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Essay by Nathan Pinkoski

THE REAL WATERGATE SCANDAL

A myth and its legacy.



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THE UNITED STATES CONSTITUTION establishes a republic, not a monarchy. If an American president ever had royalist or autocratic aspirations, it would pose an existential threat to the Constitution. Numerous Americans believe that's what made President Richard Nixon so dangerous. When House Speaker Carl Albert denounced Nixon's "one-man rule" in 1973, he was channeling the opinion of many at the time—and since. But removing a monarch from office is no smooth, straightforward affair. If it's true that Nixon acted like a king, then the closest the country has ever come to regicide was the drama of Watergate. The scandal began with the arrest on June 17, 1972 of five men working for the Republican Committee for the Re-Election of the President (CRP), who were caught breaking into the headquarters of the Democratic National Committee, located in the Watergate Office Building. The scandal appeared to end with Nixon's resignation speech two years later, on August 8, 1974. The successful removal of the president took presidential authority down in its wake, condemning any president who tries to recover it as another Nixon, another monarch-in-the-making. This has itself become a

scandal, a stumbling block to understanding some of the most tumultuous years in American history, when the country and its politics changed forever.

As Edmund Burke understood, regicides are a foul business, leaving in their wake a false peace as well as a contagion that continues to break apart the political and social order. In the case of the French Revolution, we at least know who brought down Louis XVI: the National Convention delegates who voted for his execution. In the case of Watergate, we don't really know the individuals who brought down Nixon.

Instead, the events are shrouded in a pious myth. It teaches that Nixon, responsible for unprecedented crimes, deserved to be removed from office, and that in removing him, the constitutional process worked as it should. This myth—and not Nixon's actions taken in the wake of the burglary—is the great cover-up of the last decades of the 20th century. Only now is that cover-up collapsing and the post-Watergate consensus falling apart. Only now do we see the full extent of the damage done by the collective, coordinated rage at a president who wanted to rein in unaccountable bureaucracy.

At All Costs

IF THE MYTH OF WATERGATE CAN BE summed up in a phrase, it's "the imperial presidency." Postwar liberalism's greatest historian, Arthur Schlesinger, Jr., popularized that expression at the start of Nixon's second term. Conceived largely to attack Nixon's centralization of foreign policy in the executive branch, the phrase came to indicate widespread presidential abuse of power, regarding Nixon as an anti-constitutional actor who subjected the American system to its ultimate trial.

And so, when, for example, on October 20, 1973, in what came to be dubbed the "Saturday Night Massacre," Nixon fired the special prosecutor leading the Watergate investigation, Archibald Cox, the response was quick. "Good evening," began NBC anchor John Chancellor, interrupting primetime television. "The country tonight is in the midst of what may be the most serious constitutional crisis in its history." In the film version of *All the President's Men* (1974) by *Washington Post* reporters Bob Woodward and Carl Bernstein, lionized ever since for their coverage of the scandal, their editor,



Ben Bradlee, deadpans, “Nothing’s riding on this, except the First Amendment of the Constitution, the freedom of the press, and maybe the future of the country.”

When President Nixon had first been sworn into office in 1969, he hardly resembled a king or Caesar poised to destroy the Constitution. Few presidents in American history faced such vast challenges from a position of such weakness. The Vietnam war had become the longest war in American history. From the late 1960s onward, national law enforcement had to cope not just with rising crime and urban riots, but with the rise of domestic terrorism and regular bombings (at its peak in 1972, almost five a day). The goals of the civil rights movement were changing. Peaceful, color-blind co-existence was morphing into something else, as Black Panther Stokely Carmichael urged supporters to become “urban guerrillas” who would “fight to the death” in order to smash “everything Western civilization has created.” To address this domestic revolution, the state itself had also changed. The late 1960s were revealing the excesses of the national security apparatus.

Great challenges require great men to address them. Since Franklin Delano Roosevelt, Americans had come to regard their president as the symbol of a national majority. This democratic mandate was the foundation of presidential authority. In the new progressive dispensation, the presidency had become something akin to a plebiscitary monarch. FDR, John F. Kennedy, and Lyndon Johnson had the legislative majorities to conceal the full import of that shift. Nixon did not. He was the first president since Zachary Taylor in 1849 to enter office facing a legislature controlled by the opposition. Assessing his weaknesses, one *New York Times* journalist concluded that “Mr. Nixon starts with no clear mandate from the people, no great fund of personal popularity, and an opposition Congress that contains many elders of both houses who have regarded him with suspicion and even personal hostility ever since he was in the House of Representatives a generation ago.”

The 1972 election appeared to reset Nixon’s presidency from a position of strength. Nixon won a resounding landslide victory—one of the biggest in U.S. history. As Claremont senior fellow John Marini argued in his seminal 1992 essay, “Politics, Rhetoric, and Legitimacy: The Role of Bureaucracy in the Watergate Affair,” Nixon believed that his victory gave him a clear mandate to set a different course for the country. He would reorganize the federal

government, reasserting voter control and accountability over the agencies via the office of an elected official—the president—who symbolized that majority.

Yet the basis of legitimacy for presidential authority was being called into question as never before. By 1973, the exercise of traditional presidential powers to reorganize or run the government according to the new mandate (such as the president impounding funds), had become examples of overbearing absolutism. This is what prompted Speaker Albert to denounce Nixon as a monarch.

The Watergate investigation provided Nixon’s foes with the breach in his defenses they needed. Shortly after Nixon’s Second Inaugural, on February 7, 1973, the Senate formed the Select Committee on Presidential Campaign Activities, chaired by Sam Ervin. After the conviction of the Watergate burglars, one of them, James McCord, wrote to trial judge John Sirica on March 19 to indicate the existence of a larger plot. On May 25, the Department of Justice’s Watergate Special Prosecution Task Force (WSPTF) was launched and Archibald Cox sworn in. While the special prosecution lay in wait, the Ervin Committee focused on the White House’s “dirty tricks.” There were notable political pranks, cynical but typical for American elections. The more troubling issue was warrantless surveillance. Exhibit A for this was the Huston Plan, named for the White House aide Tom Huston who drafted it, which would keep an eye on potential domestic terrorists. Senator Ervin contended that this plan demonstrated Nixon’s “Gestapo mentality.” The Watergate burglary was subsumed into this broader narrative.

With the help of a secret source nicknamed “Deep Throat,” Woodward and Bernstein exposed further White House interference with the Watergate investigation. In July 1973, the White House tape recording system was revealed to the Senate Committee and the battle for the tapes began. Cox was fired when he tried to get hold of them. Public outcry led Nixon to turn over some tapes and accept the appointment of a new special prosecutor, Leon Jaworski, in November.

Arthur Schlesinger’s book *The Imperial Presidency*, released the same month, capitalized on the shifting sands of this political crisis. The book was a brilliant polemic, a tract for republicanism by a royalist who had had a change of heart. Schlesinger had been one of the cheerleaders of FDR’s plebiscitary monarchy; he had hoped his hero Kennedy would govern along similar lines. But the monarchy had outlived its usefulness. Now that the age of Roosevelt had come to

an end and Kennedy’s Camelot was cut short by tragedy, Schlesinger wanted to bring the epoch of American kings to a close. To do so required a brazen neutralizing of the office of the presidency at all costs. The Senate Committee’s final report, issued June 27, 1974, described an authoritarian, paranoid president who produced an “atmosphere of fear” in the White House. According to the report, Nixon’s unconstitutional power grab via the Huston Plan was only stopped by FBI Director J. Edgar Hoover.

Nixon was ordered to hand over more tapes, and in July 1974 the Supreme Court declared he must comply. The tapes exposed that Nixon knew about the Watergate break-in earlier than he had told the public. On August 7, Republican congressional leadership told Nixon that he had insufficient support to stop impeachment. The next day, Nixon announced his resignation. Upon taking office on August 9, Gerald Ford delivered the summary judgment: “My fellow Americans, our long national nightmare is over. Our Constitution works; our great Republic is a government of laws and not of men.”

Deliberate Sabotage

FOUR FORCES WORKED TO ACHIEVE THIS symbolic murder of presidential authority, driving Nixon from office and enshrining the mythology of Watergate in America’s collective psyche. In the bureaucracy, it was the national security apparatus; in culture, rising anxiety over authoritarianism; in media, the hegemony of network television; and in law, the fanaticism of the college-educated elites.

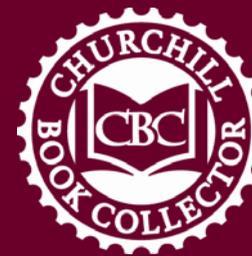
When we dig into the origins of the Watergate affair, we see not an “imperial presidency” controlling the national security agencies, but an institutional conflict between the White House on the one hand, and the military, CIA, and FBI on the other. In this conflict, the president was not winning.

That was the atmosphere that prompted the creation of the Special Investigative Unit, first run from the White House, then from CRP. After the Pentagon Papers, a top-secret Defense Department study on America’s involvement in Vietnam, were leaked to *The New York Times* in June 1971, Nixon, mistrustful of the other national security agencies, directed his domestic advisor John Ehrlichman to create this special unit. Members were called “Plumbers” because they were tasked with stopping leaks.

Nixon wasn’t wrong to mistrust the agencies. From at least November 1970 to December 1971, the Joint Chiefs of Staff ran a spy

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ring against the president. Led by Admiral Thomas Moorer, the military was worried about Nixon's foreign policy shifts and his planned withdrawal from Vietnam. Collecting documents from the White House via Navy yeoman Charles Radford, they leaked to the press to compel the White House to change course. The Moorer-Radford affair, as it's called, was wartime espionage on the commander-in-chief. It was, as a furious Nixon put it, "a federal offense of the highest order." The president, however, opted not to publicize this scandal or to open prosecutions.

There was also considerable tension between Nixon and the CIA, arising over the agency's intelligence failures and Director Richard Helms's desire to guard the agency's past secrets. The CIA was also adept at using the administration's concerns about rising leftist violence to justify their current domestic activities. The Huston Plan condemned by Senator Ervin was not some sinister invention of Nixon's but one that matched requests from the intelligence agency, giving it powers it was already using. And as the Senate later reported in 1975, the CIA "paid no heed" to Nixon's revocation of the Huston Plan: "the decision of the President seemed to matter little." An Inspector General's Report also revealed that the CIA, like the military, spied on the president and may have known about Nixon's secret taping system.

The CIA was also more involved with the Watergate burglars than it admitted. Of the seven individuals convicted for the break-in (the five burglars and their two handlers), six had been employed by the CIA; two of those had dubious retirement stories and a third was still an active agent. What's more, sloppy spycraft techniques and missing intelligence make it seem likely that agents—veterans of many operations—deliberately sabotaged the CIA's activities. The chief suspect here is burglar James McCord, the author of the letter to Judge Sirica. As James Rosen concluded in his biography *The Strong Man: John Mitchell and the Secrets of Watergate* (2008), deliberate sabotage makes sense. For the CIA to have allowed for a counter-espionage team to operate unheeded around the country "would have violated every known principle of bureaucratic behavior, and the spy game especially. The Plumbers, quite simply, had to be monitored, infiltrated—neutralized." After the arrests, the CIA deflected investigation into their involvement. We now know that on June 28, 1972, Helms wrote to his deputy, Vernon Walters, telling him that he had asked the FBI to desist from interviewing him. Walters had provided the material support for the Plumbers' initial break-ins, and Helms did not want

this CIA connection exposed. Whether or not this was obstruction of justice, actions such as these made it easier for prosecutors to focus on the White House.

Though the Ervin Committee praised J. Edgar Hoover's resistance to the Huston Plan, the committee failed to mention that the plan described activities in which the FBI was already engaged and continued to be engaged. As was finally revealed in 2005, "Deep Throat" was Associate Director of the FBI Mark Felt, who had overseen some of the bureau's more controversial domestic spying operations. He appeared to be Hoover's natural heir, but after Hoover died, Nixon twice passed him over in order to appoint an outsider to lead the bureau instead, which enraged Felt. For Yale historian Beverly Gage, "Felt cooperated with Woodward not to preserve the American Constitution or to limit the imperial presidency, as the standard Watergate myths would suggest, but to protect the legacy of J. Edgar Hoover."

Nixon was aware that the national security agencies were working against him. But he didn't want to expose publicly how these agencies had become the engines of government, driving and determining much of policy at the expense of the elected branches. The exposure of the Moorer-Radford affair, for instance, would have undermined military morale and dismayed patriots. "Admiral Moorer, I could have screwed him on that and been a big hero, you know. I could have screwed the whole Pentagon about that damn thing," Nixon told Haldeman on May 11, 1973, as the Watergate scandal was intensifying. "Why didn't I do it? Because I thought more of the services. You know that. By golly, that's the way I deal." It's only because of the release of the relevant Nixon tapes in October 2000 that we know the details. From listening to the tapes, historians Douglas Brinkley and Luke Nichter conclude in *The Nixon Tapes: 1971–1972* (2014) that "what Nixon most worried about being uncovered during the Watergate crisis of 1973 was not his high crimes and misdemeanors, or even the 'imperial presidency' itself, but a kind of shadow government...a partnership between the White House and intelligence agencies that had been growing since the beginning of the Cold War, nurtured by leaders of both political parties."

In hiding the truer but harsher realities of American government, Nixon was not alone. His political rivals, as well as the mythologizer of the "imperial presidency," did the same, albeit for different reasons. Following the failure of the Bay of Pigs in April 1961, John F. Kennedy publicly took blame upon himself, saying he was "the responsible officer of the

government." But in private, he spoke differently. And Arthur Schlesinger, Jr., then working for Kennedy, raised the alarm about how the CIA was acting as a state within a state. In a June 30, 1961 memo on CIA reorganization—finally released in full earlier this year—Schlesinger lambasted the CIA for assuming it had autonomous authority and for having "made' policy in many parts of the world," contrary to its charter. Although Schlesinger was a first-hand witness to a president who could not control his national security agencies, a decade later he created the myth of "the imperial presidency," shielding the agencies from disgrace in order to target Nixon instead. Schlesinger read the times well. He grasped that the mood of the country was changing, and that it would soon be looking for someone to blame.

Ultimate Enemies

TRUST IN GOVERNMENT HAD PEAKED in 1964 and began to decline afterward. The context for Watergate is an era when Americans were already becoming suspicious of the way their government and its officials operated. They were primed to expect bad news and the ascendent college-educated elites were ready to print that news for them. Somebody had to pay for the state of things. Nixon had his mandate and his plan, but he also had a personality that made him into a prime target. As Nixon's White House chief of staff H.R. Haldeman later wrote in his memoir, *The Ends of Power* (1978), "we were well on the way to the point where the Administration could, for the first time in decades, be controlled by a President. And that caused pure fright in Washington—because this President was Richard M. Nixon."

Nixon generated such hatred because he was the symbol of what the country's elders and elites had come to despise. For decades, he embodied the aspirations, anxieties, and insecurities of middle America. By the early 1970s, this symbiosis with average Americans was a double-edged sword. American liberals had lost their confidence in middle America. They regarded these fellow citizens with suspicion and often outright contempt. Nixon's proximity to middle Americans turned into evidence of his viciousness.

Nixon's career spanned the cultural triumph of Theodor Adorno's *The Authoritarian Personality*, which changed the way Americans thought about politics, society, and who their ultimate enemies are. Looking for an explanation for the rise of fascism in interwar Europe, Adorno and his co-authors found it in the habits of working-class families, par-



ticularly in men. Anti-fascism became a matter of domestic politics, a therapeutic project to cure middle America of its engrained authoritarian tendencies. In 1972, this project got to the Boy Scouts, who revised their Laws to downplay the importance of loyalty and obedience. The next year, it overwhelmed the White House.

Before, during, and after Watergate, Nixon was charged with aggressiveness, cynicism, rigidity, mania, paranoia, and racism. He was accused of a range of domestic vices and sexual deviances, including vulgarity, alcoholism, wife-beating, sexual impotence, and homosexuality. "He's a freak—an oddity," Bob Woodward once exclaimed. These charges are extraordinary, but they all make sense by reference to Adorno's authoritarian personality.

That's why even by the early 1970s, the "imperial presidency" attack on Nixon had an aura of dated classicism about it. Schlesinger appropriated Roman republican rhetoric to contemporary political ends. It was a nod to a venerable American tradition. Although the rising generation of leftists had no such sense of elegance, Schlesinger's republican rhetoric left the door open for a Brutus and Cassius.

Regicide became a psychosocial imperative, necessary to extirpate a moral monstrosity from civilized society. "We will kill Richard Nixon," said Black Panther leader David Hilliard, reportedly calling him one of "Hitler's helpers." As the drama of Watergate intensified, the old liberal and New Left rhetoric blurred together. In American polls of the 1970s, Nixon would compete with the Führer as the world's most hated man, twice beating him.

The Revolution Will Be Televised

THE HIGH PRIESTS OF THE AMERICAN media establishment had long been hostile to Nixon; the 1972 election was as much their defeat as it was George McGovern's. Watergate was the media's revenge. Haldeman described the press as "the most important" power bloc in Washington, which "did the most to bring Nixon down." Only the media had the power to put the new anti-authoritarian symbols into effect. Like other conservatives, Haldeman was concerned with the media's ideological bias, but he understood that the media's real power came from its distinct material position, its centralized

powerbase. The nation's two most important newspapers and three television networks were part of "a small elite," he observed, that "controlled U.S. communications." Earlier U.S. presidents never had to reckon with this. Once that machine got into motion, Nixon didn't stand much of a chance.

For most of the United States's history, media had been decentralized, reporting on local affairs. This newspaper print culture, as Alexis de Tocqueville understood, was the material basis of democracy in America. The rise of television democracy in the 1960s upended that, creating a new democratic image. TV could establish, shape, and control a national discourse, bringing millions of people to focus on the same event.

Watergate, for all the prizes heaped upon *The Washington Post*, was not a print phenomenon. It was a TV phenomenon. Woodward and Bernstein's columns were not enough to bring down the president. By 1973, for the first time in American history, nearly every American home had a television. The Nixon Administration, sensing the power of TV, had tried, in vain, to keep the hearings from being televised.



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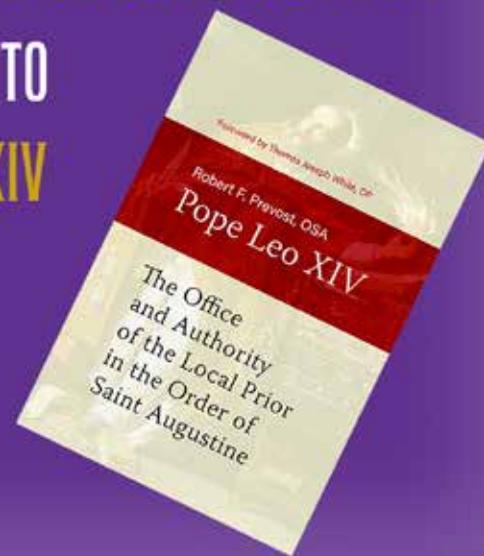
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Until Watergate became a TV drama, most Americans didn't think much of it. Before the hearings, polls recorded that only 31% of Americans believed Watergate was a "serious" issue. By early July 1973, 50% did, the constant figure until the end. During those months, Nixon's approval ratings cratered from the mid-40s to 29%—basically where they were a year later, when he resigned. The scale of consensus against him was indeed stunning, with few modern parallels.

Armed with the Bible and the Constitution, Senator Ervin swore each witness in. It was unnecessary as Senate procedure—these were not legal proceedings—but it created the aura of a transpolitical moral ritual that held higher meaning than the country's transient partisan quarrels. And it encouraged the collective consciousness to search for potential moral pollutants.

It is easy to be cynical about techniques of mass persuasion, yet TV democracy's power came from something even more primal than mere manipulation. TV doesn't so much manipulate a passive audience as provide a way for viewers to participate in the same activity. But in Watergate the shared activity wasn't a civics lesson. What the myth of Watergate treated as the apogee of a functioning democracy was really scapegoating. TV enabled a particular kind of savage collective activity: a retribution in which the public, united through one medium in their perception of the president's villainy, felt like they were participating in his removal.

Under the appearance of impartiality, television enabled the public to join together in the common scapegoating ritual, ensuring its success. The televised hearings helped forge a new civic tribe that prided itself on its high-minded transpolitical morality but which was really founded on a more primitive ritual. As is so often the case, the presumption that media technology was neutral hid its effects. One of the strongest predictors of support for Nixon's impeachment was the belief that television was fair. This became one of Watergate's most important legacies. Seeing the television medium as the neutral conduit that reported the "news" and other "facts," where CBS News anchor Walter Cronkite was "the most trusted man in America" and only cranks questioned the veracity of mainstream news sources, became part of the post-Watergate consensus.

Paradoxically, television's other function in the post-Watergate consensus was to enhance the prestige of print media, canonizing the heroic allure of investigative journalism for a generation of Baby Boomers. Idealizing

journalists as extra-constitutional supermen capable of toppling presidents had its own troubling implications. The late historian Paul Johnson concluded in his book *Enemies of Society* (1977) that Watergate was media-driven regime change, whereby "[t]he 'imperial presidency' was replaced by the 'imperial press.'"

For some, this coronation of the press was a net positive. In 2011, while visiting Moscow State University, then-Vice President Joseph Biden declared: "In my country it was a newspaper, not the FBI, or the Justice Department, it was a newspaper, *The Washington Post*, that brought down a President for illegal actions." Biden, as usual, had gone off script. Journalists at the heart of Watergate had always been quick to disavow this interpretation. "To say that the press brought down Nixon, that's horseshit," Woodward had once said. On the 25th anniversary of the Watergate burglary, Katharine Graham, the publisher of *The Washington Post*, had put it more

As we learned more about Watergate's complexities, the myth of Nixon's villainy became harder to keep alive.

diplomatically: "Sometimes people accuse us of, quote, 'bringing down a president,' which of course we didn't do and shouldn't have done. The processes that caused [Nixon's] resignation were constitutional."

Lawfare

THAT'S NOT ACCURATE EITHER. AS THE meticulous research of Geoff Shepard in his books *The Real Watergate Scandal* (2015) and *The Nixon Conspiracy: Watergate and the Plot to Remove the President* (2021) shows, Richard Nixon and the others were deemed unworthy of the law's basic protections.

Shaped by the "conviction that the President must be reached at all cost" (according to a January 21, 1974 memorandum), the Watergate Special Prosecution Task Force ran roughshod over the due process requirements of the 5th and 6th Amendments. The grand jury process, guaranteed through the 5th Amendment, was tainted: Woodward breached secrecy by interviewing at least one juror. The "impartial jury," guaranteed

through the 6th Amendment, was tarnished: the defendants were tried via a D.C. jury pool demonstrably prejudiced against them. And instead of judicial independence guaranteed by Article III of the Constitution, Judge Sirica in effect fought for the prosecution against the defendants: he met secretly with members of the special prosecution.

Shepard's research reveals the imperious power of America's ascendent college-educated elites. They staffed the Ervin Committee, the Special Prosecution, and the House Judiciary Committee (for which a young Hillary Clinton worked). They all agreed on the target. Horrified by Nixon's re-election in 1972, they were looking for opportunities to settle their score with him. Whether they worked in government, non-profits, or law, they professionalized the politics of personal destruction.

The Watergate Special Prosecution Task Force was molded to the task of lawfare. It had an unlimited budget and personnel, the discretion to decide what information to share with Congress, and the authority over the rest of the Department of Justice and other U.S. attorneys to investigate "all offences arising out of the 1972 presidential election." Working clandestinely with Judge Sirica, the WSPTF passed material on to select members of the House Judiciary Committee, with the goal of removing Nixon from office and preparing the way for later criminal trials. Officials in the executive, legislative, and judicial branches coordinated their actions to unseat the president. In the aftermath, an act of constitutional vandalism turned into a paean to the integrity of special counsels, another pillar of the post-Watergate consensus.

Rehabilitation

GERALD FORD'S PARDON OF NIXON spared the former president a painful trial and imprisonment that would probably have killed him. But anger rebounded on Ford. Jimmy Carter campaigned on Watergate, promising to bring a moral purity back to Washington. This was all part of the immediate solidification of the Watergate myth; the first film that Carter showed in the White House was *All the President's Men*.

After that, things changed. The public began to feel compassion for the former president. Thanks to television, Americans had joined the collective rage, driving Nixon from the presidency. Thanks to television, Americans began to feel sorry for him.

In 1977, television host David Frost interviewed Richard Nixon. Watched by over



45 million people, the interviews didn't change anyone's mind about Watergate itself. But they humanized Nixon. A plurality of Americans claimed to feel more compassion for him afterward. In January 1978, Nixon returned to Washington for the funeral of Hubert Humphrey. TV enhanced the deeper meaning of his appearance, inviting the audience to participate by examining their own hearts. When the Senate chaplain said, "It is in pardoning that we are pardoned," the television cameras turned on Nixon, his head lowered in prayer. In the mid-'70s, only 35% of Americans thought Ford was right to pardon him. A decade later, it was 54%.

Throughout the 1980s and early 1990s, Nixon was back, broadcast on TV as an elder statesman. The capstone of his rehabilitation came with his funeral on April 27, 1994. Nixon was no longer treated as a pollutant. Senator Bob Dole wept for him, and President Bill Clinton extolled the late president, while all of Nixon's successors to the office sat in attendance. This speech was perhaps the greatest rebellion against his own generation Clinton ever delivered. The rest of the Boomers tried desperately to keep the myth of Nixon's villainy alive. But as we learned more about Watergate's complexities, this became harder to do, even for Nixon's most recalcitrant foes. Journalist John Farrell told Nichter in 2012 he was looking for something "worse than Watergate" for his book on Nixon. This is an admission of a man who was losing the old faith and searching for new spiritual experiments to rekindle it.

The Baby Boomer hatred for Nixon marched in tandem with their love for TV democracy. The central problem was that television could never produce the fact-based community of consensus that the Baby Boomers wanted. Even when it was highly centralized, TV lacked the permanent power to shape public opinion or repeat the scapegoat mechanism. Other episodes—Iran-Contra, the O.J. Simpson trial, the Kenneth Starr prosecution, and the Monica

Lewinsky scandal—failed to re-enact the common ritual that Watergate achieved. By the 21st century, Boomers were more skeptical of the neutrality of cable television, probing its monetary and ideological motivations as channels proliferated and audiences siloed off to their preferred programs. Boomers became nostalgic for the older version of the TV medium, where everyone watched the same select channels. Most importantly, they longed for the unity that would come from a successful re-enactment of the Watergate scapegoating. That's the best way to understand the post-2016 impeachment efforts against President Donald Trump. Like the Ervin Committee, the Mueller, Ukraine, and the January 6 investigations were all sophisticated, expertly choreographed, high-production-value TV operations. But in the new fragmented media environment, the re-deployed Watergate script could only reach about half the country. These productions never came close to moving public opinion the way the televised Watergate hearings did.

What, then, remains of the post-Watergate consensus? The authority of TV and print media is shattered. Special counsels have lost their reputation for integrity; in the past decade, lawfare became too routine and obvious to ignore. But there are still two aspects of the myth that remain unchallenged.

First, Ford had stressed that the Constitution worked. For the bipartisan consensus he represented, Watergate was a personality problem with Tricky Dick, not an institutional crisis. In the wake of Watergate, both liberals and conservatives encouraged each other to embrace a particular kind of therapeutic citizen education. Though they split in the 1990s over the question of how important Christian conduct was to public life—the issue underlying the Lewinsky affair—character never ceased to be important. The person who remained wholly, completely illegitimate, whose danger Watergate established, was "the authoritarian personality." Now, the memory of Watergate is kept alive less by concerns about 1960s warrantless

surveillance and more by the specter of the authoritarian personality that is supposed to stretch from Nixon to Trump. This is one pillar of Baby Boomer mythology that won't collapse anytime soon.

Second, Schlesinger's original concern over the imperial presidency was tied up with the Vietnam war and the rise of the security state. The practices of the 1960s raised grave constitutional questions about the real activities of the intelligence agencies and how the president and Congress were complicit in shielding this new kind of government. The post-Watergate consensus deflects away from these questions. National security state autonomy and independence became a feature, not a bug, of the American order. This shift conceals the power of agencies and their associated informal networks over the constitutional order.

That is what the problem of the deep state is all about. On this question, one cannot help but admire the tenacity of decades of researchers—mostly coming from the anti-war Left—who were attentive to the full import of this problem and helped us better understand what happened during Watergate. The existence of the deep state, in the Watergate scandal and elsewhere, shows that the effective American constitution is very different from the one promised on parchment. The system does not work as it's supposed to. Nowadays, as the American Right catches up with the Left and looks upon the Watergate era with fresh eyes, a new political fissure is emerging. Watergate unites the anti-establishmentarian Left and the Right in their desire to unmask and confront this deep state. But this runs up against the pieties of the civic-minded center, who insist, like Gerald Ford, that "our Constitution works" as it should. So this desire to see the system for what it is—then change it—is still relentlessly blocked. That is, in the last analysis, why Watergate remains a scandal.

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