

# The President and the Presidency

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Responses to the exposure of the criminal actions, intrigue and deception of the Nixon Administration (“Watergate,” for short) seem to fall into two major categories: cynicism and outrage.

The cynical view, as expressed by the President’s supporters (Buchanan, Buckley, *et al.*), is that no new issue of principle is raised by these disclosures. Everyone does it all the time. Nixon and his cohorts were simply unlucky enough to be caught. Those who are “out to get the President” are hypocrites. The practices are general and the President’s tormentors are motivated solely by their own narrow political interests.

In contrast, outraged critics insist that Nixon’s methods are an innovation in American political history. Some allege that Nixon attempted a virtual coup d’etat, that implicit in his actions was a move towards an American form of fascism. Comparisons with Nazi Germany have been invoked in the liberal press. The firing of Cox, in particular, seemed to some observers that such a putsch was in progress.

There is some merit, I think, in each of these general views. The cynics are quite right to insist that the practices disclosed are hardly novel. Specifically, the bipartisan use of the machinery of state to stifle dissent, to harass the left, and to enforce ideological conformity goes well beyond anything exposed by the recent investigations. Thus it is correct to say that no new issue of principle has arisen. To be sure, this is not quite the point that the cynics are making, but it is the kernel of truth in their allegations.

At the same time, the indignant critics are correct in observing that Nixon’s efforts are different in kind from anything that came before. For sheer meanness of spirit, Nixon and his friends are hard to match. They have succeeded in setting new standards for petty thievery and corruption, though it is perhaps less than obvious that the discovery of this pebble in the mountain of crimes should evoke such an outcry. We are, after all, speaking of the men who presided over the murderous assault on the civilian population of Indochina for four years, and who even now persist in imposing the rule of fascist torturers. In any event, corrupt practices alone would not have inspired the political attack to which Nixon is now being subjected. This is rather the consequence of another and more significant Nixonian innovation. Under the Nixon Administration, the political center itself has been given a taste of the techniques that have been reserved, in the past for those who are outside of the conservative consensus. The means may not be new, but the choice of victims is. In this respect, it is fair to conclude that Nixon did attempt a minor coup. For just this reason, the counterattack is broad and unremitting, crossing party lines, and will no

doubt succeed in overturning Nixon's rather clumsy plan to exclude dominant elite groups from their customary position of power and authority.

From the point of view of the socio-economic elite that determines state policy and controls the corporate media, Nixon made two fundamental errors. First, he concentrated power too narrowly, excluding major elements within ruling circles. It is not considered respectable to use the repressive power of the state to "screw" such as enemies as Thomas Watson, James Reston, and McGeorge Bundy. Equally serious, Nixon's conduct and the principles on which it rests call into question some of the central tenets of the ruling ideology and thus threaten social stability. Nixonian cynicism leads to the natural conclusion that elections are a farce and that the political system can hardly be taken seriously as a means for expression of popular will. The illusion that the people rule rests on the fact that they may periodically select a Hobbesian "mortal God" to rule over them. But a proper reverence for the office can hardly be sustained when the President and his immediate associates are preoccupied with robbing public funds and granting favors to their cronies. Furthermore, the myth becomes "inoperative" if it is indeed normal practice, as the cynics claim, to destroy political opponents by Nixonian dirty tricks — recall that Muskie was running ahead in the polls when the Watergate affair was set in motion. Nixon's practice and principles contribute to popular cynicism. Thus they tend to undermine the conformism that is a dominant feature of American political life. Cynicism may be a gateway to understanding. Those who have come to question the dogma of state ideology may proceed to inquire more deeply into the social, economic and political realities. They may ask themselves how meaningful is the choice offered to them under the best of circumstances, or what political democracy can mean, even ideally, when economic power is so highly concentrated that the state executive represents the same interests and is staffed by interchangeable parts no matter what happens at the polls. They may even go further, and challenge the principles of the economic and social order itself.

The myth that the people rule has played a crucial role in stifling class consciousness and deflecting serious political analysis. A threat to the myth is all the more dangerous at a time when another powerful device of social control has begun to lose its efficacy, namely, the faith that however inequitable the economic system may be, its endless growth provides hope and opportunity for the future. Nixonian cynicism is therefore intolerable to ruling groups, and must not be permitted too wide a sway. It is as though the ideological institutions, the mass media and the universities, were to permit extensive inquiry into such questions as, say, the role of corporations in determining foreign policy, or other central areas of social reality that are effectively insulated from discussion and popular understanding by restrictions and taboos.

For these reasons, Nixon has been called to account and will, surely, be compelled to modify his public ways and conceivably even to resign.

But although the President has been called to account, there is no reason to believe that the power of the Presidency will be diminished. In fact, it might be suspected that the long-term consequence of these events will be to accelerate the process of centralization of power in the state executive which, as in the past, will be largely staffed by representatives of major corporate interests and will be responsive to their perceived needs. This process reflects deep-seated structural problems in the functioning of state capitalist institutions which are familiar and can't be explored here, and which will be in no way modified by the superficial palliatives now under discussion. Congress is in no position to conduct the affairs of state, in part because it is marginally more responsive to popular will than the executive branch and thus less reliable, but more important, because under present conditions, a firm hand and a centralized authority are required.

Congress is not about to take part in managing the domestic economy or the imperial domains. A revealing index is the recent behavior of the Senate Foreign Relations Committee. For years it has produced ringing declarations about the dangers of Presidential power, which will lead to "tyranny or disaster" if not checked. When Henry Kissinger appeared before it, the Committee was faced with the opportunity to influence, or at the very least to inquire into, state policy. It simply ran for cover. Even the matter of the secret bombings of Cambodia and Laos, a scandal that had just then been exposed, was not seriously pursued. In fact, no serious issues of policy were raised. The Committee made it clear that its sole interest was that it not be humiliated. The message was: grant us our right to ratify. Kissinger acted with proper deference, and the threat that Congress might exercise any authority was quickly dispelled.

Nixon's defensive strategy has been to attempt to establish the doctrine that the President is beyond the reach of the courts, the law, and Congressional directive. If there is some objection to what the President does, he can be impeached. At an early stage of the controversy, the principle was announced quite boldly by Kleindienst, and it was later reiterated by Ehrlichman, in another form, in the Ervin Committee Hearings. It is also implicit in the President's legal papers. So far, the President has not been able to carry it off successfully, given the weakness of his personal position and the strength of the forces arrayed against him. But the very fact that the principle has been clearly enunciated is of no small importance. Dismissal of the President is highly unlikely, if only because it would diminish the imperial aura of the Presidency. Those who expect to share power will not lightly abandon this effective device of social control. Rather, they too will want to exploit for their purposes the principle that the President is a mortal God, so that significant dissent is a kind of sacrilege, to be controlled, or if need be, crushed. In the hands of someone who has not so blatantly violated the rules of the political game, the Nixonian principle will be a powerful weapon.

The likely outcome is that Nixon's wings will be clipped and that his personal prestige and power (and perhaps even wealth) will suffer. But it is doubtful that the process of centralization of power in the state executive will be curtailed. On the contrary, the principle of unconstrained executive power has been more clearly enunciated than ever before, and will serve as a precedent for subsequent Administrations.

Consider, in this context, the issue of the Presidential tapes. What exactly is at stake? It seems most unlikely that the tapes contain information that would directly incriminate the President. Assuming minimal competence, the director of any large enterprise (in particular, the state executive) would prefer not to be openly informed with regard to questionable or illegal practices conducted under his aegis. Second level executives may have their knuckles rapped if plans go awry, but those at the very top can generally arrange to be in a position to deny complicity. In this case, knowing that it was all being recorded for posterity, Nixon would be disinclined, one must assume, to incriminate himself openly. Nixon's original tactic with regard to the tapes seems to have been to use them for a grant of executive clemency, in effect, for his subordinates. If the tapes were withheld, Nixon's accomplices could plead in court that they are being denied due process. The "Stennis compromise" would have had just this effect. It is important for Nixon to buy the silence of his immediate associates, who might well turn on him if they are sacrificed. Thus he will probably continue to seek some means to ensure that the Justice Department or Congressional investigators will accept an arrangement under which high officials implicated in criminal acts will be able to escape prosecution or punishment, as in the Agnew case, or at least will be able to delay matters until the political climate changes and some of the issues that

now seem most critical will have become moot. Just what form such efforts may take is an open question, and it is not obvious that the plan will succeed. One might bear in mind, however, Proudhon's apt comment on the law: "spider webs for the powerful and the rich, chains that no steel can break for the small and weak, fishing nets in the hands of the government."

In a thoroughly depoliticized society, there is little basis for a constructive popular response to Watergate and similar disclosures. We have no mass parties, if by that is meant organizations in which political positions and programs are formulated through public participation. There is virtually no debate within the mainstream over major social issues, and rarely any departure from dominant ideological principles in political or public debate. There is no alternative model of social organization that forms part of the consciousness of any but the most narrow groups, and there is little comprehension of the basic character of our political and social institutions. The conditions that gave rise to a Richard Nixon will persist. Sooner or later, some more capable and better organized group may exploit these conditions to carry out a more effective coup, centralizing power in an imperial Presidency to a degree that far exceeds what has been advocated in the past by "liberal Democrats" or "conservative Republicans." They may undertake a true mass mobilization and formulate an effective quasi-fascist ideology, organizing central corporate interests to support these moves. None of this was achieved or even seriously attempted as yet by Nixon. The occasion may be a domestic crisis, a new array of international forces, or a national security issue, real or contrived for the purpose.

Under present conditions, the major barrier to such moves, it seems to me, lies in the commitment of the wealthy and powerful to the existence of free institutions of which they are the major beneficiaries. Proudhon's remark about the law can be generalized. It is important to bear in mind that under a properly functioning capitalism, freedom is available in principle to be purchased like any commodity. You have as much as you can afford, and for the affluent, a fair amount is indeed available. Thus it is rational to amass property and therefore to construct for oneself a personal space in which the benefits of free institutions are available. For quite analogous reasons, the dominant industrial powers can be expected to advocate free trade — until such time as they are no longer sure that it will work to their advantage.

If past history is any guide, there will be no significant move towards fascist controls and institutions as long as there is no real threat to privilege. When the system faces a real crisis, as in wartime, the situation is of course different, and, as in the past, artificial crises may be contrived for domestic purposes. The situation is also different if there is a threat to privilege. Then, as in the case of Chile, the privileged are likely to back a fascist coup as the last guarantee of their wealth and authority, even though they would not otherwise wish to see a powerful state or a military dictatorship as a rival or constraining force. Commentary here on the Chilean coup is interesting in this connection. It merely underscores the obvious: the fundamental principle that privilege must be preserved remains the dominant theme of official American ideology. While there is some clucking of tongues over the excesses of the military, "responsible commentators" do not deviate very far from the position that the fault lies in the attempt of the Allende government to carry out significant social reform, and perhaps to alter the social and economic system in the interest of working people. But until the moment arrives when privilege is seriously threatened, it is reasonable to expect that those who benefit from partially free institutions will seek to preserve them, and to safeguard them from intrusions of the Nixonian variety.

It is, I think, a serious error to portray a Richard Nixon as an agent of some form of American fascism. This analysis is based on a fundamental misassessment of the fundamental structure

of power in American society and its short-run stability. It would be a mistake for the left to contribute to popular mystification with regard to the issue of impeachment. Readers of this journal do not need the evidence of Watergate to convince them that Nixon has been engaged in criminal acts. Nor should they pretend that replacement of Nixon by someone else, in the event that he is forced out of office will “preserve our free institutions” or “restore the honor of the U.S. government.” It may be that an impeachment campaign is a useful, even an important undertaking at the present moment. But one should be scrupulous and explicit about exactly what is involved, and what issues are not even touched by these or other political manipulations.

There are, of course, alternatives to the institutions and ideology of state capitalism, particularly the militarized form that has developed in the United States since the Second World War. There is good reason to believe that the majority of the population is well to the left of both parties on major social issues, just as it has been more committed to peace than any major political spokesman – recall pollster Louis Harris’ conclusion that Nixon’s 1972 victory was “undoubtedly determined” by “the deep and abiding thirst for peace on the part of the American people,” who regarded Nixon as the peace candidate. Within the political system, there is at the moment only limited opportunity to articulate or to press any serious demands for social reform, but this might change. It is possible to imagine that the Democratic Party might become a party of mild reform, or even that steps will be taken towards the kind of “socialism” now being advocated by some American liberals, a socialism that amounts to a state takeover of declining or defunct capitalist institutions. Such reforms may temporarily repair the system and may make it more liveable for the majority of the population. Reforms may also stir deeper currents and lead to a wider questioning of the authoritarian structure of capitalist and state institutions. Much the same is true outside of the political arena. Business publications have discovered that workers are unhappy, and that the Swedes are doing something about it. Years ago, more far-sighted specialists in labor relations like John Dunlop (now chairman of the Cost of Living Council) recognized that European experiences with workers’ councils might be of great interest to those “concerned with ways of eliciting improved effort and performance ..., exploring new ways of training and supervising a workforce, and ...[seeking]...new procedures to develop discipline and settle complaints or dissipate protest.” But there is always the possibility that Dunlop’s guidelines will be violated and that the system of authority and control may be directly challenged.

This is not the place to speculate further. It does seem fair to conclude, however, that unless a general popular understanding of the potentialities for libertarian social forms begins to develop, unless steps are taken towards realizing these possibilities, it is an open question how long it will be from the bicentennial celebration of American democracy to 1984.

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