No Man Is Above the Law: Mark Felt, Watergate, and Responsibility

- **Compelling Question**
  - How does Mark Felt’s example help you better understand responsibilities you have in your own life?

- **Virtue**: Responsibility

- **Definition**
  - Responsibility is accountability to myself and others.

- **Lesson Overview**
  - In this lesson, students will learn about Mark Felt and his role in the Watergate scandal. They will explore how Mark Felt lived up to the responsibility he believed he had to uphold the rule of law and work on analyzing how they can better live up to responsibilities in their own lives.

- **Objectives**
  - Students will analyze Mark Felt’s performance during the Watergate scandal
  - Students will understand how responsibility played a role in Mark Felt coming forward
  - Students will apply this knowledge to better understand responsibilities in their own lives and how they can act upon them

- **Background**
  - In the summer of 1972, President Richard Nixon was facing a challenging re-election campaign. Nixon had won the presidency in 1968, but only by a very narrow margin. Early polls put Nixon behind several likely democratic challengers.

  In the summer of 1972, Mark Felt was the assistant director of the FBI, second in command to acting FBI director Pat Gray. Felt had made his career in law enforcement by uncovering German and Russian spies, and by imprisoning mafia members. Events in June 1972 would forever connect Nixon and Felt.

- **Vocabulary**
  - Narrow margin
  - Impersonating
  - Sabotage
  - Undermine
  - Systematic
  - Unravel
  - Executive Privilege
  - Impeach
  - Pardon

- **Introduce Text**
  - Have students read the background and narrative, keeping the “Walk-In-The-Shoes” question in mind as they read. Then have them answer the remaining questions below.

- **Walk-In-The-Shoes Questions**
  - As you read, imagine you are the protagonist.
    - What challenges are you facing?
    - What fears or concerns might you have?
    - What may prevent you from acting in the way you ought?

- **Observation Questions**
  - Who was Mark Felt?
  - What was Mark Felt’s role in the Watergate scandal?
  - What do Mark Felt’s actions say about his identity?
• **Discussion Questions**
  
  o Discuss the following questions with your students.
    
    ▪ What is the historical context of the narrative?
    ▪ What historical circumstances presented a challenge to the protagonist?
    ▪ How and why did the individual exhibit a moral and/or civic virtue in facing and overcoming the challenge?
    ▪ How did the exercise of the virtue benefit civil society?
    ▪ How might exercise of the virtue benefit the protagonist?
    ▪ What might the exercise of the virtue cost the protagonist?
    ▪ Would you react the same under similar circumstances? Why or why not?
    ▪ How can you act similarly in your own life? What obstacles must you overcome in order to do so?

• **Additional Resources**
  
Handout A: No Man Is Above the Law: Mark Felt, Watergate, and Responsibility

Background

In the summer of 1972, President Richard Nixon was facing a challenging re-election campaign. Nixon had won the presidency in 1968, but only by a very narrow margin. Early polls put Nixon behind several likely Democratic challengers.

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Narrative

In early 1972, President Nixon organized a group known as The Committee for the Re-Election of the President (ironically known as CREEP). CREEP had two main goals: to raise as much money as possible and to sabotage and undermine the campaign of the Democratic Party nominee. In the summer of 1972, CREEP member G. Gordon Liddy proposed a plan to break in to the Democratic Campaign Headquarters at the Watergate office building in Washington, DC. Once inside, the burglars would steal campaign documents and install devices to listen to telephone calls from the office. In this way, CREEP would gain insights into the strategy of the Democrats and allow Nixon to more easily win the campaign. Five burglars, led by James McCord, broke in to the Watergate office building on the night of June 16, 1972, but the plan failed. A security guard, Frank Wills, caught the burglars.

CREEP moved quickly to limit the damage caused by the burglary. Their main goal was to make sure that none of the men involved testified about any connection to the White House. The burglars were offered “hush money” if they would remain silent about the connection between the burglary and CREEP. We do not know if President Nixon knew about the burglary before it happened, but we do know that Nixon became involved in the cover-up almost as soon as it began. Not only did Nixon approve of the payoffs, but he also put pressure on the FBI to discourage a thorough investigation.

Two reporters from the Washington Post, Bob Woodward and Carl Bernstein, began investigating the burglary, following a tip that burglars had the phone number for Howard Hunt, a White House official. When Hunt refused to answer any questions from them, they turned to Mark Felt at the FBI. Felt proved to be a critical source for Woodward and Bernstein. He met regularly and secretly with them to provide confirmation, based on the FBI investigation, of facts and hunches. For example, Felt provided confirmation that money from CREEP was being diverted to pay off the burglars.

Felt insisted, however, on absolute secrecy. His name was never mentioned in any of the stories written by Woodward and Bernstein. In a book written in 1974 about the investigation, Woodward and Bernstein referred to Felt by the alias “Deep Throat”, a name suggested by Washington Post Editor Ben Bradley, because Felt provided deep background for the reporters. Felt had good reason to be worried about disclosing information. Both his job and his personal reputation were on the line. Nixon officials in the summer and fall of 1973 put pressure on FBI Director Pat Gray to fire anyone providing information about the investigation to the press. Nixon officials had already established a pattern of destroying the reputation and good name of anyone who gave information to the press. When Daniel Ellsberg provided details about the systematic lying by the government about the war in Vietnam to the New York Times, Nixon officials broke into his doctor’s office, and used documents found there to embarrass him publicly and make it difficult for him to find work.

Although the Watergate scandal did not affect the election of 1972, in which Nixon easily won re-election, by the spring of 1973, the cover-up began to unravel. In February, the U.S. Congress began investigating the break-in and its connection the White House. In March 1973, James McCord, one of the burglars, declared in a letter that it was not just Liddy and Hunt involved in the burglary, but people higher up in the White House. Woodward and Bernstein continued to develop the story, relying on the secret assistance of Mark Felt to confirm that John Dean, John Ehrlichman, and H. R. Haldeman, all aides to President Nixon, were all involved in the cover-up.
In August 1973, John Dean testified before Congress, stating that Nixon’s aides were involved in the cover-up. In their testimony, John Ehrlichman and H. R. Haldeman, denied this and claimed Dean was lying to save himself. Congress was in a quandary, unable to decide who was telling the truth. When another Nixon aide, Alexander Butterfield, revealed that a taping system existed, recording all conversations in the Oval Office, Congress demanded the tapes, knowing they would establish the truth. Nixon refused to turn over the tapes, citing “executive privilege,” an argument based on the separation of powers underlying the U.S. Constitution. In July 1974, the Supreme Court ordered Nixon to turn over the tapes.

The tapes confirmed the information that Woodward and Bernstein had been reporting—that Nixon had been involved from the very start in the cover-up. In late July 1974, both Republicans and Democrats on the House Judiciary Committee voted to recommend impeachment of the president to the full House. The Nixon presidency was doomed. On August 7, 1974, a group of Republican Congressmen, led by Senator Barry Goldwater met with Nixon. The House, they told him, would vote to impeach, and the Senate would remove him from office.

Rather than be humiliated further, on the evening of August 8, 1974, Nixon announced his resignation. One month later, on September 8, 1974, President Gerald Ford pardoned Nixon for the crimes he committed as part of the Watergate cover-up. Ford justified the pardon saying it would end the “national nightmare” of Watergate, and by accepting the pardon, Nixon would be admitting his guilt.

There many people who played a key role in the events of the Watergate scandal, but Woodward and Bernstein are certainly two of the most important. They were able to establish that the president broke the law and abused his powers as president in the Watergate cover-up. They could not have done this without the assistance of Mark Felt. Felt’s motivation in assisting Woodward and Bernstein has been one of the most contentious and in some ways mysterious aspects of the Watergate scandal. Woodward and Bernstein believed Felt’s primary motivation was to protect the FBI from Nixon’s meddling—to preserve its independence and ability to enforce the laws. Felt himself seemed to confirm this in a 2006 interview with said “I was trying... to keep the Bureau [the FBI] on the proper course.” Others, most notably, Max Holland, have suggested that Felt was angry over not being chosen director of the FBI in 1972, and he was hoping to embarrass Pat Gray, the man chosen instead of Felt to be director.

Regardless of motivation, it seems clear that Felt understood the virtue of responsibility. Felt understood that he had a responsibility to the idea that no one, not even the president, is above the law. This is a bedrock principle of all democratic systems, established in the Magna Carta of 1215, before the United States existed. Americans owe a debt of gratitude to Mark Felt for upholding this critical virtue during the Watergate scandal.