

Three Crises: Defusing the Post-Insurrection Conundrum Besetting Washington

By Kenneth M. Quinn - January 14, 2020

As both the physical and political dust literally settle following the storming of the Capitol on January 6, there are clean up efforts underway in regard to both in that historic edifice. At the same time, with the large contingent of armed National Guard troops deployed around the entire Capitol complex, Washington is looking a lot like the crisis of 1968, when the continuity of government was threatened.

Moreover, with calls for the President's resignation, resolutions being passed urging that the 25th Amendment be implemented, the articles of impeachment being voted, the President's announcement that he would not attend the Inauguration on January 20, fears that the chief executive might order a nuclear strike on Iran, the complexities surrounding President Trump's legal culpability for the insurrection are reminiscent of Watergate 1974.

Now, with FBI warnings about rumbles on the internet of another violent uprising being planned for Washington as well as possible attacks on all 50 state capitals, political stability and national unity, which are so desperately needed, seem increasingly elusive.

This is the third constitutional / continuity of government crisis I have experienced. Looking back at those previous events, a proposal emerges that could hopefully provide a way out of this current political conundrum which is causing political tensions to rise.

In 1968, I was studying Vietnamese in Washington (prior my deployment as a Foreign Service Officer to the war zone), when the assassination of Dr. Martin Luther King unleashed a fury of protests and the worst destruction since the British burned the Capitol in 1814. Units of the 82nd Airborne Division were flown in to re-take control of the city. The sight of machine gun positions at the Capitol and soldiers in combat attire carrying bayoneted rifles standing on every street corner are indelibly etched in my memory.

One of the elements that helped defuse the situation and allow the country to slowly begin to heal was President Johnson removing himself from seeking a nomination for a second term.

I was also present in Washington in August 1974, as the Watergate scandal increasingly devolved into a Constitutional crisis. But this time I was even closer to

the action. As a member of Henry Kissinger's National Security Council staff, my office in the Old Executive Office Building (right next to the White House) was directly above Vice President Ford's suite. I thus had a front row seat for Nixon's resignation, including witnessing his surreal farewell address in the East Room and President Ford's swearing in.

Looking back to the events of 1974, a key moment in forcing Nixon to step down came when Vice President Ford told the Cabinet he would no longer support the President's resistance. That action, combined with direct messages from Republican senators that impeachment proceedings were about to begin, convinced Nixon he could not survive and led to his dramatic televised announcement of his leaving office.

While there is not reporting to indicate there was any quid pro quo, President Ford's pardon of Nixon several days later brought a stable end to the crisis. I believe that same formula could possibly work now.

While deeply aggrieved by his perception of Vice President Pence's role in the Electoral College vote count, and seemingly adamant about not resigning, President Trump's family and remaining close advisors might convince him that a deal for his resignation and a pardon, would be preferable to being ignominiously impeached and convicted (and thus excluded forever from running for office) and possibly being investigated after he left office for inciting the violence at the Capitol.

Such a bargain could be cut in private and would not have to be seen as a surrender. A presidential statement reflecting President Trump's desire to promote a peaceful and traditional transfer of power, could be a face saving way to leave Washington gracefully.

The pardon could either be announced right away or several days after Mr. Trump departed. Given the apparent current hostility between the two men, the letter indicating that President Trump is resigning would have to be signed at virtually the same time Vice President Pence would sign the pardon.

Such a carefully orchestrated transition would permit acting President Pence to receive President-elect Biden at the White House on January 20 and ride with him to the Capitol for the inauguration for a peaceful transfer of power, as has been the tradition since 1869. Everyone could then emit a sigh of relief, just as they did in 1968 when Johnson made his announcement and in 1974 when Nixon resigned.