

GERALD FORD, "REMARKS ON SIGNING A PROCLAMATION GRANTING PARDON TO RICHARD NIXON, SEPTEMBER 8, 1974" (8 September 1974)

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Abstract: Gerald Ford, the only politician to serve as vice-president and president without being elected to either office, is primarily remembered for pardoning Richard M. Nixon following the Watergate scandal. The defining moment of Ford's presidency is considered by many to be a rhetorical failure in the short term because he did not satisfy the requirements of such an act. In the long run, however, Ford's decision to pardon Nixon helped restore public trust in the presidency.

Key Words: Gerald Ford, Richard Nixon, Watergate, impeachment, pardon, executive privilege, polling.

Gerald R. Ford assumed the presidency on August 9, 1974, one day after Richard Nixon resigned. Ford became president under the most unusual circumstances in the nation's history.¹ He was the only man to serve as vice-president and president without being elected to either office, and in both cases, his predecessor left the office in disgrace. Ford served as president when the nation's confidence in elected officials was perhaps at an all-time low. And ultimately, Ford's own tenure as president is often reduced to the one act for which he is most remembered: his pardoning of Richard Nixon.²

In the conventional wisdom, the act that defined Ford's presidency was a failure, at least for many within Ford's immediate audience. Ford issued the pardon amidst rumors of a pre-arranged deal between Nixon and Ford, or a *quid pro quo*: the presidency for a pardon. Ford's address to the nation, which enacted the pardon, was ill-timed. In the address itself, Ford did not convincingly satisfy the requirements that scholars have identified as necessary in the rhetoric of pardoning: he did not adequately act in the presidential role as the symbolic head of state, he did not demonstrate persuasively that he was acting at an opportune time, and he did not sufficiently justify the pardon in terms of the public good. In the long run, however, Ford's decision to pardon Nixon may have helped repair public trust in the executive office. Although his motives were questioned in the wake of the Nixon pardon, Ford was later remembered as a man of strong character and as one of the most likeable presidents. As time has passed, Ford increasingly has been credited with "healing the nation" in the wake of the Watergate scandal. Following his death in December, 2006, he was memorialized as a

president who accomplished much in office, despite challenging economic conditions and the fallout from the Nixon pardon.³

Gerald R. Ford: The Accidental President

Born in Omaha, Nebraska on July 14, 1913, Ford was christened Leslie Lynch King, Jr., the son of Dorothy Gardner and Leslie Lynch King, Sr. Gardner had married the affluent King when she was a nineteen year-old college student, before discovering King's violent temper.⁴ Just 16 days after her son's birth, Gardner fled to Harvard, Illinois with her newborn, fearing for their safety.⁵ After winning her divorce suit five months later, Gardner moved to Grand Rapids, Michigan, where she met Gerald Rudolf Ford, a young salesman for the Grand Rapids Wood Finishing Company. They were married in 1916, and shortly thereafter Ford legally adopted his new son and renamed him Gerald Rudolph Ford, Jr.⁶

The young Ford found his niche by excelling as an athlete in high school. He lettered in football, basketball, and track, while also participating in the YMCA swim team and playing for the Boy Scout baseball team. Ford always maintained that football "has been and is my first love."⁷ Named to the all-city and all-state squads when his team won the state championship his senior year in 1930, Ford received invitations to play for Harvard, Northwestern, and Michigan State. He ultimately chose to play at the University of Michigan, where he anchored the offensive line as the team's center.⁸ In the balloting for the 1935 Collegiate All-Star game, Ford was the number-four vote-getter among fans around the nation. Two professional football franchises, the Detroit Lions and Green Bay Packers, even offered Ford a contract. Pro football contracts then were not nearly as lucrative as they are today, so Ford instead accepted a position at Yale University, where he served as assistant line coach for the varsity football team, head coach of the junior varsity team, and head coach of the boxing team.⁹

While at Yale, Ford developed an aspiration to study law.¹⁰ The school granted him permission to begin taking law classes part-time in 1938. The next year he began attending law school full-time. Ford completed his law degree in 1941, graduating in the top third of his class. After commencement, Ford returned to Grand Rapids and opened a law firm with a college fraternity brother. The firm lasted less than a year, however, as Ford decided to enlist in the Navy after the attack on Pearl Harbor.¹¹

Ford's involvement in the war seemed to impress upon him a duty to contribute to his community. As biographer Bud Vestal put it, Ford was eager to "be a part of something enduring."¹² After the war, the political climate in Grand Rapids was favorable for unseating incumbent Republican congressman Bartel Jonkman, who staunchly opposed any post-war aid to Europe. Ford announced his candidacy in 1948, but Jonkman refused to consider Ford a serious challenger and rebuffed his offers to debate. Jonkman did not even return from Washington to wage a full campaign. As a result, Jonkman angered the leadership of the United Auto Workers, and Ford was able to take advantage of Jonkman's absence from the community to make political allies and earn the support of the *Grand Rapids Press*.¹³ On Election Day, Ford won the primary by a margin of nearly two votes to one, and on November 2, 1948, he won the

general election by an even wider margin.¹⁴ Two weeks prior, Ford married Betty Warren.¹⁵ With a new wife and a new political career, Ford moved to Washington, D.C. where he represented Michigan's Fifth District in the House of Representatives until 1973. During that span, he would never poll less than 60 percent of the vote in his bids for reelection.¹⁶

Upon taking office, Ford quickly began building a reputation as a loyal and earnest politician. He was named to the House Appropriations Committee in 1950. Ford also forged a friendship with Richard Nixon, who was serving as vice-president under Dwight D. Eisenhower.¹⁷ In 1965, during Lyndon Johnson's administration, Ford was elected House Minority Leader. Charles Goodell, one of Ford's colleagues in the House, famously explained, "It wasn't as though everybody was wildly enthusiastic about Jerry. It was just that most Republicans liked and respected him. He didn't have any enemies."¹⁸ President Johnson even appointed Ford as one of only two Republican congressmen on the Warren Commission, which was established to investigate the assassination of John F. Kennedy.¹⁹

Ford was still serving as House Minority Leader when his friend Richard Nixon was elected to the presidency. Ford considered it his duty to help respond to the growing criticism of Nixon's foreign policy decisions, causing some to view Ford as a "knee-jerk" supporter of Nixon.²⁰ Yet Ford's loyalty ultimately paid off when Vice-President Spiro Agnew was forced to resign on October 10, 1973, in order to avoid possible jail time for income tax evasion and extortion.²¹ Ford suddenly was a leading candidate to replace Agnew as vice-president.

It is widely believed that Ford may not have been Nixon's first choice to succeed Agnew as vice-president. Nixon reportedly preferred former Texas Governor and Treasury Secretary John Connally because of his administrative and political skills, but selecting Ford as vice-president held several strategic advantages. Because Ford was widely liked and trusted on Capitol Hill, he could be easily confirmed. As vice-president, Ford also could bolster the relationship between the White House and the Congress.²² Thus, Nixon deferred to the opinions of his colleagues in the House and Senate and ultimately appointed Ford to the position. Ford was sworn in as Nixon's vice-president on December 6, 1973.²³

Ford was never expected to ascend to the role of president. Even Nixon reportedly mocked his new vice-president by asking the press, "Can you imagine Jerry Ford sitting in this chair?"²⁴ Still, Ford was fiercely loyal to Nixon in his position as vice-president, taking on the role of the administration's "fire-breather" as new evidence emerged out of the Watergate investigation and the White House came under increasing scrutiny.²⁵ Even after the House Judiciary Committee approved three articles of impeachment against Nixon in late July, 1974, Ford maintained the president's innocence. Only when Ford learned about the "devastating, even catastrophic" Oval Office tape recordings between Nixon and H.R. Haldeman did he realize that he might soon assume the presidency.²⁶ Nixon finally resigned from office on August 8, 1974, and Ford was sworn in the next day under the terms of the Twenty-fifth Amendment.

Ford has sometimes been referred to as "the accidental president" because he never sought the presidency and he was never elected to the office. In fact, Ford

became president of the United States without ever being elected to any office other than the U.S. House of Representatives from Michigan's Fifth District.²⁷ Ford climbed the political ladder and ultimately became president, some might claim, only because of his likeability--his character.²⁸ Yet after Nixon's turbulent and scandal-ridden presidency, Ford seemed to have the right kind of personality and reputation to help restore public trust in the presidency. Neither stridently partisan nor overly ambitious, he seemed to have the character attributes necessary to restore public confidence in the Oval Office.

The Presidency in Crisis: The Watergate Scandal and Its Aftermath

When Gerald Ford assumed the presidency, public confidence in elected officials was possibly at an all-time low. Even before resignations of Agnew and Nixon, the nation's political atmosphere was turbulent. The country remained embroiled in a controversial war in Vietnam. Americans were experiencing the worst domestic problems of the post-World War II era, including inflation and a looming energy crisis.²⁹ As citizens looked for strong leadership, they instead were met with betrayal, scandal, and even criminal activities from their nation's political leaders.

The sequence of events leading up to Ford's "accidental presidency" began early in the morning on Saturday, June 17, 1972, when a security guard at the Watergate office building in Washington, D.C. suspected that a burglary was in progress at the headquarters of the Democratic National Committee (DNC). Police were dispatched to the scene, where they discovered that five men had broken into the DNC headquarters. The five suspects were carrying cameras, film, lock-picking tools, listening devices, and cash. The leader of the group was identified as James W. McCord, Jr., a former CIA and FBI agent who, at the time, was serving as security chief for the Committee to Reelect the President (CREEP).³⁰ The *Washington Post* broke the story of the city's first ever political burglary the next day, characterizing the break-in as a plot to bug Democratic Party offices.³¹

Nixon insisted that the White House was not involved in the break-in until evidence emerged to tie several of the burglars directly to the administration. Meanwhile, Nixon worked to cover up the scandal, contain the damage, and halt the FBI investigation.³² In an address to the nation on April 30, 1973, Nixon announced that he had accepted the resignations of two chief staff members involved in the break-in. He also accepted responsibility as the Chief Executive, while encouraging both citizens and politicians alike to help ensure that "real" issues (the war and the economy) were not neglected.³³ Several months later, on August 15, 1973, Nixon again addressed the nation about the Watergate scandal, this time defending his use of executive privilege in denying the release of the "Watergate tapes," which consisted of recordings of his telephone and personal conversations with top aides and others in the White House.³⁴ After a grand jury ruling, the White House released transcripts of those conversations on March 1, 1974, but the transcripts were incomplete and judiciously edited. On July 24, 1974, the Supreme Court ruled unanimously that Nixon must surrender the actual audio tapes.³⁵ When Nixon balked, the House Judiciary Committee voted to recommend three articles of impeachment to the full House, including obstruction of justice. Before the

House could vote on impeachment, Nixon finally surrendered the tapes on August 5. One of the tapes was transcribed from a conversation in the Oval Office--six days after the Watergate break-in--during which Nixon clearly ordered his aides to block the FBI from investigating the burglary.³⁶ This recorded conversation, which came to be known as the "smoking gun," irrevocably damaged Nixon's defense. The recording essentially proved that Nixon was guilty of obstruction of justice, and now he surely would be impeached.³⁷ After delivering a final televised address to the nation, followed by an emotional farewell speech to his White House staff, Nixon resigned from office on August 8, 1974.³⁸

The following morning, Ford was sworn in as the thirty-eighth president of the United States. The new president declared in his first speech as president, "My fellow Americans, our long national nightmare is over."³⁹ Ford speechwriter Bob Hartmann asserted that "[n]o American president, possibly excepting George Washington, ever entered upon his official duties with a greater reservoir of public good will or with higher hopes for his success."⁴⁰ A Gallup Poll in late August gave Ford a 71 percent approval rating, with only three percent disapproving.⁴¹ The public and the press had high hopes for the Ford presidency, apparently thinking that Ford's "straight talk" and "clumsy sincerity" could help the nation recover from the Watergate scandal.⁴² Recalling Ford's first few weeks in office, journalist Richard Reeves remarked that the ugliness of the Watergate scandal and Nixon's resignation apparently "was forgotten for a euphoric moment in history."⁴³

The moment didn't last long, however. During Ford's first press conference, on August 28, nearly a third of the questions were about the fallout from Watergate--specifically, Nixon's legal quandary. Ford, it seemed, would have to resolve the legal issues surrounding Watergate if he hoped to move the nation forward.⁴⁴ Ford occupied a tenuous position. He was expected to restore honor and integrity to the White House and to our whole system of constitutional government, yet he apparently concluded that the only way he could close the book on the Watergate scandal and move the nation forward was to pardon Richard Nixon. For some, of course, such a decision would reflect badly on Ford's own character. Indeed, Ford's polling data revealed that a significant number of people would refuse to vote for his reelection if he pardoned Nixon.⁴⁵

During this same time period, the Ford administration also supported an agreement between Nixon and the General Services Administration (which was the agency of authority over donated presidential papers at that time), which granted Nixon eventual control over his own presidential papers, including the tapes. This created a large outcry, leading to the passage of the Preservation of Presidential Recordings and Materials Act.⁴⁶ This additional controversy further denigrated Ford's image. Yet Ford speculated that a long, drawn-out impeachment trial would irrevocably damage not only his presidency but the nation's leadership position in the world. Consequently, Ford opted to pardon Richard Nixon. He then announced and tried to justify that decision in a speech to the nation on Sunday, September 8, 1974.⁴⁷

The Pardon Speech

Gerald Ford's speech announcing the pardoning of Richard Nixon may have been doomed from the start. Clearly, some Americans would not have accepted the pardon no matter what Ford said to justify it. Moreover, there were two other situational factors working against the success of the speech: the widespread speculation that Ford had made some sort of a deal to pardon Nixon, and the poor timing of the address itself.

Rumors of a "secret deal" between Nixon and Ford--a *quid pro quo* exchange of the presidency for the pardon--had been circulating for some time before the address. Two weeks before the pardon, *Newsweek* warned that granting Nixon immunity would "smack too much of a deal between the two men."⁴⁸ Indeed, public speculation about a "deal" had begun the moment Nixon chose Ford as his vice-president after Agnew's resignation. Suspicion over a possible deal not only bred further mistrust of corrupt Washington politicians, but also fueled suspicions that Ford was nothing more than a "Nixon soldier." Some feared that a Ford administration would simply continue Nixon's "imperial presidency."⁴⁹ *Washington Post* columnist Mary McGrory flatly accused Ford of cronyism and questioned his political motives for the pardon: "He said he was 'healing the country.' What he was doing was a favor to an old friend while simultaneously trying to sink a nasty situation well before his own re-election campaign."⁵⁰

No conclusive evidence ever emerged to support suspicions of a "deal,"⁵¹ but the peculiar timing of the address only added to those suspicions. By choosing to address the nation on Sunday morning, Ford seemed to be trying to bury the news about Nixon's pardon. Sunday papers already had been delivered; there would be no newspaper stories until the following morning. Furthermore, there was no drive-time news radio on Sundays, and Sunday morning traditionally drew small television audiences.⁵² Ford himself recalled reactions to his timing of his speech in his memoirs: "The timing of the announcement--11 o'clock on Sunday morning--was touted as proof of the conspiracy."⁵³ Moreover, President Ford issued the pardon on September 8, almost exactly one month after he had been sworn into office. That raised still more questions. If the pardon was necessary in order to heal the nation, why didn't Ford issue it immediately upon taking office? Or, conversely, why couldn't Ford have waited longer to deliver a pardon? Why not let the judicial process run its course, *then* pardon the ex-president, once all the facts had become known?⁵⁴ Either way, Ford needed to account for the timing of the pardon.

In his speech, however, Ford did not provide Americans with a convincing explanation for *why* he pardoned Nixon, much less for the timing of the decision. The presidential pardoning power is explicated in Article II, section 2, of the U.S. Constitution, which states that the president "shall have Power to Grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment." As Karlyn Kohrs Campbell and Kathleen Hall Jamieson explain, the article was "intended as a vehicle to temper justice for the public good."⁵⁵ Pardoning is therefore a public act in which "the president, as the symbolic head of state, following a time-worn testamentary formula, acts at an appropriate moment in order to temper justice either for the public good or to extend mercy to individuals."⁵⁶ The "rhetorical form" of the pardon,

according to Campbell and Jamieson, thus contains three key elements: (1) the president must act "as the symbolic head of state"; (2) the president must demonstrate "that this is an opportune time for action"; and (3) the president must justify the pardon as serving "the public good."⁵⁷ An analysis of President Ford's speech pardoning Richard Nixon suggests that he failed to adequately satisfy all three of these requirements.

First, Ford failed to act "in the presidential role as the symbolic head of state" because he neglected to clearly explain how his action was grounded in his constitutional powers. Throughout the speech, Ford vacillated between justifying the pardon under the terms of the Constitution and justifying it on more personal or moral grounds. This fluctuation suggested some uncertainty over the "real" motive for the pardon. Was the pardon granted on the basis of Ford's constitutional authority as president? Or was it a matter of personal conscience? Ford muddled the answers to these questions when he declared that he was enacting the pardon "not as President but as a humble servant of God" (22).⁵⁸ Such an argument, thus, did not accentuate his constitutional authority and instead framed the issue as one of personal conscience and religious conviction.

In their characterization of Ford's pardoning address as a "failure in motivational strategy," James F. Klumpp and Jeffrey K. Lukehart argue that Ford neglected to reconcile the moral and legal themes of the speech into a "single compatible perspective from which his pardon became the appropriate response to the situation."⁵⁹ Campbell and Jamieson add that by talking about "his conscience," Ford undermined his own legal authority; he consequently compounded the problem by emphasizing his role as a "humble servant of God" rather than his constitutional powers as president.⁶⁰ This questionable strategy was evident from the opening line of the speech, when Ford referred to "my own mind" and "my own conscience" as the sources of his decision (1). Ford used personal pronouns (I, my, mine, me) fourteen times in the opening five sentences of the speech (1-4) and three more times in the seventh sentence (6). Ford's initial attempts to appeal to his personal character by using these personal pronouns seemed inconsistent with later arguments that grounded the pardon in his constitutional authority.⁶¹ Because Ford first staked his authority to pardon Nixon so heavily on the basis of his own morals and conscience, citizens may have been skeptical of his later efforts to justify the pardon on legal grounds.

These contradictions were clearly manifested throughout the address. Early in the speech, Ford deferred to both his duty under the Constitution and his duty to God: "I have promised to uphold the Constitution, to do what is right as God gives me to see the right [sic], and to do the very best that I can for America" (6). Yet Ford did not distinguish between these multiple duties, nor did he explore whether they were in any way conflicting obligations. Ford also did not argue that his decision to pardon Nixon stemmed equally from his duties under the Constitution and under God, which might have strengthened his argument. Instead, Ford actually undermined his constitutional authority by accentuating the authority of his moral obligations: "The Constitution is the supreme law of our land, and it governs our actions as citizens. Only the laws of God, which govern our consciences, are superior to it. As we are a nation under God, so I am sworn to uphold our laws with the help of God" (7-8). Ford never mentioned the

Constitution again until he closed the speech with a formal declaration of the pardon (26).

Throughout most of the address, Ford instead emphasized how his decision was rooted in a personal moral obligation rather than his constitutional authority: "I have sought such guidance and searched my own conscience with special diligence to determine the right thing for me to do" (9). Ford conceded that there were "no historic or legal precedents" for his decision (12). Yet he also neglected to discuss the nature and purpose of the presidential pardoning power, thus failing to capitalize on the constitutional rationale for his action. He primarily based his case for the pardon on his own moral principles, even though he concluded the speech by formally issuing the pardon "pursuant to the pardon power conferred upon me by Article II, Section 2, of the Constitution" (26). In sum, Ford did not successfully embody his presidential role as the symbolic head of state; instead, he grounded his argument mostly in personal values, not in his presidential oath to uphold the Constitution.

The questionable timing of the address caused still more problems for Ford, as it undermined his ability to fulfill the second requirement of an effective pardoning address: demonstrating "that this is an opportune time for action." In the opening of the speech, Ford related, "I have come to a decision which I felt I should tell you and all of my fellow American citizens, as soon as I was certain in my own mind and in my own conscience that it is the right thing to do" (1). Ford thus implied that his decision had just come upon him at that moment, which seemed dubious at best. Why did Ford choose this particular time to pardon Nixon? He seemed to have no clear answer to that question. At the same time, he also implied that he had been wrestling with the decision for some time, at one point describing his decision-making process this way: "My customary policy is to try and get all the facts and to consider the opinions of my countrymen and to take counsel with my most valued friends" (3). Yet Ford ultimately insisted that "the decision is mine" (4), thereby adding to the confusion over whether he was motivated by his personal moral conscience or by political calculations arising out of weeks of consultations with friends and political advisers. Did he really know all along that the pardon was the right thing to do? If so, why didn't he issue the pardon immediately? And if it took weeks to decide whether it was the right thing to do, could he really be so sure it was the "right" decision? In short, Ford had no clear explanation for the timing of his decision.

Later in the speech, Ford tried again to explain the timing of his decision, but the effort seemed feeble: "To procrastinate, to agonize, and to wait for a more favorable turn of events that may never come or more compelling external pressures that may as well be wrong as right, is itself a decision of sorts and a weak and potentially dangerous course for a President to follow" (5). Campbell and Jamieson have contended that this comment actually drew attention to the "less than favorable conditions and the less than compelling external pressures at this time."⁶² Ford's explanation for the timing of the speech instead heightened suspicions over his motives by suggesting that he hoped to avoid even more damage to his political career down the road. This contradicts Ford's stated motivation behind the pardon when he explained, "My conscience tells me clearly and certainly that I cannot prolong the bad dreams that continue to reopen a

chapter that is closed" (21). Campbell and Jamieson suggested that citizens ought to have been suspicious of Ford's claim that a pardon was required to heal the nation. If that were true, Ford could have closed the "chapter" on Watergate by issuing the pardon immediately upon assuming office.⁶³ On the other hand, had Ford issued an immediate pardon of Nixon, he might have reinforced suspicions that he agreed to the pardon in exchange for assuming the presidency. Ford thus found himself in a difficult position, with limited options to satisfactorily account for the timing of his decision.

In the process, Ford did not adequately explain why he was unwilling to let the legal process take its course. He declared that "someone must write the end" to the Nixon "tragedy" and that he was that "someone" (10-11). Yet Ford did not *have* to be the one to end the Watergate saga; allowing the judicial process to go forward would have also provided a conclusion eventually--perhaps even a more satisfying one. Ford argued, "In the end, the courts might well hold that Richard Nixon had been denied due process, and the verdict of history would even more be inconclusive" (18). Yet in this statement, Ford acknowledged that his pardon was itself inconclusive,⁶⁴ and he gave no good reason to expect that the legal process "might" be "even more" inconclusive. Although Ford may have been correct about the possibility that Nixon would not get a fair trial, the president would still have the ability to pardon Nixon under those circumstances--*after* the legal process had been completed. Ford's statement in the pardoning address also contradicted his stance in a press conference on August 28, as well as during his vice-presidential confirmation hearings, when he promised that he would not consider pardoning Nixon until after the judicial process had run its course.⁶⁵ Ford did not attempt to explain his change of heart, nor did he adequately explain why a pardon seemed so necessary at that moment in time.

Having considered the inadequacies of Ford's arguments in terms of the first two elements of pardoning rhetoric, we can now examine whether he met the third and final element: "justifying the pardon as for the public good." Ford attempted to make a case that the pardon was issued out of "concern" for the "immediate future of this great country" (19). He declared: "As President, my primary concern must always be the greatest good of all the people of the United States whose servant I am" (20). Yet Ford's argument that the pardon was necessary for the public good was underwhelming, at least in this particular address. Indeed, the speech could actually be construed as subordinating the public good to the benefits of a pardon for both Nixon and Ford personally.

Campbell and Jamieson, in fact, make this point, contending that Ford justified the pardon on the grounds of mercy for Nixon more than on behalf of the public good.⁶⁶ Ford specifically appealed to mercy by declaring: "I do believe, with all my heart and mind and spirit, that I, not as President but as a humble servant of God, will receive justice without mercy if I fail to show mercy" (24). Ford expressed more concern for the judgment of God than the interests of the American people. In fact, Ford made it clear that he would not "rely upon public opinion polls to tell me what is right" (22). Although Ford was correct that the pardoning power was not envisioned by the founders as an expression of popular opinion, he still had an obligation to explain how he had exercised that power for the public good. Instead, Ford emphasized his own conscience--his need

to feel good about himself--rather than the public good. He did not attempt to reconcile the two objectives as one and the same. Moreover, his final appeal before proclaiming the pardon itself was yet another plea for mercy on behalf of Nixon: "Finally, I feel that Richard Nixon and his loved ones have suffered enough and will continue to suffer, no matter what I do, no matter what we, as a great and good nation, can do together to make his goal of peace come true" (25).

Ford asked the American public for mercy, yet he did not call upon Nixon to atone for his sins. By implication, Ford could be seen as placing Nixon's needs before the public's needs. Ford reinforced that implication by expressing concern over Nixon's health and his ability to obtain a fair trial. At one point, he suggested that the "allegations and accusations" against Nixon not only threatened his health but paled in comparison to his lifetime of service to his country: "But it is common knowledge that serious allegations and accusations hang like a sword over our former President's head, threatening his health as he tries to reshape his life, a great part of which was spent in the service of this country and by the mandate of its people" (13). Perhaps this argument would have been more persuasive if Ford had reciprocated by acknowledging that Nixon owed the public an apology or explanation for his misdeeds. Instead, Ford worried aloud over whether Nixon could receive a fair trial: "I have been advised, and I am compelled to conclude that many months and perhaps more years will have to pass before Richard Nixon could obtain a fair trial by jury in any jurisdiction of the United States under governing decisions of the Supreme Court" (14).

Moreover, Ford suggested that such a trial would neither serve the nation's best interests and could ultimately result in unfair treatment of President Nixon. Ford claimed to "deeply believe in equal justice for all Americans, whatever their station or former station," but he insisted that "a former President of the United States, instead of enjoying equal treatment with any other citizen accused of violating the law, would be cruelly and excessively penalized" (15-16). Ford may have been correct about the possibilities for a fair trial for Nixon. Yet he never provided support for that claim, and in elevating that concern over the public good, he failed to provide a strong rationale for his pardon. Only after worrying about the impact of a long, drawn-out trial on Nixon and "his loyal wife and family" (9) did Ford worry about the impact of such a trial on the nation: "During this long period of delay and potential litigation, ugly passions would again be aroused. And our people would again be polarized in their opinions" (17). Ford thus argued that a trial would be harmful to the public good, because during such a process "the credibility of our free institutions of government would again be challenged at home and abroad" (16). Yet instead of amplifying this argument, Ford returned almost immediately to fretting over whether Nixon would be "denied due process" (17). He also concluded the address by insisting once more that "Richard Nixon and his loved ones have suffered enough" (25).

Although Ford did attempt to justify the pardon as necessary for the public good, he seemed disproportionately concerned with his own judgment by God and with relieving Nixon's distress. The speech, consequently, did little to dampen the suspicions of a deal or to re-enforce a deep concern for the public good. Evidencing weaknesses in all three requirements of a good "pardoning" speech, Ford's address was not only

deficient in formal, generic terms, but it also appeared to be inadequate in persuading those who disagreed with the pardon. The day after the speech, protesters in Pittsburgh booed and chanted, "Jail Ford!" The pardon was not well received by Congress either. The day following the protests, the Senate voted to pass a resolution (55-24) opposing any more pardons for Watergate defendants until after they had undergone full trials and had exhausted all legal options for exoneration.⁶⁷ The White House also was bombarded with letters of protest. Phone calls also poured in, running eight to one against Ford's decision. The American Civil Liberties Union likened the pardon to letting the Nazi leaders off the hook at the Nuremberg Trials.⁶⁸ The press overwhelmingly denounced the decision. The *New York Times* declared the pardon to be a "blow to the president's own credibility."⁶⁹ The *Boston Globe* condemned the pardon as "a gross misuse, if not abuse, of presidential power," while the *Washington Post* accused Ford of extending the Watergate cover-up.⁷⁰ In the first Gallup poll commissioned after the pardon, Ford's approval rating fell 21 percentage points, from 71 to 50 percent.⁷¹ Public opinion polls also showed that support for a pardon actually dropped following the speech. James F. Klumpp and Jeffrey K. Lukehart suggested that the speech apparently changed the minds of some citizens who previously had supported a pardon.⁷²

Moreover, the pardon may have worked to reinforce the nation's political cynicism resulting from the Watergate fallout as well as the ongoing Vietnam War controversy. Some citizens seemed to view the pardon as yet another demonstration that government officials could not be trusted. A few months after the pardon, the 1974 midterm elections yielded the lowest voter turnout in decades, with only 38 percent of eligible voters casting a ballot. A 1975 poll revealed that 68 percent of Americans believed that the government had consistently lied to the American people over the preceding decade.⁷³ The pardon cast a shadow over Ford's own political career. In the 1976 primaries, the incumbent Ford survived a rare but serious challenge from a candidate within his own party, Ronald Reagan. At the Republican nominating convention, Ford won on the first ballot, but by the remarkably slim margin of 1,187 to 1,070 delegates.⁷⁴ Ford went on to lose the 1976 presidential election to Democratic challenger Jimmy Carter, who ran as a reformer and a Washington outsider untainted by political scandal. A highly unusual turn of events would need to unfold for an obscure Southern governor to unseat an incumbent president. The Watergate scandal and the resulting controversy over Nixon's pardon surely played a part in some voter's wish to start fresh with an untainted president.

The Legacy of Ford's Pardon: A Long-Term Success?

Although the decision to pardon Richard Nixon may have overshadowed Ford's political career, he was able to accomplish several important goals during his short presidency. In foreign policy, Ford finally ended the controversial U.S. involvement in the Vietnam War. He also helped mediate a cease-fire agreement between Israel and Egypt, signed the Helsinki human rights convention with the Soviet Union, and traveled to the Far East to sign an arms limitation agreement with Leonid Brezhnev, the Soviet president.⁷⁵ Ford battled serious economic concerns on the domestic front, including

some of the worst economic conditions since the Great Depression. Inflation and energy shortages were two particularly pressing concerns that Ford was able to diffuse during his own administration.⁷⁶ Although his campaign against inflation, Whip Inflation Now (WIN), failed to impress the Democratic-controlled Congress and was sometimes ridiculed by the press, Ford managed to keep the inflation crisis in check during his term in office.⁷⁷

More importantly, Ford was eventually credited with making tremendous progress toward restoring public trust in the executive office. Upon taking the oath of office, Jimmy Carter, Ford's successor, declared, "For myself and for our Nation, I want to thank my predecessor for all he has done to heal our land."⁷⁸ Ford speechwriter John J. Casserly described the America that Ford inherited as a nation permeated by a sense of betrayal, distrust, cynicism, and anger, and that frustration was compounded by the harsh economic realities of declining employment and increasing inflation.⁷⁹ When Ford first took office, most political experts speculated that it would take a long time to "heal the torn fabric of the American political system."⁸⁰ Likening his role as president to that of a caretaker, according to *Washington Post* political columnist Lou Cannon, Ford knew from the start that he faced tremendous odds in seeking re-election in 1976. With a sense of "impermanence" lingering throughout his presidency, Ford made it his mission to bring stability and integrity back to the Oval Office, regardless of the impact of his actions on the next election.⁸¹ Kenneth Thompson explained that Ford tried hard to convey a message of openness and respect to the White House press. Based on his own experience covering the Ford administration, Cannon argued that the nation did indeed return to "a condition of equilibrium because Ford was such a trusting and good person, but that Ford "got almost no credit for having accomplished that."⁸²

After leaving office, Ford's reputation seemed to improve with each passing year, which is typical for presidents who exit the political fray. During Carter's administration, Ford provided counsel on several matters, mostly foreign policy issues. He also accompanied Carter to Egypt for the funeral of Egyptian president Anwar Sadat, a trip which marked Ford's return to the public arena as a respected former president.⁸³ Ford was candid in his post-presidential interviews with the press and was often willing to speak out on contemporary matters of executive concern. In 1999, Bill Clinton presented the Congressional Gold Medal to both Ford and his wife, Betty. In his speech awarding the medal, Clinton acknowledged Ford's twenty-five years of service to the nation as a congressman; he also credited Ford with "healing the country" and making "healing decisions" as president.⁸⁴

When Ford died on December 27, 2006, retrospectives on his life reflected an outpouring of affection for the likable Ford. Although some accounts of Ford's life recalled the bitterness over his pardon of Nixon, the media coverage of his death was generally filled with tributes to Ford's character and praise for his efforts to heal the nation after the Watergate scandal. *USA Today* declared that Ford helped "reunite a divided nation after becoming 38th president,"⁸⁵ and that the "unassuming Ford" was the "perfect salve for a wounded nation."⁸⁶ The headline of the *Los Angeles Times* asserted that Ford helped the nation to recover from this crisis by leading the country "out of the shadow of Watergate."⁸⁷ *The Washington Post* called Ford "an unlikely

president who restored trust in the office" and praised his "Legacy of Healing."⁸⁸ In its headline, the New York *Daily News* admired Ford as a "Regular Guy" and "the anti-Nixon Prez [sic], down-to-earth & lacking in pretense."⁸⁹ A *Philadelphia Inquirer* editorial opined that "he was a true profile in courage."⁹⁰

When Ford assumed office, character was in short supply in the White House. Although the decision to pardon Nixon caused some Americans to question the character of the man who succeeded Nixon, Ford ironically is now remembered as one of the more genuine and likeable presidents in U.S. history. John Robert Greene has asserted that Ford brought respect back to the presidency because of his perceived character. Ford, according to Greene, had the "DHB Factor--the Decent Human Being Factor"--and even an unpopular pardon "could not replace America's gut feeling that Gerald Ford was truly a nice man." For Greene, as for many Americans, it was Ford's "depth of character" that ultimately "healed the nation's most gaping wounds," and his handling of the Watergate saga ultimately helped restore a perception of executive restraint and integrity to the Oval Office.⁹¹

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Notes

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⁵⁸ All of the remaining passages from Ford's September 8, 1974, speech from the White House are cited with reference to paragraph numbers in the speech text that accompanies this essay.

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⁶⁰ Campbell and Jamieson, *Deeds Done in Words*, 180-181.

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