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By Vincent Wilson Jr.

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BROOKVILLE, Md.—It is possible that Administrations in the past have somehow used their power to keep incriminating information from the voters, but never has there been a case as patent as Watergate—where the voters learned just a few months after the election of criminal behavior engaged in by the party in power six months before the election.

If, under these circumstances, enough voters feel that they were deprived of important—and perhaps critical—information before the election, they can do something besides cry impeachment. They can, through Congress, take the action necessary to invalidate the 1972 Presidential election and call for a new one.

There are established mechanisms within our governmental system to ascertain if the voters, on a national scale, wish to take such action. One of these is the referendum, used generally to ratify state legislation. A member of Congress could introduce a bill calling for a national referendum on the matter of an amendment to Section 1, Article II of the Constitution, which deals with the election of the President. He could propose that a national referendum be held, say,

the second Tuesday after the bill is passed, the referendum to determine if it is the will of the people to have an amendment that would provide that, under certain conditions, a Presidential election could be invalidated and rerun.

To be invoked, the amendment could require a Congressional vote, supported by a national referendum.

If the results of the referendum were affirmative, the regular process for amending the Constitution could then be performed with comparative speed, since each member of Congress would be reasonably sure that he had sufficient support from his constituents to give his support to the amendment. If the results were negative, action would, of course, stop there. No matter what the outcome, after this national referendum the Administration—and the nation—would know, with some accuracy, how American citizens feel about Watergate and all it implies.

If such an amendment were passed and proper action—such as a second referendum—taken to invoke it in this particular instance, the citizens would then have the opportunity to begin anew, with new conventions and fresh candidates.

As with many provisions of law, having such an amendment might, in

itself, discourage attempts to thus subvert the democratic process.

What would happen immediately after a national referendum in which the vote was overwhelmingly for invalidating an election? Could the incumbent President carry on the business of Government, or would he lose too much authority to make that possible? Such a decision would rest with the Congress, as provided in Section 5, Article II of the Constitution, and with the Supreme Court, whose interpretation of that section might be required.

However, a convincing vote for invalidating the 1972 elections might not precipitate a crisis of confidence; the assurance of change implicit in such a vote might so direct people's thoughts toward the selection of candidates for a new election that the present Administration might be tolerated for its presumably limited remaining life much as many a lame-duck one has been in the past. Whatever the developments, such actions would give American citizens a chance to exercise some of the rights that the Bill of Rights so clearly states are "reserved to the people."

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