

UPDATED RANKINGS FROM
GEORGE WASHINGTON TO BARACK OBAMA



RECARVING RUSHMORE

RANKING THE PRESIDENTS ON
PEACE, PROSPERITY, AND LIBERTY



IVAN ELAND



IPPY
GOLD MEDAL
WINNER

THE INDEPENDENT INSTITUTE

RICHARD M. NIXON

Undermined the Republic at Home;
Had a Mixed Record Abroad



PP&L* RANKING: 30

Category: Bad

Thirty-seventh president of the United States

Term: January 20, 1969, to August 9, 1974

Party: Republican

Born: January 9, 1913, Yorba Linda, California

Died: April 22, 1994 (age eighty-one), New York City

Spouse: Thelma Catherine “Pat” Ryan Nixon

Alma Mater: Whittier College, Duke University School of Law

Occupation: Lawyer

Religion: Quaker

Richard M. Nixon is remembered primarily for Watergate, the scandal that involved significant violations of the laws and the Constitution and ended his presidency prematurely. However, there are other reasons — perhaps equally compelling — for considering him one of America’s worst presidents. Largely for political reasons, he sustained U.S. involvement in an unwinnable war in Vietnam, ordering actions against North Vietnam that should be considered war crimes. His monetary policies, ending the last remnants of the gold standard, were disastrous for the United States, and his fiscal policies were not much better. As the last liberal president, he continued an unreasonable expansion of federal involvement in everything from social welfare to the environment. Yet Nixon also began reducing the only existential threat to the United States (and much of the world) that has ever arisen. He did this by attempting to ease

*PP&L = Peace, Prosperity, and Liberty.

relations with the nuclear-armed nations of the Soviet Union and China and by pursuing the first treaty to limit nuclear arsenals with the USSR.

PEACE

Killed Many by Prolonging War in Southeast Asia to Attain "Peace with Honor"

In the 1968 presidential campaign, Nixon pledged to end the war in Vietnam. Then he needlessly spent four years and twenty-two thousand additional American lives (out of about fifty-eight thousand total U.S. deaths) to get the same settlement he could have gotten in 1969, shortly after taking office.

At the same time that he was publicly withdrawing U.S. forces and turning the war over to the South Vietnamese military to reduce antiwar sentiment at home, he was secretly escalating the war in Southeast Asia in other respects. Nixon was afraid that the communists' use of Laos and Cambodia as sanctuaries from which to attack South Vietnam would ruin "Vietnamization," the effort to help South Vietnam stand on its own feet. So he bombed Cambodia with U.S. aircraft and invaded with U.S. forces. In Laos, he used U.S. air power to support a South Vietnamese invasion and inflicted heavy casualties on civilians. Both actions were conducted secretly and unconstitutionally, without the approval of either Congress or the American public.

In response to North Vietnam's Easter Offensive in the spring of 1972, Nixon, in the Linebacker air offensive, resumed heavy bombing of North Vietnam and mining of Haiphong, the harbor where the North Vietnamese received supplies from the Soviet Union. To bring the reluctant North Vietnamese to the peace table, Nixon threatened the use of nuclear weapons and unleashed the Linebacker II bombing campaign, which included bombing civilian areas in North Vietnam. The Linebacker II campaign was the heaviest bombing in human history, and its indiscriminate nature could be classified as a war crime. It did, however, eventually cause the North Vietnamese to reach a peace agreement.

As a demonstration that Nixon didn't care about civilian casualties in Southeast Asia, he was heard on the White House tapes telling advisor Henry Kissinger, "You're so goddamned concerned about the civilians, and I don't give a damn. I don't care."¹

The slow U.S. retreat from Southeast Asia was necessitated by politics. In December 1970, Nixon began to talk about ending U.S. involvement in the

war by spring 1971. But Kissinger convinced him that if the South Vietnamese started losing the war after U.S. forces left, this debacle would occur in 1972, the year Nixon would be trying to get reelected. Kissinger favored continuing to wind the war down slowly, with a final U.S. pullout during the fall of 1972, so any unfavorable developments after the U.S. withdrawal would occur subsequent to the U.S. election.² Nixon's Linebacker II air offensive in the spring of 1972 had the desired effect — it played to the hard-line sentiments of many American voters and kept the North Vietnamese Easter Offensive on the ground from causing the South Vietnamese regime to collapse during an election year. The unconscionable political delay in ending the war, however, led to the deaths of more U.S. soldiers and Vietnamese on both sides in what was already known among U.S. policymakers to be a lost cause.

After the 1972 election, Nixon reached a peace agreement with the North Vietnamese that was unfavorable to the South Vietnamese government and that he knew the North Vietnamese would violate. If the South Vietnamese continued to refuse to sign the agreement, Nixon threatened to cut off aid to South Vietnam and implied that its President Thieu could meet the same fate as the assassinated South Vietnamese President Ngo Dinh Diem did in 1963. Nixon told Thieu that if the North Vietnamese violated the agreement he would bomb them from Guam, but Nixon knew at the time that the incoming Congress would likely cut off money for the war effort. Congress did and Nixon agreed to the termination.

All told, the Vietnam War had killed 58,000 Americans and 2.1 million Vietnamese soldiers and civilians on both sides. Furthermore, the United States had dumped \$138 billion in military aid and \$8.5 billion in economic assistance into the country.³ And all in a futile attempt to prevent an autocratic and corrupt government in a backwater country from being taken over by another form of despotism.

Congress — alarmed about Nixon's commencement of secret, unconstitutional wars without congressional or public consent⁴ — passed the War Powers Resolution of 1973, which requires executive consultation with Congress before any military action begins and after-the-fact congressional approval of any belligerent activities. But even this law did not reassert the Congress's constitutional power to declare war before a president achieves a *fait accompli* by having U.S. military forces already in combat. Even with the War Powers Resolution, once U.S. forces are engaged in fighting, it is difficult for Congress to disapprove the military mission without facing criticism that the legislative body is failing to support the troops when they are under fire. Thus, because the resolution

undermines prior congressional approval of armed hostilities, it is probably unconstitutional for a reason opposite those given by recent presidents: that the law erodes “inherent” presidential authority in foreign policy and as commander in chief. No such inherent authority for national belligerence exists in the absence of a declaration of war — with the exception of an immediate need for self-defense of the country. Also, the founders meant the president’s commander in chief authority to be taken narrowly — that is, commanding troops on the battlefield once war was declared.

The meager War Powers Resolution shows how much the post–World War II imperial presidency has usurped the vital congressional war powers that the framers envisioned. Even worse, subsequent presidents have flouted the resolution — even the weak requirement to consult Congress before initiating hostilities.

In the end, Nixon kept U.S. forces way too long in Southeast Asia in a vain attempt to achieve “peace with honor,” but the longer he stayed, the more U.S. prestige and credibility were tarnished in the eyes of the world.

Demonstrated a Slightly More Humble U.S. Foreign Policy after the Debacle in Vietnam

In foreign policy, Nixon and Kissinger believed that the United States was declining in relative power. After the Cuban Missile Crisis, the Soviets built up their conventional forces and reached general parity with the United States in strategic nuclear forces. In 1969, relations between China and the Soviet Union, badly strained since the late 1950s, became so bad that a border war broke out between the two giants. Nixon decided to take advantage of the situation in an effort to keep the two communist powers apart. Although China was the more radical of the two communist powers — still in the tumult of the Cultural Revolution — the anticommunist Nixon, always a realist, believed in supporting this weaker power against the stronger Soviet Union.

His dramatic visit to China and the improved U.S. relations with that power caused the Soviets also to want better relations with the United States. Nixon cleverly played off one communist power against the other one. The Soviets signed arms-control agreements with the United States that limited offensive nuclear weapons and antiballistic missile systems. This agreement was the first ever between the superpowers to limit nuclear weapons and saved both countries much money. Although China and the USSR were supporting U.S. enemies in the Vietnam War, Nixon was nevertheless able to improve relations with

both nuclear-armed nations, thus reducing the chances of having an atomic Armageddon — the only real existential threat to the United States in its history.

Because of the malaise in the United States induced by the Vietnam War, Nixon astutely scaled back the ambitious Truman Doctrine — designed to contain the Soviet Union and amplified by JFK's unrealistic "pay any price, bear any burden" speech. The Nixon Doctrine was designed to reduce U.S. commitments around the world, except in the Middle East. The doctrine avoided rushing U.S. troops into any conflict in the third world. If an internal revolt broke out in a country, the government of that nation would be responsible for battling it. If the Soviets sent aid to the rebel movement, the United States would send assistance to the threatened government. Sending U.S. troops was no longer at the top of the list of executive responses, as it had been in Vietnam.

Nixon did avoid confrontation with North Korea over its downing of a U.S. Navy reconnaissance plane and with the Soviets over alleged strategic nuclear ballistic missile submarine pens being built in Cuba. This latter episode calls into question JFK's aggressive response to Soviet land-based nuclear missiles in Cuba in 1962.

Although the Vietnam malaise prompted the adoption of the Nixon Doctrine, a slightly more humble U.S. foreign policy than previously, the Nixon administration did not completely end needless U.S. interventionism, which had become the norm after World War II. In the early 1970s, at the prodding of large U.S. corporations afraid that their lucrative investments in Chile would be nationalized, Nixon and Kissinger ordered the CIA to organize the destabilization and overthrow of the freely elected Marxist President Salvador Allende. This pressure came even though all major U.S. security agencies concluded that the United States had no vital interests in Chile, that Allende would pose no threat to peace in the region, and that the world balance of military power would not be affected by Allende's victory. Yet Kissinger declared privately, "I don't see why we need to stand by and watch a country go Communist due to the irresponsibility of its people."

In 1973, the Chilean military blasted Allende's office with aircraft and tanks and declared that he had committed suicide.⁵ Despite periodic rhetoric about the United States promoting democracy in the world, this is an example of the U.S. government's usual desire for friendly governments rather than democratic ones.

An action in Nixon's favor was that he ended the draft, which eliminated the contradiction in a free society of compelling people of a certain age group

and gender, against their will, to enter a dangerous occupation for little pay. In addition, Nixon agreed to destroy U.S. biological and chemical weapons.

PROSPERITY

The Last Liberal President; Set Bad Economic Policies and Expanded Government

Nixon promulgated bad economic policies. Despite his philosophical opposition to wage and price controls, he instituted such measures to contain inflation, which was caused, in part, by the Vietnam War. The disastrous measures distorted the economy and did not hold back inflation, which surged after the controls were taken off. The main reason for Nixon's adopting the controls was that he hoped to steal a campaign issue away from the Democrats.⁶

Also, the Nixon administration believed that wage and price controls were needed to restrain the inflation caused by the ultimate U.S. abandonment of fixed international exchange rates, which pegged foreign currencies to the U.S. dollar and gold. Profligate spending on Lyndon Johnson's Great Society programs, which Nixon didn't try to rescind, and the Vietnam War had undermined the dollar's position relative to other currencies.⁷ Fearing a run on U.S. gold reserves — as foreign actors exchanged the undermined dollar for other currencies, and foreign banks, in turn, exchanged the received dollars for U.S. gold — Nixon allowed the dollar to float. The United States would no longer exchange its gold for dollars at thirty-five dollars an ounce.⁸ That is, the value of the dollar was no longer fixed to gold and ultimately was unhooked from the value of other currencies. This action essentially devalued the dollar and raised the price of U.S. imports.⁹ The Nixon administration further increased the price of imports by imposing a 10 percent tax on them. The disastrous wage and price controls were instituted to counteract these other bad government economic policies.

Flexible exchange rates are better than fixed ones because each currency can find its own natural value, but U.S. abandonment of what was left of the gold standard (only enough gold existed in U.S. reserves to back 25 percent of the dollars in circulation worldwide) caused great amounts of inflation over the long term. Also causing inflation was Nixon's blatant political pressure on Federal Reserve Chairman Arthur Burns to rapidly expand the money supply — artificially pumping up the economy so that Nixon could be reelected in 1972. The high inflation caused by this monetary expansion, of course, did not hit the

American people until the election was long over. The public got inflation, high interest rates, and burgeoning unemployment — called “stagflation” — which lasted through the Carter administration. All in all, Nixon’s monetary policies, for the most part, were unprincipled and bad for the country.

Nixon’s fiscal policies weren’t much better. He could not have cared less about domestic policy. He was only interested in foreign policy and the politics needed to get him reelected.¹⁰ Nixon traded his continuance of most of LBJ’s Great Society programs for Democratic support of, or tempered opposition to, his attempt to remake the world by U.S. foreign policy. Such a bargain also occurred during the Reagan administration, with Reagan offering his support for a Democratic Congress’s exorbitant domestic spending in exchange for its backing of his profligate and unneeded military buildup. This “warfare state leads to welfare state” logrolling has taken place numerous times in American history.

Federal spending on social programs increased greatly during the first half of the 1970s. Nixon proposed universal medical insurance and declared himself to be a Keynesian (he believed hiked government spending led to increased aggregate demand for goods and services, thus promoting economic growth) in economic policy (something even FDR did not do), calling for federal deficits in times of recession.¹¹ Thus, he is accurately referred to as the “last liberal president.”¹² Vedder and Gallaway give Nixon a low ranking on policies limiting government and fighting inflation — twenty-ninth out of thirty-nine presidents ranked.

Like fellow Republicans Ronald Reagan and George W. Bush, Nixon paid lip service to free trade, but was unwilling to reduce trade barriers and would increase them whenever political gain might result — for example, increasing tariffs on textiles to win votes in the South.¹³

In a liberal frenzy, Nixon created the Environmental Protection Agency by executive order, the Occupational Safety and Health Administration (OSHA), the Consumer Product Safety Commission, Amtrak, and a war on cancer; he also substantially increased federal subsidization of the arts. In addition, Nixon wasted a lot of money ramping up the government’s “war on crime,” which, like other government wars on society’s maladies, failed. Nixon strengthened penalties for drug use,¹⁴ a “crime” that hurts only the user. Drug arrests and seizures soared.

Finding that environmental issues were popular with the public, Nixon created the National Oceanic and Atmospheric Administration in the Commerce Department, forced carmakers to reduce emissions under the Clean Air Act

Extension of 1970, signed the Endangered Species Act, and expanded the national parks.¹⁵

Warren Harding had assigned the Bureau of the Budget to review agency budgets and compile a unified executive budget, and FDR had transferred the bureau into the executive office of the president and had given it the power to review agency legislative proposals; Nixon renamed the bureau the Office of Management and Budget (OMB) and also gave it the power to review agency regulations and undertake rulemaking without involving Congress. This effectively centralized the approval of regulations in the Executive Office of the President.

Nixon gave elderly Americans, the wealthiest group in society, an increase in Social Security benefits and indexed them to inflation one month before the election, but he delayed the payroll tax increase to pay for it until after the voting.¹⁶

Nixon tried in 1969 to weaken the Voting Rights Act and encouraged the Department of Health, Education, and Welfare and the civil rights division at the Justice Department to go slow on enforcing civil rights legislation passed during LBJ's administration.¹⁷

Nixon proposed — although not too seriously — a negative income tax or guaranteed annual income for the poor. Many conservatives would object to the government just giving poor people cash, but Nixon wanted to do so as a substitute for the government dispensing welfare services. In other words, if coupled with the termination of all categorical welfare programs — such as the Food Stamp Program and Aid to Families with Dependent Children (AFDC) — a negative income tax would have eliminated all the grossly inefficient federal welfare bureaucracies and instead would have allowed poor people to decide what they wanted to spend the money on. That combination would have been a step in the right direction. Unfortunately, Nixon's proposal didn't terminate all categorical welfare programs and actually added people to the welfare rolls. On balance, during his presidency, Nixon enhanced the federal role in welfare.

Nixon also wanted to end categorical federal aid to the states for specific projects — for example, road construction, vocational education, and slum clearance — and just give states the money to be used as they saw fit, including possibly returning some to the taxpayers. This New Federalism, based on “revenue sharing” by the national government to the states, aimed at reversing what Nixon saw as the federal government grabbing all the choice sources of revenue.¹⁸ This devolution of decision making to the states was progress, but cuts in federal aid and federal taxes would have been preferable.

LIBERTY

Involved in Watergate

The other major catastrophe during Nixon's presidency was his own corruption, including Watergate. Unlike the petty corruption for money in the Grant and Harding administrations — in which neither president had any direct role — Watergate and related corruption during Nixon's administration cut to the heart of the political system and raised legal and constitutional issues. In addition, the president was directly involved in the scandal.

Nixon, paranoid by nature, believed his enemies were out to get him, thus necessitating, in his mind, the use of illegal means to spy on them and to wage political warfare to get them first.¹⁹ The tax returns of political opponents were audited, Democratic events were disrupted, and Vietnam protesters were illegally spied upon and manhandled.

Nixon's aides established a "plumbers" unit to do illegal acts that the CIA and FBI refused to do without presidential authorization. Although Nixon did not specifically order the Watergate burglary and wiretapping of the Democratic national headquarters (he had ordered or discussed with his staff other break-ins, including that of antiwar dissenter Daniel Ellsberg's psychiatrist's office and the liberal Brookings Institution), he had directed that an aggressive and illegal intelligence campaign be conducted against his political opponents — of which the Watergate break-in was a part.

The creation of the plumbers unit and the surveillance of political opponents, in turn, grew out of the wiretapping of journalists and White House staff members to find out who had leaked his secret bombing of Cambodia to the press. This illegal domestic surveillance is another example, which recurs throughout American history, of overseas war leading to the erosion of civil liberties at home.

Once the Watergate burglary became known, Nixon ordered the CIA to claim that it was a national security operation. This effort was an unsuccessful attempt to obstruct a criminal investigation. Nixon also ordered that hush money be paid to the Watergate burglars to ensure their silence.

Congress began investigating the Watergate affair. When it was disclosed that Nixon had a White House taping system that might incriminate him in the cover-up, congressional committees wanted the tapes. Nixon pleaded that the tapes were protected by executive privilege — something that was never mentioned in the Constitution but has been invoked by presidents since Dwight Eisenhower. The Supreme Court ruled that the concept was not absolute and

did not shield material relevant in a criminal inquiry. Yet, as the founders envisioned the original checks and balances system, Nixon could have disagreed with the Supreme Court and refused to turn over the tapes, which many thought that he would do. To his credit, Nixon turned over the damning tapes, which revealed his complicity in the cover-up.

Nevertheless, despite not letting Nixon invoke executive privilege in these specific circumstances, the court validated the questionable concept; subsequent presidents would use it broadly at later dates.

The Judiciary Committee reported a resolution to the House of Representatives that impeached Nixon for obstructing justice, being in contempt of Congress for his thwarting of congressional subpoenas,²⁰ and abusing power and violating the presidential oath of office. Nixon resigned and was later pardoned by Gerald Ford, his vice president turned president.

In all, convictions of officials in the Nixon administration included Vice President Spiro Agnew, three cabinet officers, the president's top White House aides, and many other government officials and campaign contributors.²¹ Nixon himself was listed as an "unindicted coconspirator" in a conspiracy to defraud the United States and to obstruct justice.²²

Ironically, the campaign illegalities and dirty tricks that brought paranoid Nixon down were unnecessary. In June 1972, at the time of the Watergate burglary, Nixon's likely opponent was George McGovern, a weak challenger. Nixon ultimately won the greatest electoral landslide in U.S. history, garnering a whopping 60.7 percent of the vote.²³

Watergate was serious because the U.S. political system was undermined by the use of illegal dirty tricks in the 1972 election, by the chief executive trying to misuse U.S. security agencies, by the president illegally obstructing justice in an attempt to cover up crimes, and by enshrinement of the legally unconstitutional concept of executive privilege.

CONCLUSION

Nixon's accomplishments — improved relations with China and the Soviet Union and a more restrained post-Vietnam Cold War foreign policy — did not make up for the unnecessary deaths and war crimes arising out of the needlessly prolonged war for a "lost cause" in Vietnam and for the substantial harm that Watergate did to the U.S. political system.

But the scandal probably was less serious constitutionally than Ronald Reagan's Iran-Contra scandal. Reagan is ranked below Nixon in the standings here because he had fewer ameliorating accomplishments than Nixon, needlessly increased the existential nuclear threat by reversing Nixon's policy of détente with the Soviet Union, knowingly authorized illegal sales of arms to a state sponsor of terrorism, and then used the proceeds to flout congressional prohibitions on funding the Nicaraguan Contra movement. Reagan secretly tried to circumvent Congress's most important, but already eroded, constitutional power — to approve or disapprove funding for federal initiatives — thus undermining the heart of the Constitution's system of checks and balances. Yet Nixon's cover-up and obstruction of justice, abuse of government power, and attempts to misuse U.S. security agencies during Watergate harmed the rule of law significantly. Reagan was saved from impeachment and disgrace only by being more popular, by benefiting from better economic conditions, and by finally making his scandal public rather than covering it up, as Nixon had attempted to do. Richard M. Nixon, is number thirty here.

Notes to Richard M. Nixon

1. Farquhar, *A Treasury of Great American Scandals*, 222.
2. Richard Reeves, *President Nixon: Alone in the White House* (New York: Simon and Schuster, 2001), 288.
3. *Ibid.*, 564.
4. For more on Nixon's conception of the war power and a refutation, see Francis D. Wormuth, "The Nixon Theory of the War Power: A Critique," *California Law Review*, 60, 3 (May 1972), 623–703.
5. *Ibid.*, 605.
6. *Ibid.*, 392–393, 607.
7. Greg Kaza, "A Future for Gold," Ludwig Von Mises Institute, October 5, 2000, www.gold-eagle.com/editorials_00/kaza100500.html.
8. Roger Leroy Miller and Raburn M. Williams, *The New Economics of Richard Nixon: Freezes, Floats, and Fiscal Policy* (San Francisco: Canfield Press, 1972), 1–2.
9. For more on Nixon's abandoning the gold standard, see Murray N. Rothbard, *What Has the Government Done to Our Money?* (Auburn, AL: Ludwig Von Mises Institute, [1963], 1990), 105–107.
10. Reeves, *President Nixon*, 295–297.
11. *Ibid.*, 44, 294–295.
12. For more on Nixon being the last Cold War liberal, see H. W. Brands, *The Strange Death of American Liberalism* (New Haven, CT: Yale University Press, 2001).
13. Allen J. Matusow, *Nixon's Economy: Booms, Busts, Dollars, and Votes* (Lawrence: University Press of Kansas, 1998), 119–121.
14. Robert Mason, *Richard Nixon and the Quest for a New Majority* (Chapel Hill and London: University of North Carolina Press, 2004), 93. For more details on Nixon's aggressive antidrug policies, see *Confronting Drug Policy: Illicit Drugs in a Free Society*, ed. Ronald Bayer and Gerald M. Oppenheimer (Cambridge, UK: Cambridge University Press, 1993), 148.
15. Melvin Small, *The Presidency of Richard Nixon* (Lawrence: University Press of Kansas, 1999), 153, 198.
16. Reeves, *President Nixon*, 131, 513.
17. Thomas F. Schaller, *Whistling Past Dixie: How Democrats Can Win without the South* (New York: Simon and Schuster, 2006), 41.
18. *Ibid.*, 112, 566.
19. Lewis L. Gould, "Richard Milhous Nixon: The Road to Watergate," in *The Presidents*, ed. Beschloss, 429.
20. Whitney, *The American Presidents*, 386–387.
21. *Ibid.*, 354.
22. Reeves, *President Nixon*, 608.
23. *Ibid.*, 541.