.C. The dragnet arrests, unprecedented in American history, were declared unconstitutional by the courts. To justify the arrests, a White House spokesman, William Rehnquist, invented the doctrine of "qualified martial law."
- In 1973, the President bombed Cambodia, a neutral country, without the authorization of Congress. We learned later that he had been bombing Cambodia for three years and had deliberately concealed the bombing from Congress and from the people, thereby usurping the war-making powers of Congress. When the deception was revealed, the President said he would do the same thing under similar circumstances.

• The President has transformed grand juries into instruments of political surveillance and harassment, and caused politically motivated indictments to issue.

• The President has attacked the freedom of the press, and subjected news reporters to illegal wiretaps and harassing FBI investigations.

### The doctrine of "inherent" power

Richard Nixon is not the first president to violate constitutional rights and he will not be the last. But no president has ever before systematically claimed that the Bill of Rights, which limits other government officials, does not limit the President or his agents.

When he wiretapped in violation of the Constitution, he claimed an "inherent" power to do so.

When he secretly bombed Cambodia, he claimed an "inherent" power to do so.

When he directed the dragnet arrests of thousands of demonstrators in Washington, he claimed an "inherent" power to do so.

If the President is permitted to use the doctrine of "inherent" power to override the Bill of Rights anytime he pleases, civil liberties can be cancelled at whim.

The President of the United States should symbolize our system of individual rights under law. He sets the precedent for future presidents. As U.S. Supreme Court Justice Louis Brandeis said in a 1928 wiretapping case:

#### American Civil Liberties Union

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American Civil Liberties Union of Northern California, Richard De Lancia, Chairman; Jay A. Miller, Executive Director.

*In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the government becomes a law-breaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of ... law the end justifies the means ... would bring terrible retribution.*

To preserve and protect our system of individual rights under law; to restore the integrity of the Bill of Rights for us and our children, and to make the lesson clear to all future presidents in whose hands we place our lives, Richard Nixon must stand trial before the Senate. If he does not stand trial; what he has done will be done by others.

### **How to impeach President Nixon**

In order to stand trial before the Senate, where a two-thirds vote is necessary for conviction, the President must first be accused by a majority of the House of Representatives. This accusation by the House is called impeachment. Impeachment itself does not result in the removal of the President. Like an indictment, it merely begins a trial. Impeachment is what the House of Representatives does; the actual trial is held by the Senate. We believe such a trial must take place, however unpleasant.

The country can withstand the resignation of the Vice President.

The country can withstand the impeachment of the President.

The country cannot withstand a system of presidential power unlimited by the Bill of Rights.

If you believe that President Nixon should be brought to trial before the Senate for his violations of civil liberties, join the campaign for impeachment. Make your voice count in defense of the Bill of Rights.

"Wire or write" your Representative in Congress in support of impeachment. And, if you are not yet a member of ACLU, please use the coupon to join. We need your help in this extraordinary campaign for impeachment and in the day-in day-out defense of the Bill of Rights.