

For a Special Presidential Election

By Kevin H. White

BOSTON—The nation is now facing the most significant political crisis in its history. The crisis encompasses not simply the issue of whether and how the President should be removed but perhaps more importantly the question of how, through the manner of Presidential succession, confidence in the Presidency and the political process is to be restored.

There is a solution to our present difficulties. One that is readily available to us, and one which will give the American public time to debate, and also time to decide their own destiny—the electoral process.

There is no reason why an election could not be held in 1974 to determine national leadership. It is possible through legislative action for the people to elect a new President and Vice President in 1974. The Speaker of the House would serve as interim or acting President until Jan. 20, 1975, when the newly elected administration would commence a full four-year term.

This would require no constitutional amendment, but simply an act of Congress. The idea is not far fetched; ironically enough, it was the intent of our Founding Fathers. It is not a revolutionary concept; it is, in fact, just the opposite for the Constitution was explicitly written to make it possible.

In the Constitutional Convention of 1787 the framers consciously adopted the language of Article 2, Section 1, Clause 6, to allow Congress to provide by law what should happen if the offices of the President and Vice President should both become vacant.

The second Congress of the United States in the Succession Act of March

1, 1792, accordingly provided for a special popular election to fill such a void. That statute remained the law of the land for 94 years.

This system was changed by the Succession Act of 1886 which provided for succession through the Cabinet and dropped the requirement of a special Presidential election in these circumstances. It, however, required Congress to assemble within twenty days of such an occurrence, thus facilitating the discussion of other options. The Presidential Succession Act of 1947 made no reference to this alternative.

A special Presidential election was, then, the required method of succession in the event of simultaneous vacancy of the Presidency and the Vice-Presidency for almost a century.

It was mandated by act of Congress and it can, therefore, be restored by act of Congress.

As President Kennedy once wrote: "Our greatness is based on the final premise that the people themselves, working among themselves, making their final decision, will make a judgment which fits the best interest of our country. If we did not accept that premise, then the whole concept upon which a democracy is based would be hollow."

Rather than living for three years with an Administration unable to instill confidence and lacking legitimacy, a special election would seize the crisis of impeachment and succession as an opportunity to reaffirm the workings of our political process. Rather than resulting in a traumatic confrontation, a special election would serve as a beginning of national renewal—cathartic, salutary and healing.

Rather than entrusting succession to the Congress and leaving it susceptible to partisan jockeying, tactical maneu-

vers and backroom political deals, a special election would return decision-making directly to the people, where it belongs.

Rather than increasing alienation and cynicism about the workings of a closed political system, the special election would bring us together in the process of open and participatory debate.

It would finally not only insure the legitimacy of Presidential power, but a special election run fairly and honestly and openly would answer directly the fundamental issues underlying our current crisis and help to restore confidence not only in the operations of government, but in the resilience and viability of our political system itself.

Watergate and related abuses have cast a long and ominous shadow over the entire workings of Government and the faith our people have in the institutions they are called upon to support and defend.

An untainted and open election would help to heal the nation by reaffirming the very process which was compromised and violated by Watergate.

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