The Statement made in the Senate Caucus Room March 19 by **James L. Buckley**

Why Richard Nixon Should Resign the Presidency

Washington—

FOR MONTHS now I have been struggling to sort out the deeper implications of what is so inadequately called the "Watergate affair," and to determine what I myself am called upon to do. As the result of a long and painful study, I now feel impelled by a duty to my country, to my constituents, and to my beliefs to state plainly the conclusions I have reached.

I do so with sorrow because I am a lifelong Republican who has worked actively for Richard Nixon. In 1972 I was co-chairman of the New York Committee to Reelect the President, and at the convention I gave one of the seconding speeches to his nomination. I saw in the decisive victory of November 1972 both the mandate and the opportunity to carry forth reforms of historic significance for the nation. Yet today, just 16 months later, it is my conviction that the President has been stripped of the ability to fulfill that mandate.

I speak out reluctantly because I know that what I have to say will bring pain and distress to many who are my good friends and who have been good to me, Richard Nixon numbered among them. I am, moreover, reluctant to provide any degree of satisfaction to those in and out of the media who have been exploiting the Watergate affair so recklessly. I speak of those who in their campaign for purity in government have made such wholesale use of slanderous gossip, violations of grand jury secrecy, leaks of confidential documents and meetings, and any other device they felt to be useful to their purpose. I shrink from offering the smallest aid and comfort to their attempt to use Watergate as one more means to subvert the decisive mandate of the 1972 election.

The stage has now been reached, however, at which Americans must come to terms with Watergate if Watergate is not to end up drowning all of us.

The Watergate affair can no longer be thought of as merely a troublesome episode such as occurs from time to time in the political history of every country. It had its faint origin in what was itself a trivial and foolish incident. But from this minor incident, as has often happened before in history, Watergate has expanded on a scale that has plunged our country into what historians call a "crisis of the regime." A crisis of the regime is not like a political confrontation or labor dispute or economic recession or any other specific and limited difficulty. A crisis of the regime is a disorder, a trauma, involving every tissue of the nation, conspicuously including its moral and spiritual dimensions.

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The outward signs of the depth of the crisis are obvious: the unparalleled downfall and departure of virtually the entire staff of the head of government; the formal initiation of impeachment proceedings; the confessions, indictments, and trials. I won't repeat the list of what all of us know much too well.

Yet at the very heart of the crisis are things which cannot so easily be listed, for they consist of felt truths which do not lend themselves to the confines of charts and graphs and polls and headlines. I speak of the spreading cynicism about those in public life and about the political process itself. I speak of the pervasive and undeniable sense of frustration and impotence that has become the dominant political mood in the nation. I speak of a perception of corruption that has effectively destroyed the President's ability to speak from a position of moral leadership. And I speak of the widespread conviction that Watergate and all that it has brought in its wake have done unique and perhaps irrevocable damage to our entire system of government.

It is in the nature of a usual crisis to swell and then recede; to reach a climax and then be resolved. But it is a peculiar feature of the Watergate crisis, as of some other major crises in history, that even as the months drag out into years it has shown no sign of receding. This in itself proves the profound significance of the crisis, far beyond the separate significance of the individual incidents that mark its career.

At every stage since the prelude in June of 1972, we have heard the prophecy: "Everything will soon blow over." And this was a reasonable prediction in the early months. As a rule the public attention span is not very long. Most things *do* blow over in a few months.

But with the Watergate affair, the situation has been profoundly different. Invariably, after a short lull some new, usually unexpected blow has made the crisis still more profound. The effect of the landslide reelection of Richard Nixon might have been presumed to push the whole affair permanently onto the sidelines. But as things turned out, it was the election that was pushed, quickly enough, onto the sidelines.

And now, all these long months prove to be mere prelude to what lies immediately ahead. The impeachment process has begun. The House will or will not vote articles of impeachment; but in neither case will action by the Congress bring an end to our national agony.

I don't think many of us have seriously considered what an impeachment trial would be like in the era of mass electronic communications. Public opinion would compel the proceedings to be televised. For three months or more the Senate Chamber would be transformed into a stage set for the greatest melodrama ever conceived. History would come to a stop for the duration—in the country and throughout the world. The ruler of the mightiest nation on earth would be starred as the prisoner in the dock. The Chamber would become a twentieth century Roman Colosseum, as the performers are thrown to the electronic lions. The most sordid dregs dug up by the Watergate miners would inflame the passions of the domestic audience and provoke the guffaws, prurient curiosity, or amazement of the outside world. The audience would hear those magical tapes in full—that could not be avoided. Not only the words directly relevant to charges at issue, but all the surrounding talk and epithets of tough, earthy men speaking as such men do in their supposedly private dialogue.

Can anyone imagine that *such* a trial could bring the nation back on an even keel and steady course; that it could fail to hurt the Presidency itself?

True, impeachment is established in the Constitution. Many argue therefrom that impeachment is the only proper procedure for dealing with alleged presidential dereliction. They say that the result of the impeachment action will clear up the Watergate affair one way or the other, pull the nation out of the crisis, and enable us to go constructively forward again. This is an illusion apparently shared by at least some people on all sides of the Watergate issue.

In the given circumstances, however, the impeachment process cannot possibly resolve the crisis. It can only exacerbate it still more, with reverberations that will be felt not only through 1976 but for many years beyond.

Suppose the House votes articles of impeachment and the Senate convicts. That result would leave a sizable, embittered, stubborn minority convinced that the media had hounded Richard Nixon out of office in order to upset the mandate of the 1972 vote and subvert what it believes to be the foundations of the Republic. On the other hand, suppose the House fails to impeach, or the Senate, judging a House-voted impeachment, fails to convict. With equal certainty that would leave a major segment of the constituency equally embittered and unreconciled, convinced that the Congress had placed political expediency above its duty. Does either outcome hold the slightest promise of domestic tranquility?

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There is one way and one way only by which the crisis can be resolved, and the country pulled out of the Watergate swamp. I propose an extraordinary act of statesmanship and courage—an act at once noble and heartbreaking; at once serving the greater interests of the nation, the institution of the Presidency, and the stated goals for which he so successfully campaigned. That act is Richard Nixon's own voluntary resignation as President of the United States.

Inevitably the President is the focus, the essence of the

crisis of the regime; the linchpin of its entire structure. It could not be otherwise. The character of a regime always reflects and expresses the character of its leader. It is he who appoints his executive staff. If he does not explicitly command what his aides and agents do, they in any event do what they sense and believe he wants them to do. The captain is responsible for his ship, the commander for his army. And Mr. Nixon has explicitly recognized this responsibility.

If the President withdrew, this crisis would be resolved. Watergate scars would remain, of course. The debris would have to be cleaned up. There would still be many of the problems that have issued out of Watergate—not to mention the other mammoth problems our country faces.

But the organic, integrated, pervasive crisis of the regime would at once fall apart into separated elements.

Self-evidently, the impeachment process would end. Congress would be automatically discharged of the Watergate affair and could devote itself to its legislative business. A new President would be at the helm, with the capacity to inspire and to restrain the Congress; to reach out to the people with the restored authority and moral strength that is so essential an ingredient of the Presidency.

I realize that there is an argument against resignation, which might be best summed up in the injunction to "bear those ills we have, than fly to others that we know not of." To this argument I can only repeat that it is not given to us to be able to predict the future. But it is demanded of us that we obey the dictates of reason and conscience and this is what I have attempted to do. I cannot guarantee that the course I have recommended will bring our nation tranquility—but it will, most certainly, free our nation from the particular spiritual crisis that Watergate has made the central political fact of our time.

I think it is necessary to emphasize that my conclusion is based not on a reaction to any single incident or event but on what I see to be the cumulative effects of the entire affair. It is fruitless to argue that much of what has occurred in Watergate has occurred before and will in all probability occur again, human nature being what it is. What is important is the situation in which we, who bear the responsibility to ourselves and to the future as well as the past, find ourselves; a situation different not only in degree but in kind from any other in American history.

On this point I want to guarantee against misinterpretation. By proposing the President's resignation as the way and the only way to resolve the crisis, I do not in the least imply belief that he is legally guilty of any of the hundreds of charges brought against him by those sections of the media that have appointed themselves permanent grand juries and public prosecutors. My proposal reflects no personal judgment on the matter of guilt or innocence, for I have made none.

Nor do I propose Richard Nixon's resignation as a retreat by him, or as in any way acknowledging either guilt or weakness. Richard Nixon's resignation now—before any irreversible action takes place in the impeachment process—would be, and should be, a free, positive, and magnanimous act on his part. It would be an act of sacrifice for the achievement of the goals that he has proclaimed.

He would be succeeded by a man of his own choice; and one, most importantly, who is free of any connection whatever with the entire Watergate affair. Gerald Ford upholds the policies for which the electorate overwhelmingly voted in November 1972. Therefore his installation would be in no way a repudiation of the electoral mandate. Rather, it would reaffirm those goals, which have been forgotten or neglected or defeated in the Watergate shambles; and it would offer a much more favorable chance of realizing them than is possible while the crisis continues.

I am deeply aware, of course, that in recent weeks Richard Nixon has found several occasions to say that he must

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defend the office of the President, and that he therefore should not resign because that would weaken the office. But precisely the opposite is the case. In order to preserve the Presidency, Richard Nixon must resign as President. If future Presidents are to carry out their grave responsibilities in the free and unfettered manner President Nixon desires, they must be able to inherit an office that has not been irrevocably weakened by a long, slow, agonizing, inch-by-inch process of attrition. As it now stands, the office of the President is in danger of succumbing to the death of a thousand cuts. The only way to save it is for the current President to resign, leaving the office free to defend itself with a new incumbent.

Mr. Nixon also argues that it would be destructive of the office for a President to be hounded out of office because he happens to have a low rating in the polls. In normal circumstances I would agree. But we have in the present case a qualitative difference that hinges not on the *fact* of a low rating but on the *reasons* for that rating. The President's current rating in the polls does not reflect a dissatisfaction with one, or two, or a dozen specific issues. Rather it reflects a cumulative loss of faith that has eroded his credibility and moral authority; a loss that, in my judgment, is beyond repair. This goes to the heart of the crisis of regime that is unique to Watergate.

Finally, there is the fact that the office of the President is not the only institution for which we must be concerned. We need a strong President now as well as in the future. We need the balance wheel that alone can be provided by a President able to exercise the full authority of his office, or we run the risk of a runaway Congress that could commit us to new and dangerous programs from which we may never be able to extricate ourselves. But there is little point in protecting the office of the President if at the same time irreparable damage is done to the Republic as we have known it.

I do not doubt that, as he sees and judges his own conduct, Richard Nixon has acted throughout this time of troubles for what he believed to be the well-being of his country. I hope and pray he will realize that the greatest and culminating action he can now take for his country is the renunciation of the world's highest office. His countrymen and the historians of the future, I feel sure, would judge that action in terms of the courage, patriotism, and self-sacrifice it would so dramatically display. □