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GLENN, PHILLIP JAMES. War and Peace: A Rhetorical Criticism of the Ford-Carter Amnesty Issue, 1974-1976. (1977) Directed by: Dr. L. Dean Fadely. Pp. 204.

This thesis reports an examination of the issue of amnesty for Vietnam-era deserters and draft evaders as treated in discourses of Gerald Ford and Jimmy Carter, from August, 1974 to November, 1976. These discourses were studied to discover strategies and tactics of the speakers and to gauge the effects of this one issue. Specifically, three hypotheses concerning the effects are considered: (1) What effects, if any, did the rhetoric of Ford and Carter on amnesty have upon the outcome of the 1976 Presidential election? (2) In a broader framework, what effects, if any, did the rhetoric of Ford and Carter on amnesty have upon their respective public images and political careers? (3) How was the status of the amnesty issue itself affected by the amnesty-related discourses of these two men?

The study revealed striking similarities between the major discourses of Ford and Carter in their goals, settings, internal strategies and tactics, and immediate effects. Ford's address to the V. F. W. provided a substantial boost to his national ethos as President. The effects of this discourse over time, however, were substantially negated by the effects of Ford's pardon of former President Richard Nixon, three weeks later. Likewise, Carter's American Legion address significantly

improved his national media image as a Presidential candidate in August, 1976. While the effects of this one discourse diminished as the campaign progressed, it did provide a base for further image strengthening from other rhetorical events. It was concluded that the amnesty remarks in the Playboy interview, as well as the amnesty discussion in the Ford-Carter debate, had little effect on either the 1976 election or on the images of Ford and Carter, due to the repetitive and brief nature of these remarks. Other campaign issues and discourses, treated more extensively in the national media, had more significant effects.

A final section of the thesis reports an evaluation of the rhetoric of Ford and Carter on amnesty by artistic standards of speechmaking and by ethical standards.

WAR AND PEACE: A RHETORICAL CRITICISM  
OF THE FORD-CARTER AMNESTY ISSUE,  
1974-1976

by  
Phillip James Glenn

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CHAPTER I  
INTRODUCTION

Preliminary Remarks

During every military effort of the United States, a minority of American citizens have refused induction into the armed services or have deserted from the military. Traditionally, Presidents have granted some form of amnesty or pardon to the evaders and deserters within a few years after the termination of war efforts.

The involvement of American troops in Vietnam in large numbers ended in December, 1972. President Richard Nixon flatly stated that he would not consider amnesty for any war resisters.<sup>1</sup> The issue fostered considerable public debate and controversy.<sup>2</sup> Congressional hearings were held on amnesty, but no specific actions came out of those hearings. Then newly-appointed President Gerald Ford, in his first speech outside of Washington as Chief Executive, announced a dramatic reversal of the Nixon policy with his intentions to work out a leniency program for

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<sup>1</sup>Richard M. Nixon, News Conference, 12 November 1971. Cited in Curtis Tarr, Testimony, in Selective Service and Amnesty; Hearings Before The Subcommittee on Administrative Practice and Procedure of the Committee of the Judiciary, United States Senate, p. 10. Washington, D. C.: U. S. Government Printing Office, 1972.

<sup>2</sup>See Chapter II, on the history of amnesty, *infra*, pp. 23-25.



the return of resisters.<sup>3</sup> The Ford clemency program lasted through April, 1975; during that time it met with limited success, and drew considerable criticism from people on both sides of the amnesty issue.<sup>4</sup> Yet many Americans were satisfied with the success of the program after its completion.<sup>5</sup>

The amnesty issue diminished some in the months that followed, only to be revived during the 1976 Presidential campaign. Democratic nominee Jimmy Carter, espousing the views of his party's platform, was roundly booed by an audience of the American Legion for advocating a blanket pardon for draft evaders who had not returned under the less lenient Ford program.<sup>6</sup> While the amnesty issue was not frequently mentioned by either candidate during the campaign months, it did receive substantial attention as a major point of disagreement between Ford and Carter. Ford attempted to present the issue as closed; the Republican platform made no mention of amnesty, and Ford referred questions on amnesty back to his previous statements and actions. Carter and the Democrats stressed their intentions of doing more than Ford had done about

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<sup>3</sup>See the New York Times, 20 August 1974, p. 3.

<sup>4</sup>For example, see articles citing criticism from both deserters-evaders and from veterans in the Washington Post, 17 September 1974, pp. 1, 12.

<sup>5</sup>See the Gallup Opinion Index, October, 1975, pp. 24-30.

<sup>6</sup>See the New York Times, 25 August 1976, p. 1.

amnesty. Carter's amnesty speech to the American Legion resulted in the first negative response he received during the campaign from a live audience. He discussed his position on amnesty in his controversial November, 1976, Playboy interview. Amnesty was one of the first points mentioned in the first of the three televised debates between Ford and Carter.

The amnesty issue came to the fore again after the 1976 election. In his final month as President, Gerald Ford received a letter from the widow of the late Senator Philip Hart: as a last request of the deceased, she urged Ford to grant a broader amnesty. He refused, explaining once more that he believed he had done all he could to bring back the war resisters. Then Jimmy Carter, in his first official act as President, granted blanket pardons to all Vietnam-era draft evaders.<sup>7</sup>

The amnesty issue has been of prime political importance in two recent time periods: during the first months of the Ford Presidency in August-December, 1974; and during and immediately following the Presidential campaign and election, August-November, 1976. These are the time frames this study will cover. This study is concerned with how the rhetoric of Gerald Ford and Jimmy Carter affected the amnesty issue and

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<sup>7</sup>See *Ibid.*, 22 January 1977., p. 1.

their rhetoric on amnesty influenced their respective images either as President or as Presidential candidate.

### Hypotheses and Approach

The specific questions to be answered within this thesis include:

(1) What effect, if any, did the rhetoric of Jimmy Carter and Gerald Ford on amnesty have upon the outcome of the 1976 Presidential elections?

(2) In a broader framework, what effects, if any, did the rhetoric of Ford and Carter on amnesty have upon their respective public images and public careers?

(3) How was the status of the amnesty issue itself affected by the amnesty-related discourses of these two men?

The rest of the thesis is organized in order to explore answers to these questions. In the remaining parts of Chapter I discussion of the following will be presented: problems concerning the term rhetoric and rhetorical studies; problems of examining image and issue in political studies; standards and methods of criticism to be employed; and an explicit justification for this thesis. Chapter II will be devoted to providing a twofold framework of background to the subject; a history of amnesties and pardons in the United States, to

give the historical and legal context; and biographies of the two speakers, to further understanding of the speakers themselves and their choices. Chapter III will contain the rhetorical criticism of the discourses on amnesty given by Ford and Carter from August, 1974, through the 1976 Presidential election. Chapter IV will contain a summary, conclusions, and, hopefully, answers to the hypotheses listed above.

### Rhetoric

Since the term rhetoric has a multitude of uses, achieving a successful working definition of rhetoric is useful in establishing the limits of a rhetorical study. To understand the contemporary context of rhetoric, it is important to recognize the historical context. Since Aristotle's definition of rhetoric as "the faculty of discovering in a particular case what are the available means of persuasion,"<sup>8</sup> rhetoric has usually been associated with persuasive efforts. Aristotle emphasized rhetoric as a rational, logical approach to investigating the best ways to achieve persuasion.<sup>9</sup> This definition of rhetoric faded over the centuries. By the 1800s rhetoric became associated with the elocutionary movement: emphasis on

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<sup>8</sup>Lane Cooper, trans., The Rhetoric of Aristotle (Englewood Cliffs, New Jersey: Prentice-Hall, 1932), p. 7.

<sup>9</sup>Ibid., especially Book I, chapters 1-3.

style and delivery with less regard for content in speech-making. From this tradition, rhetoric has a modern negative connotation in its popular usage. The meaningless promises of politicians are often called "just empty rhetoric." The term now refers to words without substance. But new scholarly definitions also exist for rhetoric, and these are slightly more palatable to students of communication research. Ehninger posits that it is pointless to attempt a universal, permanent, all-encompassing definition of rhetoric.<sup>10</sup> Students of communication should instead refer to rhetorics (plural); every time period and situation requires a definition unique to that situation, determined by the environment and the needs present. What follows is an attempt at a working definition of rhetoric for this day and time.

For this study, rhetoric shall be defined as the intentional use of discourse--including verbal, non-verbal, and mass mediated symbols and indicators--to attempt to achieve influence. Rhetoric is intentional. Granted, people sometimes influence unintentionally, and a speaker can never fully control how he influences, but rhetoric as a discipline is not concerned primarily with accidental persuasion. There must be some sort of purpose or intention on the part of the speaker, whether that intention is fully articulated or not.

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<sup>10</sup>Douglas Ehninger, Contemporary Rhetoric: A Reader's Coursebook (Glenview, Illinois: Scott, Foresman and Company, 1972), p. 52.

Rhetoric in Aristotle's time referred to a formal speech in front of a live audience of educated citizens. Today the context of rhetoric is not nearly so simple. The importance of the public speech has been overshadowed by the powerful influence of the mass media on the American political citizenry. Any modern definition of rhetoric which ignored this would be outdated. Contemporary rhetorical studies, then, treat discourse not only in face-to-face public speaking situations, but also in mass communication situations through mass media channels.

When a political figure of today gives a public speech, he does so with the knowledge that the relating of, or broadcasting of, that rhetorical event to national mass media audiences will have a far more significant impact than the speech itself on the immediate audience. This has profound implications for the very nature and function of live public communication. Also, the last few years have witnessed the growing importance of communications designed specifically for mass media audiences not physically present. Strategies used within these situations also fall in the scope of the rhetorical study.<sup>11</sup> Finally, rhetoric attempts to achieve influence-- it does not necessarily succeed. The many variables that

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<sup>11</sup>The 1976 Presidential debates, for example, although conducted in front of a live audience, were primarily for the national television audience.

interfere with perfect persuasion, whether these variables stem from speaker, environment, audience, message, or channel, are of prime importance in studying rhetoric.

#### Image and Issue

A recurrent problem with rhetorical issue studies concerns the interaction of issues, and the rhetoric of issues, with the political environment. The significance of issues in shaping the perceptions of the political citizenry has been widely debated. Nelson Polsby and Aaron Wildavsky, in their book on American electoral politics, argue that most voters adopt issues through parties--that is, individual stands on issues will tend to follow those of the party with which that individual identifies.<sup>12</sup> While political figures make much of "discussing the issues," the issues would seem to be less important than either voter party affiliation or personality and ethos of the political figures. Yet in a more recent book, You and Election '72, Doris and Harold Faber suggest that party affiliation is not as important as other factors in determining voting behavior. They rank order the influencing variables as

- (1) the candidate, his personality and ability to do the job;
- (2) the issues, the positions the candidate takes and the ability of the candidate and his party to

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<sup>12</sup>Nelson W. Polsby and Aaron B. Wildavsky, Presidential Elections; Strategies of American Electoral Politics, 2nd ed. (New York: Charles Scribner's Sons, 1968), p. 13.

solve problems; (3) party affiliation; and (4) group affiliation.<sup>13</sup>

While the American citizenry is often ideally characterized as being rational and thoughtful in the formation of their political attitudes, they might more accurately be characterized as having well-established opinions and attitudes that are not easily changed by the campaigning process, and as making voting decisions more on the basis of candidate personality than on policy issues. As Stanley Kelley, Jr., put it,

The notion that the campaign should help the voter to cast his vote wisely is the ideal function assigned to it in American political thought. To say it does not serve this function well, is to do little more than to state the obvious.<sup>14</sup>

Polsby and Wildavsky state that "for the vast majority of citizens in America, campaigns do not function so much to change their minds as to reinforce their previous convictions."<sup>15</sup> The candidates seek more to establish an effective public image: "A candidate is helped by being thought of as trustworthy, reliable, mature, kind but firm, a devoted family man and in every way normal and presentable."<sup>16</sup>

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<sup>13</sup>Doris Faber and Harold Faber, "The Political Scene," in You and Election '72, by Austin, Faber, Faber, Kanner, Levy, Linden, and Wilford (Englewood Cliffs, N. J.: Prentice-Hall, 1972), p. 10.

<sup>14</sup>Stanley Kelley, Jr., Political Campaigning; Problems in Creating an Informed Electorate (Washington: D.C.: The Brookings Institute, 1960), p. 146.

<sup>15</sup>Polsby & Wildavsky, p. 123.

<sup>16</sup>Ibid., p. 123.



This thesis reports a study of the interaction between an issue and two political figures. If issues are indeed relatively unimportant in shaping public attitudes and opinions, then why study amnesty? The projected image and personality of a political figure is influenced by the issues he chooses to emphasize. And candidates do have a choice:

To a degree, a candidate can choose the issues on which he stands. He chooses them in the speeches he makes. He debates every day with his close advisors how to use the media he can command . . . . Candidates do inject the issues that distinguish campaigns.<sup>17</sup>

Political figures use particular issues to attempt to improve their public image: "What the candidates actually try to do is to smooth off the rough edges, that is, to counter the most unfavorable impressions of specific aspects of their public image to which they believe they are susceptible."<sup>18</sup> Issues, then, are important components of political strategies. Amnesty is one issue which has been a vital component of the strategies of Gerald Ford and Jimmy Carter.

Yet amnesty cannot be studied in complete isolation; its significance cannot be understood except in context. Amnesty is but one of many issues, which in turn are but a few of the many factors that influence, in varying

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<sup>17</sup>Ithiel de Sola Pool, Robert P. Abelson, Samuel L. Popkin, Candidates, Issues, and Strategies (Cambridge, Massachusetts: M. I. T. Press, 1964), p. 52.

<sup>18</sup>Polsby and Wildavsky, p. 140.

degrees, the process of public attitude formation. The complexity of the modern political process makes the contemporary rhetorical study at once both more frustrating and more rewarding. The entire political rhetorical process cannot be captured in one single study. Therefore, studies that examine individual aspects of the process are valuable in helping to understand more of the entire process.

Since amnesty cannot be studied isolated from its context, attitudes and opinions concerning amnesty are also best seen in their political context. Here Edwin Black's notion of "clusters of opinion" is useful. Black writes, "There are specific beliefs and disbeliefs that, in many people, hang together as constituents of a general point of view."<sup>19</sup> A group of opinions that are consistent with each other form a relatively integrated philosophy. The rhetor seeks to achieve "argumentative synthesis," that is, to secure identification of his advocated position with the related cluster of opinions held by his audience. The concept of clusters of opinion is also useful in achieving understanding of the speaker himself:

The rhetor may confine his discourse to a niggling subject of small consequence, but that subject may be a part of a larger cluster of opinions in his own mind . . . . The single discourse probably cannot disclose a universe of discourse, but it will often

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<sup>19</sup>Edwin Black, Rhetorical Criticism; a Study in Method (New York: The MacMillan Company, 1965), p. 168.

be a symptom of such a universe existing in the rhetor's mind. Such a presumption, at least, may help the critic account for the single discourse.<sup>20</sup>

Application of this concept to this study hopefully will keep in mind the interrelatedness of a number of factors in the political persuasion process.

Another useful notion is that of the "Second Persona," also elaborated by Black.<sup>21</sup> This idea suggests that a particular discourse implies an auditor, a persona, with an identifiable collection of attitudes that form an ideology. This offers one approach to the evaluation step of rhetorical criticism: if this "persona" can be isolated and its ideology examined, then evaluation of that ideology will in turn provide evaluation of the discourse itself. Preliminary investigation indicates that the discourses under study in this thesis may well have identifiable second personae; in any event, this notion hopefully will provide a frame of reference with which to treat the rhetoric of amnesty as being indicative of both speakers and auditors.

#### Standards and Methods of Criticism

Any student attempting a rhetorical criticism faces numerous choices concerning his method and standards. Robert Scott and Bernard Brock write in the preface to their text on criticism:

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<sup>20</sup>Ibid., p. 173.

<sup>21</sup>Edwin Black, "The Second Persona," Quarterly Journal of Speech 56 (April, 1970): 109-119.

The increased use and diversity of criticism has resulted in such a proliferation of terms and methods that the field is apt to be driven either to oversimplify critical form so as to include all methods or to make criticism so individual as virtually to exclude any method.<sup>22</sup>

These extremes are indeed tempting. What follows here is an attempt to delineate some standards, and some methods for this particular study.

The ultimate goal of rhetorical criticism is the making of judgments. For the critic fully to understand the object of study before making judgment, Robert Cathcart advocates following a four-step procedure:

- (1) Description: understanding what went on in the speech;
- (2) Analysis: considering why it went on;
- (3) Interpretation: determining the meaning and effect of the rhetorical methods employed; and
- (4) Evaluation: judging the quality and worth of the speech.<sup>23</sup>

In this thesis, description will be treated briefly in order to provide the reader with a partial re-creation of the communication situations, for fuller understanding.

Analysis will be conducted from the perspective of the speaker and the choices he made. The speaker is confronted with a rhetorical problem to solve, and obstacles to overcome. The problems include those concerning the topic and the speaker, as well as obstacles common to any

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<sup>22</sup>Robert L. Scott and Bernard L. Brock, Methods of Rhetorical Criticism; a Twentieth Century Perspective (New York: Harper & Row, Publishers, 1972), p. vii.

<sup>23</sup>Robert Cathcart, Post Communication; Criticism and Evaluation (Indianapolis: The Bobbs-Merrill Company, Inc., 1966), p. 26.

public communication situation: language usage and meaning, hearing and comprehension, environmental and attitudinal distractions.

This approach focuses on the speaker and assumes that he made conscious rhetorical decisions in attempting to achieve his ends. As Cathcart states,

It embraces the idea of speech as purposeful behavior and recognizes that the speaker is exercising choice as he attempts to accommodate his ideas and desires to the persuasive demands of the subject, audience, and occasion.<sup>24</sup>

The interpretation step of this study will explore the psychology of the speakers, their backgrounds, training, beliefs, philosophies, and attitudes that influenced the rhetorical decisions made. As Cathcart says,

The sum of a man's psychological experiences determines the way he perceives the world, and this perception influences the choices he makes as he tries to induce others to see the world as he does. The critic must know the speaker as a person and be able to interpret or give meaning to the speaker's rhetorical choices as the speaker conceived of them. In this way, the critic makes skilled inferences about the speaker's intent.<sup>25</sup>

The most vital but difficult task the critic faces is that of judgment or evaluation. The three predominant standards of judgment are the effects standard, the artistic standard, and the ethical standard.<sup>26</sup>

The effects standard is purely pragmatic. It attempts to determine such questions as, was the rhetorical

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<sup>24</sup>Ibid., p. 37.      <sup>25</sup>Ibid., p. 62.

<sup>26</sup>Scott and Brock, pp. 10-13.

effort successful? Did the speaker accomplish his purpose?<sup>27</sup> Seldom is this standard employed independently of other standards. If it were, Adolf Hitler might be judged one of the greatest speakers ever, for he certainly was one of the most effective.

The artistic standard assumes that rhetoric, as an art, has certain guiding principles that, having stood the test of time, are desirable in and of themselves. A speech can be judged by how closely it approaches these standards. Aristotelian principles are frequently employed as the permanent guidelines for evaluation.<sup>28</sup>

The ethical standard is the most subjective of the three. Ethical questions might include: Did the speaker have good intentions? Were his ends worthy of rhetorical discourse? Did he tell "The Truth?" Did he avoid outright distortions and lies? Was the audience deceived or tricked in any way? Did the rhetorical event attempt to--or succeed in--improving the quality of life? The major assumptions underlying this standard of criticism are that the search for truth is inherently good and valuable; that honesty is a virtue, and distortion is wrong; and that the ultimate goal of rhetoric is improving the quality of life.<sup>29</sup>

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<sup>27</sup>See John F. Wilson and Carroll C. Arnold, Public Speaking as a Liberal Art (Boston: Allyn and Bacon, Inc., 1964), pp. 330-331.

<sup>28</sup>See *Ibid.*, pp. 332-333.

<sup>29</sup>See *Ibid.*, pp. 331-332.

For this study, some aspects of all three of these standards will apply. An attempt will be made to gauge the relative success of each speaker in achieving the desired effects with the amnesty remarks. Artistic standards will explore and evaluate how well the speakers responded to the rhetorical problems they confronted. Finally, the eventual roles of Ford and Carter and the nature of the amnesty issue present the critic with an unusual opportunity for judging truthfulness of political commitments and promises. Ethical judgments, then, will compare the statements of intention made by Ford and Carter with their subsequent actions. The critical aspects of this thesis will rely upon study of the backgrounds of Ford and Carter, their views on amnesty, their public communications on amnesty, the effects of those communications, and the reliability and honesty of their promises.

The rhetorical critic must decide the focus, or emphasis, of his study. Edwin Black categorizes three of these: the movement study, which views the total dispute over a single program or policy; the psychological study, which views the influence of the inner life of the speaker on his rhetorical activities; and the neo-Aristotelian study, which applies the classical canons of rhetoric and principles derived from the Rhetoric.<sup>30</sup>

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<sup>30</sup>Black, p. 1

Cathcart discusses the usefulness of combining these foci:

There is over-lapping in these approaches to criticism, and often the critic can employ methods from each type in his assessment and evaluation of speeches. He needs to know the personality and background of the speaker; to place the speaker and the speech in their milieu; to study the ideas and arguments contained in the speech; and to study the effects of the speech on the audience and society. . . . It is important that he not be satisfied with just one of these types of criticism, but that he seek that type of criticism or combination of types that will most satisfactorily reveal the speech and its impact.<sup>31</sup>

This thesis will incorporate these into a single, well-defined focus. This is not a complete movement study, according to the widely accepted definition of movement studies by Leland Griffin.<sup>32</sup> A classic movement study might follow the issue of amnesty for Vietnam evaders and deserters through a variety of speakers and situations, over a number of years. Such an undertaking is beyond the scope of this thesis. However, this study is primarily movement-oriented, with some consideration also given to the psychological background of the speakers, and some consideration to content through the classical rhetorical canon of invention. This might more accurately be characterized as a movement study crossed with a study of two speakers--an examination of the brief periods of time in which the controversy over this issue interacted with the political careers of Gerald Ford and Jimmy Carter.

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<sup>31</sup>Cathcart, p. 19.

<sup>32</sup>Leland Griffin, "The Rhetoric of Historical Movements," Quarterly Journal of Speech 38 (April, 1952): 184-188.



The "world view" implicit in this study is of the political rhetor as a man who makes conscious, and at least relatively rational, decisions based on specific goals. The speaker acts in a complex, dynamic environment, much of which he cannot control. Yet through his utterances and his actions, he does exert a degree of control and influence on human interaction. The receivers in the rhetorical context, too, exert some degree of influence, and within the framework of the socio-political environment, actively make choices and form opinions. Opinions and attitudes are as complex as the environment itself; no opinion is held, no issue is considered except in conjunction with other opinions and issues. A process orientation makes the study of political rhetoric more realistic. The view of man as a decision-maker with some degree of control enables the rhetorical critic to make judgments and evaluations. Hopefully, a consistent and integrated "cluster of opinions" about the nature of contemporary human communication will strengthen the unity and validity of this thesis.

#### Justification For This Study

The study of American political campaigns, particularly national campaigns such as Presidential elections, is important as one means of understanding and evaluating the effectiveness of the American political process. Much previous study has been made of Presidential politics

and elections. Each new election presents new problems and new developments in United States political history, however, and reveals another step in the development of our system. While the rules by which our system operates remain relatively stable, one can safely say that the actual process itself is in a constant state of change, and that no two elections are alike. This makes the study of Presidential politics more difficult to grasp; it also makes that study more worthwhile, and even more essential if Americans are to learn and grow as a people from past experiences. For this reason, Presidential campaigns, particularly the most recent 1976 campaign, merit investigation.

Why study one issue? Why pick amnesty as that issue? As stated previously, the interaction of issues, images, and whatever other factors influence popular opinion and voted decisions is a complex process which, unfortunately, is not easily studied in its entirety. Volumes could be written on what influenced public opinion of Gerald Ford and Jimmy Carter prior to the 1976 election without exhausting the subject. One way to approach studying this mass interaction of our society is to break it down--to look at certain specific elements of the process. As a biologist can learn much about an entire creature, by examining in detail a single cell or organ of that creature, so something can be learned about the entire political process by looking at parts of the

process--a particular man, a region, a group of voters, an interest group, a series of events, or an issue.

Amnesty is being studied, partially because of personal interest in this issue, but also because, as the last unresolved problem lingering from the Vietnam war, it has been an important issue in recent years.

The rhetorical, or speech-communication approach to this thesis remains to be justified. Why study the rhetoric of amnesty, instead of merely the issue itself? First, politics depends upon communication. Political leaders in the United States, whether holding an elected office or running for an office, attempt through actions and communications to maintain sufficient public popularity to achieve their goals. These efforts are especially demanded of men seeking or holding the office of the Presidency. Through speeches, appearances, use of the media, written statements, or any other means, both the President and the Presidential candidate must seek maximum support for himself and his programs. This implies attempts to achieve influence, or persuasion, which is the subject of the rhetorician. A rhetorical approach, then, to a contemporary issue-election study should prove fruitful.

Amnesty lends itself to such an approach, because it has been in recent years an issue which has produced deep and strong feelings on both sides. As political

leaders have proposed solutions or made policy statements concerning amnesty, they have felt the need to attempt through rhetorical means to have their views understood and accepted by the public. Some policy statements made by political leaders produce little reaction, and require a minimum of explanation. Amnesty statements, however, have consistently produced furor and lively reactions. Therefore, studying how candidates and Presidents dealt with a "hot" issue of this sort should prove rewarding. The thrust of this thesis is not as much on the actions of Ford and Carter toward amnesty as it is on the discourses they gave dealing with amnesty.

## CHAPTER II

## BACKGROUND

Overview of Chapter II

The purpose of this chapter is to provide the preliminary information needed for the rhetorical study to follow in Chapter III. As stated previously, this thesis is a combination movement-issue study and biographical study, examining the rhetoric of amnesty in the discourse of Gerald Ford and Jimmy Carter. This approach suggests two areas that require preliminary investigation: a study of the history of the amnesty issue itself, and biographical studies of the two speakers.

The first section of this chapter is concerned with amnesties and pardons throughout United States history, from the first one granted by President Washington in 1795, up to the present situation stemming from the Vietnam war. Particular emphasis is placed upon the type of leniency measures granted, the categories of persons benefiting from those measures, and the legal questions raised over where the authority to grant amnesties and pardons is vested.

The second section of this chapter contains summaries of the lives and public careers of Gerald Ford and Jimmy Carter until the times of their discourses

on amnesty. This information is presented with the intention of discovering the major influences that shaped their amnesty beliefs. Edwin Black writes, "Discourses contain tokens of their authors. Discourses are, directly or in a transmuted form, the external signs of internal states.<sup>1</sup>" "The rhetorical critic engaged in a biographical study must attempt to understand his subject, to know as much about that "internal state" as he can. As the discourse presents clues to the internal state of the speaker, so a knowledge of other factors influencing the speaker's internal state should help clarify and supplement clues gained from the discourse. This section will isolate and explore the experiences and attitudes that have most strongly affected Ford's and Carter's perceptions of the amnesty issue.

#### Historical Background

The Carter-Ford amnesty issue was complicated by confusion concerning several areas of the controversy: the legality or illegality of the acts involved, the definitions of terms such as amnesty and pardon, the justification for granting amnesty and/or pardon, and, if justified, which branch of government should grant an amnesty or pardon. Historical precedence and justification has been claimed by both proponents and opponents

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<sup>1</sup>Edwin Black, "The Second Persona," Quarterly Journal of Speech 56 (April, 1970): 110.

of amnesty.<sup>2</sup> While the Vietman conflict is certainly unique among military engagements in American history, an examination of the tradition of amnesties and pardons in America is important in fully understanding the issue in its contemporary context. In the following section is outlined the legal and political applications of amnesties and pardons throughout United States history.

While the distinctions between amnesty and pardon are often muddled and inconsistently applied, the following is generally true: pardons are granted to individuals; amnesties, to groups.<sup>3</sup> Furthermore, in Western legal tradition "pardon" usually refers to the staying of execution or other punishment for an already convicted criminal; "amnesty," usually applied to the defeated in a war, promises forgiveness of crimes and

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<sup>2</sup>Professor Harrop Freeman writes, "United States history is replete with general 'pardons' and 'amnesties' for political offenses." "An Historical Justification and Legal Basis for Amnesty Today," Law and the Social Order 3 (1971): 515.

On the other side, Kevin T. Maroney, former Deputy Assistant Attorney General, testified to the Senate subcommittee that, "historically, a grant of amnesty to males who have refused to serve their country during a period of time when the country was engaged in actual hostilities is without precedent." Selective Service and Amnesty; Hearings Before the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, United States Senate (Washington, D. C.: U. S. Government Printing Office, 1972), p. 272.

<sup>3</sup>Testimony of Henry Schwarzschild, in Selective Service and Amnesty, p. 301.

freedom from trial and punishment.<sup>4</sup> Article II, Section 2 of the United States Constitution states: "The President . . . shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment."<sup>5</sup> The Constitution thus gives the Chief Executive the power to pardon all federal offenses except those leading to impeachment. No mention of amnesty is made in the Constitution. This Presidential power was first applied not long after the ratification of the Constitution, as a result of the Whiskey Insurrection of 1794.

The Whiskey Insurrection was a response to an attempt by the new and not fully established United States government to carry out an unpopular measure. Treasury Secretary Alexander Hamilton proposed a tax on whiskey, to serve the twofold purpose of raising much-needed revenue and asserting federal authority. A group of farmers and landowners in western Pennsylvania, many of whom depended on whiskey sales for most of their income,

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<sup>4</sup>For example, in Burdick v. United States, 236 U.S. 95 (1915), the Supreme Court distinguished the terms:

"The one (amnesty) overlooks the offense; the other (pardon) remits punishment. The first is usually addressed to crimes against the sovereignty of the State, to political offenses, forgiveness being deemed more expedient for the public welfare than prosecution and punishment. The second condones infractions to classes or even communities, a legislative act or under legislation, constitutional or statutory, the act of the supreme magistrate."

<sup>5</sup>U.S. Constitution, Article II, Section 2.



refused to pay the tax. The insurrection reached a climax on July 17, 1794, when the home of a regional inspector for the government was attacked and burned.<sup>6</sup> President Washington issued a call for troops from several states; these troops put down the rebellion easily. On July 10, 1795, almost a year later, Washington issued a full pardon to all who had participated in the insurrection, excepting those who still refused to recognize the authority of the government. In a statement to Congress, Washington explained his action:

For though I shall always think it a sacred duty to exercise with firmness and energy the constitutional powers with which I am vested, yet my personal feeling is to mingle in the operations of the government every degree of moderation and tenderness which the national justice, dignity and safety may permit.<sup>7</sup>

From the standpoint of the national government, the entire affair proved successful. The needed tax revenue was raised--although Congress, admitting initial error, rather abruptly repealed the tax;<sup>8</sup> federal authority was demonstrated by the state militia responses to the call for troops and by the putdown of the rebellion; and

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<sup>6</sup>Encyclopaedia Britannica, 1969 edition, s.v. "The Whiskey Insurrection," by Alexander DeConde.

<sup>7</sup>James D. Richardson, Compilation of the Messages and Papers of the Presidents, vol. I (New York: Bureau of National Literature, Inc., 1897), pp. 276-77.

<sup>8</sup>Daniel Pollitt and Frank Thompson, Jr., "Amnesty: The American Tradition," Washington Post, 19 September 1974, p. A30.

Washington's pardon showed a lenient, forgiving side to the government.<sup>9</sup>

The War of 1812 was neither highly popular nor highly successful for the United States. The desertion rate ran high,<sup>10</sup> and recruitment was not easy for the Americans. Attempting to muster support for the cause, President James Madison issued a series of full pardons to all deserters from the military who would surrender within four months of the decree and return to active duty. The same statement was issued on February 7, 1812, October 8, 1812, and June 17, 1814. No deserters who chose to return were excluded from the pardon. President Madison also granted amnesty to pirates and smugglers in the Gulf of Mexico area who had helped fight the British. This was the first occurrence of a Presidential amnesty rather than a pardon. No explanation is available as to why the pirates were amnestied when the deserters were pardoned, or what the practical differences between the two types of clemency action were. At the time, no one challenged Presidential authority to grant amnesty as well as pardon. Expediency prompted the generosity of the President in granting these measures. America needed all the help she could get, and these were attempts to

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<sup>9</sup>John C. Etridge, "Amnesty: A Brief Historical Overview," Selective Service and Amnesty, p. 663.

<sup>10</sup>Pollitt and Thompson, p. A 30.

gain that help. Exact figures on how many men were affected by, or responded to these pardons and amnesties are not known.<sup>11</sup>

The single most divisive and controversial war in American history, the War Between the States, produced the most divisive and controversial battle over the scope of the Presidential power to grant pardons. The war produced a series of pardons and amnesties, most of which were attempts by President Lincoln and the Union to encourage supporters of the Confederacy to return to the Union side. On February 14, 1862, President Lincoln pardoned a number of political prisoners and men held in military custody, provided they agreed not to support the Confederacy. Then with the passage of the Confiscation Law of 1862, Congress first asserted its power over pardons by "authorizing" the President to provide pardon and amnesty to those participating in the rebellion. In subsequent proclamations, both Lincoln and Andrew Johnson labelled their acts as amnesties and pardons;<sup>12</sup> they referred to the Presidential power to grant pardons, while Congress continued to assume that they had granted this power to the Chief Executive. This conflict would not break into the open until after the end of the war.

A proclamation of March 10, 1863, provided that deserters who reported within the month would be returned

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<sup>11</sup>Etridge, p. 664.

<sup>12</sup>Freeman, p. 441.

to their regiments without punishment. A new edict on December 8, 1863, declared that pardons were to be granted, and property (except slaves) and citizenship rights restored to all who returned to the Union side. This edict did not apply to officers in the Confederate army or Confederate government officials. In February, 1864, the War Department (under the authority of Lincoln) reduced punishment for captured deserters from death to imprisonment, and permitted Union generals to return deserters to active duty as they saw fit. On March 3, 1865, Congress passed an act setting the punishment for desertion as forfeiture of citizenship, but requiring the President to pardon all deserters who returned within sixty days and served their tour of duty. Then one year later, the War Department (under President Johnson) offered conditional amnesty to all army deserters who surrendered before August 15 of that year.<sup>13</sup>

With the succession of Andrew Johnson to the Presidency in 1865, a major battle developed between Congress and the President over the Constitutional authority to grant amnesties and pardons. Johnson issued an amnesty on May 29, 1865. While the amnesty was not universal--fourteen classes of persons were excluded from its provisions and those desiring amnesty were required to take an oath of allegiance--it was more lenient

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<sup>13</sup>A list of edicts and acts pertaining to amnesty issued during the Civil War is in Etridge, pp. 666-67.

than many members of Congress expected or desired for the defeated Confederates.<sup>14</sup> On January 21, 1867, Congress repealed the Confiscation Law of 1862 in which they had empowered the President to grant pardons and amnesties; they now claimed the President had no right to grant further pardons. Andrew Johnson ignored the repeal and granted three new proclamations of amnesty and pardon in 1867-1868. Still not included in any pardons were Confederate government officials, those who had mistreated prisoners of war, and those directly associated with the assassination of President Lincoln.<sup>15</sup> Then on Christmas Day 1868 Johnson pardoned all persons associated with the rebellion. The pardon was not enforced, however, as the Senate Judiciary Committee censured President Johnson's actions as being beyond his Constitutional powers.<sup>16</sup> Although no specific action against the President resulted from the censure, the months that followed saw Andrew Johnson lose his power and be faced with impeachment proceedings. Congress strengthened its claim on the right to grant amnesties with the ratification of the Fourteenth

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<sup>14</sup>Robert W. Merry, "Forgiving is Rarely Divine," The National Observer, 12 October 1974, p. 30.

<sup>15</sup>Etridge, p. 668.

<sup>16</sup>Julius Duscha, "Amnesty?" Saturday Review 55 (6 May 1972), p. 52.

Amendment on July 9, 1868.<sup>17</sup> Section three of this amendment states:

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.<sup>18</sup>

The passage of this amendment gave solid legal justification to the Congressional claim of the power to grant amnesties.<sup>19</sup> An estimated 150,000 Southerners were kept disfranchised by Congress until 1872, when restrictions were lifted on all but approximately 600 participants in the rebellion.<sup>20</sup> In the years that followed, no President attempted any further pardons or amnesties relating to the War Between the States; Congress issued a series of relatively specific pardons, allowing individuals or groups who had supported the Confederacy to become re-eligible for holding public office. Limited amnesties for ex-Confederates were passed as late as 1896. By the time a universal amnesty

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<sup>17</sup>John C. Livingston and Robert G. Thompson, The Consent of the Governed, 2nd ed. (New York: The Mac-Millan Company, 1966), p. 555.

<sup>18</sup>U. S. Constitution, Amendment XIV, Section 3.

<sup>19</sup>Freeman, p. 446.      <sup>20</sup>Merry, p. 30.

was passed by Congress in 1898, there were few if any persons left alive who were affected by the grant.<sup>21</sup>

Clemency measures relating to the War Between the States were applied primarily to deserters from the Union military and supporters of the Confederacy. The wartime pardons to deserters served military political purposes of strengthening the Northern cause. The pardons and amnesties granted to Confederates during the war attempted to weaken support for the South by bringing Confederates back into allegiance and by getting a government in operation in the South.<sup>22</sup> Post-war clemency measures were important, even if delayed, in re-uniting the country. Political and military exigencies prompted the amnesties and pardons issued during and immediately following the War Between the States.

The Constitutional battle over the right to grant amnesties and pardons reached no clear conclusion. The post-Civil War United States saw a powerful Congress, bent on revenge, and a weak President. Congress claimed the right to amnesty, strengthened that claim through the Fourteenth Amendment, and exercised that right exclusively in the post-war years. Since then no major disputes have occurred between the Executive and Congress

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<sup>21</sup>Etridge, p. 668.

<sup>22</sup>Testimony of Henry Steele Commager, in Selective Service and Amnesty, p. 185.

over their respective powers to grant pardons or amnesties. The division of those powers--that the President may pardon, and Congress may amnesty--has generally been respected.<sup>23</sup> Still, the absence of an absolute distinction between amnesty and pardon leaves some room for debate and disagreement over what specific actions either a President or Congress may take in any given situation.

The Supreme Court discussed the distinction between amnesty and pardon in the majority ruling for the case of Knote v. U.S., in 1877.<sup>24</sup> Knote, a former Confederate whose land had been confiscated by the federal government, filed suit for the profits gained from that land since the confiscation, arguing that the pardon he had received entitled him to those profits. Although the issue of amnesty or pardon was not central to the ruling, the Court opinion elaborated on those terms:

Some distinction has been made, or attempted to be made, between pardon and amnesty. It is sometimes said that the latter operates as an extinction of the offense of which it is the object, causing it to be forgotten so far as the public interests are concerned, whilst the former only operates to remove the penalties of the offense. This distinction is not, however, recognized in our law. The Constitution does not use the word "amnesty," and except that the term is generally employed where pardon is extended to whole classes or communities, instead of individuals, the distinction between them is one rather of philological interest than of legal importance.<sup>25</sup>

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<sup>23</sup>Freeman, p. 446.

<sup>24</sup>John Knote v. U. S., 95 U. S. 149 (1877).

<sup>25</sup>Ibid., p. 152.



This opinion in part negates prior distinctions empowering Congress to amnesty and the President to pardon. However, no substantial changes in executive or legislative pardoning activities resulted from this decision.

The Spanish-American War of 1898 was brief and successful for the United States. Yet the annexation of the Philippines as a result of that war led to a lengthy rebellion against the United States by Philippine nationalists. The insurrection ended by March, 1901;<sup>26</sup> on July 4, 1902, President Theodore Roosevelt offered conditional pardon and amnesty to a majority of those participating in the rebellion, provided they signed an oath recognizing the authority of the United States government.<sup>27</sup> No pardons or amnesties were granted to deserters from the American military for the Spanish-American War.<sup>28</sup>

World War I is perhaps the first war in American history to parallel present-day conditions, in creating a large number of deserters, draft evaders, and war resisters who stood to benefit from a general amnesty of the type sought after the Vietnam war.<sup>29</sup> This war prompted the first large-scale conscription in U. S. history. Persons belonging to certain recognized pacifist

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<sup>26</sup>Encyclopaedia Britannica, 1969 ed., s.v. "The Spanish-American War," by Julius William Pratt.

<sup>27</sup>Allan L. Damon, "Amnesty," American Heritage 24 (October, 1973), p. 78.

<sup>28</sup>Ibid.      <sup>29</sup>Ibid.

churches were exempted from military service, but the Selective Service law made no provision for men outside those churches who were conscientious objectors.<sup>30</sup> Approximately 4,000 men were assigned alternative service as a result of their conscientious objector status; another 450 men who were either refused that status or simply refused to register for the draft were imprisoned.<sup>31</sup> The exact number of desertions during World War I is not known, but was likely a substantial figure; for instance, between the armistice in November, 1918, and February, 1920, over 11,000 men deserted the army.<sup>32</sup> Also, at least 2,000 persons were arrested under draft and espionage laws,<sup>33</sup> for violations ranging from participation in illegal antigovernment acts to merely being a member of a radical organization. President Woodrow Wilson staunchly refused to consider any form of individual or group amnesty for imprisoned violators of draft, espionage, or military laws.<sup>34</sup> His successor, Warren G. Harding, freed several hundred men on a case-by-case basis. Calvin Coolidge continued Harding's practice of freeing men individually; both Presidents would not consider any widespread universal pardon or amnesty.<sup>35</sup> On March 5, 1924, following the formal declaration ending the First World War, Coolidge granted amnesty

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<sup>30</sup>Pollitt and Thompson, p. 30.

<sup>31</sup>Damon, p. 78.

<sup>32</sup>Ibid.

<sup>33</sup>Ibid.

<sup>34</sup>Ibid.

<sup>35</sup>Ibid., p. 79.

and restored citizenship to approximately one hundred men who had deserted the army after November, 1918.<sup>36</sup> Then in 1933 Franklin Roosevelt amnestied and restored citizenship for 1,500 violators of the Draft and Espionage Acts who had served their sentences.<sup>37</sup> This, the first amnesty granted to draft evaders in the United States, came fifteen years after the armistice that stopped the fighting in World War I.

Selective pardoning was applied to deserters and evaders from World War II similar to that following World War I. The number of deserters from this war is not known. President Truman refused to grant any general amnesty or pardon for deserters.<sup>38</sup> He did establish an Amnesty Board in 1946 to make recommendations about the some 15,000 men who evaded the draft or in some way violated the Selective Service Act during World War II. Based on the case-by-case examinations made by the board, Truman granted 1,523 individual pardons out of the 15,000 total on December 24, 1947.<sup>39</sup> Those pardoned were done so because of their professed "religious convictions"; men who gave secular, or primarily political reasons for avoiding the draft, as well as some 5,000 Jehovah's Witnesses, were not pardoned. This limited pardon reflected

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<sup>36</sup>Etridge, p. 669.

<sup>37</sup>Ibid.

<sup>38</sup>Damon, p. 79.

<sup>39</sup>Etridge, p. 670.

the mood of the times. In the months immediately following the end of the war, public sentiment was more lenient to deserters and evaders.<sup>40</sup> But with the advent of the Cold War, Americans faced the possibility of another armed conflict, and the willingness to forgive evaders and deserters faded. By the time of Truman's pardon on Christmas Eve, 1947, the idea of leniency, even for conscientious objectors, was unpopular.<sup>41</sup>

In his last days as President, Truman issued two more pardons on December 24, 1952. The first pardoned convicts who had served in the armed forces. The second amnestied all persons who had deserted the military from 1945 to 1950 and had already received punishment.<sup>42</sup>

Presidential action following the Second World War resulted in the pardoning of approximately ten percent of the men who had evaded the draft; further action in 1952, seven years after the end of the war, provided pardons for deserters from the military in postwar years. As with previous situations in American history, distinctions between amnesty and pardon were not clearly established or maintained.<sup>43</sup> But some form of clemency

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<sup>40</sup>See, for example, New York Times, 24 November 1946, p. E-8.

<sup>41</sup>Jack Colhoun, "Amnesty in 1947: A Bad Deal," in Selective Service and Amnesty, p. 407.

<sup>42</sup>Etridge, p. 670.

<sup>43</sup>For instance, what Truman established as an "Amnesty Board" recommended some pardons, but never even considered any amnesties. See Schwarzschild, p. 304.

was provided by the Chief Executive to at least a percentage of the men who, for various reasons, avoided or fled military service.

The desertion and evasion rates for the Korean conflict were the lowest for any of the four American military conflicts of this century.<sup>44</sup> There was no amnesty or pardon for either deserters or evaders from this conflict.<sup>45</sup>

Some general conclusions can be drawn, based on this brief historical review, concerning the political context and nature of amnesties and pardons in the United States prior to the Vietnam conflict.

(1) The concepts of amnesty and pardon have not been consistently distinguished from each other. Most persons have agreed that there is a difference between the two, but opinions as to exactly what that difference is have varied over the years. Some leniency measures have been called amnesties; some, pardons; others have even been labeled both amnesty and pardon. The basic legal differences between amnesty and pardon, discussed at the beginning of this chapter, have been generally ignored or overlooked by Presidents and Congressmen addressing themselves to this issue. The most frequently occurring distinctions have been that amnesties apply to groups while pardons apply to individuals. Furthermore.

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<sup>44</sup>Damon, p. 79.

<sup>45</sup>Pollitt and Thompson, p. 30.

amnesty absolves the crime, while pardon only reduces the punishment.

(2) Accompanying the confusion over the terms amnesty and pardon has been confusion over where the power to grant these measures is vested. Modern scholars writing on this subject reveal confusion and conflicting opinions. Professor Harrop Freeman writes that

The Fourteenth Amendment clearly states that the power to amnesty lies with Congress. Subsequent to the Civil War . . . Congress and the President have generally respected this division of power. It therefore seems clear that the President is empowered to grant pardons for all past offenses for which an individual has been convicted, and perhaps for those for which he has not been convicted and on which the statute of limitations on prosecution has not run out, while Congress has the farther reaching prerogative to grant amnesties for all political activity.<sup>46</sup>

Some scholars do not see such a clear division of powers between the Executive and Congress. Alan Damon, implying that full powers of amnesty and pardon belong to the Executive, writes that "From George Washington onward, Presidents have assumed that the pardoning power carried with it the right to proclaim amnesties."<sup>47</sup> Douglas Jones and David Raish, in an article in the Harvard International Law Journal, concur with Damon that Presidential power is broader than Congressional power in this area:

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<sup>46</sup>Freeman, p. 446.

<sup>47</sup>Damon, p. 8.

The Constitution gives the President the power "to grant reprieves and pardons for offenses against the United States." This clause has been broadly interpreted by the courts to allow the President to grant full, partial, or conditional pardons or amnesties for every federal offense, except in cases of impeachment.

Congress appears to have the same authority as the President, although its pardoning power is less certain because it has been exercised infrequently and tested little by the courts.<sup>48</sup>

Henry Schwarzschild, Director of the Project on Amnesty of the American Civil Liberties Union Foundation, gives the opinion that amnesty may be granted by either the President or Congress:

To be sure, historically amnesty has been most often an act of the Crown, of the Sovereign, of the Chief Executive. But a series of legislative enactments, of Supreme Court decisions, of constitutional and legal doctrines and interpretations, going back over a hundred years, leave no doubt that the Congress, as well as the President, may enact amnesty or remit all penalties for offenses. . . . We (The A.C.L.U.) believe that both the executive and legislative branches of government can properly enact amnesty.<sup>49</sup>

Professor Henry Commager sides more with Harrop Freeman in his opinion that the Presidential and Congressional powers are relatively distinct: "There is no doubt about the constitutional right of the President to grant pardon and to proclaim amnesty, and none about the Congressional right to enact amnesty."<sup>50</sup>

Prior to the War Between the States, all amnesties and pardons were granted by Presidents. After the Civil

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<sup>48</sup>Douglas Jones and David Raish, "American Deserters and Draft Evaders: Exile, Punishment, or Amnesty?" Harvard International Law Journal 13 (1972): 105.

<sup>49</sup>Schwarzschild, p. 303.

<sup>50</sup>Commager, p. 185.

War, Congress exercised full right to amnesty, and even partial right to pardon. Then in the twentieth century, all amnesties and pardons have again been granted by Presidents. A review of the historical precedence and the legal and scholarly opinions reveals that pardoning has been generally considered as a Presidential power, while amnesty can be interpreted as either a Presidential or a Congressional power. But this distinction is rendered invalid because of the confused and inconsistent application of these terms to various acts of leniency. As a summary in the Washington Post stated,

The historical fact, many experts agree, is that no two amnesties or clemency moves are precisely alike and that Presidents, historians, and laymen all have caused confusion by failing to distinguish between amnesty and pardon.<sup>51</sup>

(3) Two broad categories of individuals have been the recipients of amnesties and pardons: deserters, and rebels--dissidents--draft evaders. The first group are violators of military law, subject to trial and punishment under the military justice system. Deserters have not been looked upon favorably in the United States. Desertion is considered a cowardly act; at least until the time of the Civil War, captured deserters were executed, except a rare few cases granted specific pardons. Pardons for

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<sup>51</sup>Washington Post 17 September 1974, p. 14.



wartime deserters have not as a rule been popular with the majority of the citizenry. Usually political exigencies--for example, the need for more soldiers in the War of 1812--have prompted leniency for deserters.

Rebels, dissidents, and draft evaders are grouped together as persons who knowingly violate civilian law, and who consciously oppose actions or policies of the United States. Participants in the Whiskey Insurrection received pardons soon after the hostilities had ceased; rebels fighting for the Confederacy in the Civil War received pardons eventually. Those who took an active part in the rebellion in the Philippines were pardoned within two years after fighting ceased. Dissidents and radical political figures, arrested during and immediately following World War I, were not pardoned as a group; some of these individuals did later receive pardons. Draft evaders have not been treated leniently as a rule. World War I draft evaders were amnestied in 1933, fifteen years after the war, and after most had already served their sentences. Ten percent of the World War II draft evaders were pardoned in 1947; the rest served their sentences or fled.

(4) The time and nature of amnesties and pardons reflect the political climate and the strength of the government at that time. Pardons have been issued during military conflicts when the government needed more manpower

and broader popular support, as in the War of 1812 and the War Between the States. Following military engagements, the broadest and most immediate pardons and amnesties have come from a strong, secure government. After squelching the Whiskey Insurrection in 1795, the government was firmly established, and President Washington pardoned the rebels without a great deal of controversy. After the Spanish-American War and the Philippine rebellion, the United States was militarily strong, and Theodore Roosevelt, a popular and politically secure President, was able to grant leniency. Pardons following the War Between the States and World War I--times when the government and nation were in turmoil--were slower to be granted and less inclusive. United States security following the Second World War was short-lived, as the Cold War and fear of Soviet Communism troubled the nation. The pardons that came at this time, too, were limited in scope.<sup>52</sup>

#### The Contemporary Situation: Vietnam

The amnesty--pardon issue stemming from the American military involvement in Vietnam can now be examined in

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<sup>52</sup>Colhoun, corroborating the view that public opinion is of critical importance for amnesties and pardons, cites an article discussing the pardoning of COs following WWII:

It is no secret that public opinion is the major determinant of governmental policy in the treatment of conscientious objectors. Norman Thomas, in his definitive account of COs in WWI, explained that the War Dep't. was slow in formulating policy for handling these men because "it was afraid of public clamor if it did the unpopular thing."

Leo P. Crespi, "Public Opinion and COs," New Republic (18 June 1945), quoted in Colhoun, p. 409.

in light of this historical context. From the mid-1960s to the end of American troop involvement in Vietnam in 1973, over six million men served in the military in Southeast Asia.<sup>53</sup> Exact figures on how many men deserted the military or evaded the draft are not agreed upon.<sup>54</sup> There are no accurate statistics for this seven year period; but it is known that the desertion and evasion rates have run higher during Vietnam than during any other American military conflict.<sup>55</sup> Desertions are estimated in the hundreds of thousands, and evasions are estimated in the thousands. In any case, a great many men stood to benefit from a pardon or amnesty. George McGovern was perhaps the first well-known political figure to propose amnesty for Vietnam evaders and deserters; his proposal was issued on 3 October 1971.<sup>56</sup> Not long after that, President Richard Nixon was questioned about the possibility of amnesty. His first response was a flat "no" to questions of whether he would consider any amnesty.<sup>57</sup> Then in an interview with Dan Rather, Nixon elaborated on his position. When asked if he would consider any leniency, with or without alternative

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<sup>53</sup>Damon, p. 73.

<sup>54</sup>For a full treatment of the problem of statistics on evasions and desertions see next page.

<sup>55</sup>Commager, p. 182.

<sup>56</sup>New York Times, 4 October 1971, p. 60.

<sup>57</sup>Richard M. Nixon, News Conference, 12 November 1971, as quoted in Testimony of Curtis Tarr, Selective Service and Amnesty, p. 10.

service as had been proposed in Congress, Nixon said:

As long as there are Americans who would choose to serve their country rather than desert their country, and it is a hard choice, . . . and as long as there are any POWs held by the north Vietnamese, there will be no amnesty for those who deserted their country.

Just let me say, Mr. Rather, on that score, I don't say this because I am hardhearted. I say it because it is the only right thing to do. Two and a half million young Americans had to make the choice when they went to serve in Vietnam. Most of them, I am sure, did not want to go. It is not a very pleasant place. I have been there a number of times. They are nice people, but it is not a pleasant place for an American to serve, and particularly in uniform. I imagine most of those young Americans when they went out there did so with some reluctance, but they chose to serve. Of those that chose to serve, thousands of them died for their choice, and until this war is over, and until we get the POWs back, those who chose to desert their country, a few hundred, they can live with their choice. That is my attitude.

Dan Rather: At some future time, the door might be opened?

President Nixon: We always, Mr. Rather, under our system, provide amnesty. You remember Abraham Lincoln in the last days of the Civil War, as a matter of fact just before his death, decided to give amnesty to anyone who had deserted if he would come back and rejoin his unit and serve out his period of time. Amnesty, of course, is always the prerogative of the Chief Executive. I, for one, would be very liberal with regard to amnesty, but not while there are Americans in Vietnam fighting to serve their country and defend their country, and not when POWs are held by North Vietnam. After that, we will consider it, but it would have to be on the basis of their paying the price, of course, that anyone should pay for violating the law.<sup>58</sup>

This statement sums up the Nixon philosophy and policy on amnesty. No further statements by the former President modified or altered this position.

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<sup>58</sup>Richard M. Nixon, News Conference, 12 November 1971, as quoted in Testimony of Curtis Tarr, Selective Service and Amnesty, p. 10.

The next few years saw increased debate on amnesty, including Congressional hearings, and some attempted, but fruitless, action. By early March, 1974, there were nine bills pending in the House of Representatives on amnesty;<sup>59</sup> none of them passed. Watergate hearings and the resignation of President Nixon pushed the amnesty issue back temporarily. Then President Gerald Ford initiated his earned re-entry plan, providing pardons to some 15,000 men. Finally, Jimmy Carter's blanket pardon to evaders in January, 1977 was the last in this series of pardons and amnesties throughout American history.

How does the contemporary situation, dealing with deserters and evaders from the Vietnam war, compare to previous contexts for amnesties and pardons? First, true to historical precedent, there persisted the great confusion over whether Congress as well as the President can grant amnesty.<sup>60</sup> The limited pardons granted to date have been Presidential action. As stated above, Congress has investigated the possibility of amnesty, and numerous bills were actually drafted; but none of those bills passed. Next, there are two categories of men subject to amnesty or pardon: draft evaders and military deserters. This has been true of previous situations, too. Most contemporary

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<sup>59</sup>Washington Post, 9 March 1974.

<sup>60</sup>A fuller discussion of how the terms amnesty and pardon were used by Gerald Ford and Jimmy Carter follows in Chapter 3.

political figures have advocated separate treatment for the two groups. Finally, the current amnesty-pardon issue reflects the political times. As the Vietnam conflict was controversial, so amnesty and pardon proposals have generated much controversy. As Robert W. Merry concluded,

Still, except for the rancor it generated following the Civil War, never in American history has amnesty been as hot a political item as it is today. "My impression," says Prof. Arthur S. Link of Princeton University, "is that we didn't normally have the terribly deep feelings on both sides of the issue . . . in the past."

That isn't surprising. The Civil War was unique in American history in terms of the bitterness Americans felt for each other. And the Vietnam War was the first time the country's leaders attempted to wage a foreign war in the face of substantial opposition at home.<sup>61</sup>

The Vietnam war had grown unpopular with the American people by the early 1970s, when amnesty first received widespread attention. Former President Nixon refused to consider amnesty until all American troops were out of Vietnam. After the final evacuation of troops, the amnesty issue was pushed aside by a weakened Executive in the midst of Watergate troubles. Within days after the resignation of Richard Nixon, when the government under Gerald Ford seemed to be regaining popularity and confidence, a partial Vietnam pardon was granted. The granting of pardons and amnesties again has proved indicative of the relative strength and stability of the government.

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<sup>61</sup>Merry, p. 30.

A Note on Statistics from the Vietnam War

The reader may encounter conflicting figures as to the number of men in various categories who have violated military law. There are different and overlapping categories. From 1963 to 1973 the Justice Department prosecuted 9,000 violators of Selective Service laws--draft evaders.<sup>62</sup> Indictments were dismissed against 10,000 evaders, and another 4,400 were indicted and fled. More than half of these men are thought to be residing out of the country. From 1966 to 1973 the Defense Department lists over 500,000 "incidents of desertion"--defined as absence without leave for more than thirty days. Of these, Defense reports that all but 28,000 have been resolved. Some 2,000 of the persons involved in the unresolved cases are thought to be out of the country. In his V.F.W. speech, Gerald Ford estimated that 50,000 men were at large, in trial, or had been convicted of desertion or evasion. Advocates of amnesty give much higher figures of up to 100,000 men who stand to benefit from a general amnesty.

The reader should note that administration sources, such as the Justice Department or Defense Department or the President are not necessarily more reliable than other sources. The Gallup Opinion Index, in a summary article, stated that approximately 125,000 men were eligible for

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<sup>62</sup>These and following figures are from the New York Times, 20 August 1974, p. 18.

the Ford leniency program, and that nearly 25,000 of those applied.<sup>63</sup> This is substantially higher than the Ford estimate. John Geiger, former head of the American Legion, estimated 70,000 at-large deserters and evaders.<sup>64</sup> A safe guess from these various sources is that the number of deserters and evaders convicted, being tried, or fugitive when Ford spoke in August, 1974, was between 50,000 and 125,000; the total when Jimmy Carter spoke, two years later, was approximately 25,000 less. Any more specific estimates at this point would be mere conjecture.

#### Biographical Information

##### Gerald Ford

The thirty-eighth President of the United States was born 14 July 1913, and named Leslie Lynch King, after his father. His parents divorced when he was two; his mother remarried, to Gerald R. Ford, Sr., and the child was renamed after his adopted father. Gerald and his three younger stepbrothers were raised as Episcopalians in Grand Rapids, Michigan, a city strongly influenced by large Polish Catholic and Dutch Calvinist neighborhoods.<sup>65</sup> Young Gerald developed an early interest in sports, becoming an accomplished football player. His spare time during his

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<sup>63</sup>The Gallup Opinion Index, October 1975, p. 24.

<sup>64</sup>John H. Geiger, "Amnesty: The Availability of Existing Procedures," Vital Speeches of the Day 38 (1 March 1972), pp. 401-403.

<sup>65</sup>J. F. TerHorst, Gerald Ford and the Future of the Presidency (New York: Joseph Okpaku Pub. Co., Inc., 1974), p. 32.



teen years was devoted to working parttime in restaurants to supplement the family income and playing center on his high school and college football teams. At the University of Michigan, Ford played on two consecutive national championship teams, and was selected All-American his senior year.<sup>66</sup> After graduating from Michigan with a solid "B" average in 1935, he took a job at Yale as an assistant football coach and boxing coach. This enabled him to enroll in some courses at the Yale Law School, to which he had previously been denied admission. He completed his studies there, receiving an L. L. B. degree in 1941.<sup>67</sup> He finished in the top third of his law school graduating class.<sup>68</sup>

A budding new law career was delayed when Gerald Ford joined the Navy on 20 April 1942. He served with distinction in the U. S. Third Fleet in the Pacific Ocean during World War II.<sup>69</sup> After leaving the service, Ford returned to Grand Rapids, and joined the law firm of Butterfield, Keeney, and Amberg. In 1948 in Grand Rapids Gerald Ford first pursued the two most lasting loves of his life: politics and Betty. He began courting Elizabeth

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<sup>66</sup>ibid., pp. 37-43.

<sup>67</sup>Who's Who in American Politics, 5th ed. (New York: R. R. Bowker Co., 1975), p. 310.

<sup>68</sup>terHorst, p. 44.

<sup>69</sup>Bud Vestal, Jerry Ford Up Close (New York: Coward, McCann & Geoghegan, 1974), pp. 67-71.

Bloomer Warren, a divorcee and dancer, and they married in October, 1948. The wedding had been delayed for several months as Gerald pitched in, with wife Betty at his side, campaigning for the local Congressional seat, from Michigan's Fifth District. After a stiff battle in the Republican primary, Ford easily won the election over his Democratic opponent in this heavily Republican district.<sup>70</sup> This election, in which Ford received over 60 percent of the popular vote, would be the closest race he would ever face for his Congressional seat.<sup>71</sup>

That Ford chose to run as a Republican is understandable. His father, owner of a small paint store, was a Republican businessman. And his Fifth District had been heavily Republican since the time of the Civil War.<sup>72</sup> Throughout his political career, Ford's philosophies would remain almost exclusively consistent with those of the Republican party.

Ford spend an uneventful first term in Congress in 1949-1950, serving on the relatively minor Public Works Committee. At the start of his second term, in 1951, he

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<sup>70</sup>G.O.P. officials were shocked and dismayed when, in a special election in early 1974 to fill Ford's vacated Congressional seat, the conservative Fifth District elected its first Democratic Congressman in nearly one hundred years.

<sup>71</sup>President Ford: The Man and His Record (Washington: Congressional Quarterly, 1974), p. 32.

<sup>72</sup>Vestal, p. 77.

landed a spot on the influential House Appropriations Committee. Here he became well-versed in economics, particularly military spending, as he also sat on the Military Budget Subcommittee.<sup>73</sup> It was in these early years of his political career in Washington that Congressman Ford developed a close personal friendship and political affinity with another young Republican politician, Richard Nixon of California, who rose rapidly from Congressman to Senator to Vice-President by 1952. The decade of the 1950s was for Gerald Ford, however, rather uneventful. He worked hard, served his district satisfactorily, as evidenced by the overwhelming reelections he received from them, and rose slowly in seniority to become one of the ranking Republicans on the Appropriations Committee and in the House of Representatives. His highest ambition, it seems, was to be elected Speaker of the House.<sup>74</sup> But this required a Republican majority in the House; one of Ford's constant frustrations as Congressman was that he and his fellow Republicans were usually in the minority, having to devote more time to opposing Democratic legislation than forwarding programs of their own. Ford's conscientious effort as Congressman was rewarded with an honor in 1961--the American Political Science Association gave him its distinguished Congressional service award, citing his hard word and dedication.<sup>75</sup>

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<sup>73</sup>terHorst, p. 59.

<sup>74</sup>Ibid., p. 56.

<sup>75</sup>President Ford: The Man and His Record, p. 28.

In 1963, Ford was elected House Republican Conference chairman, reflecting his growing seniority and respect among his peers. Then things began to happen for Jerry Ford--as biographer J. F. terHorst writes, "Ford's political star began to rise on the national horizon in 1964."<sup>76</sup> Although well-known and respected in Congress, Ford had up until now remained largely unknown outside of his own Fifth District of Michigan. President Lyndon Johnson appointed Ford to serve on the Warren Commission in 1964, investigating the assassination of former President John Kennedy. Based on the findings of the commission, Ford co-authored a book published in 1965, entitled Portrait of an Assassin-- a book which would later bring accusations that Ford had exploited his place on the Warren Commission for personal profit.<sup>77</sup> At the Republican National Convention of 1964, Ford's name was one of several mentioned as a potential Vice-Presidential, or even Presidential, nominee. He sought neither position. The nomination of Barry Goldwater for President alienated many Republicans, who felt Goldwater was too conservative and hawkish. Ford, however, always a staunch party loyalist, supported Goldwater, making carefully worded statements that, while not totally agreeing with the Republican nominee, at least emphasized his preference over Lyndon Johnson, the big-spending Democrat.<sup>78</sup>

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<sup>76</sup>terHorst, p. 83.

<sup>77</sup>Ibid., pp. 82-83.

<sup>78</sup>terHorst, p. 87.

Dissension that had been brewing in the Republican ranks in Congress for some time broke into the open near the outset of the 89th Congress. A group of younger, more liberal Republicans called for an election to replace House Minority Leader Charles Halleck. The new choice for Minority Leader was Congressman Gerald Ford. He was not elected because of any strong political views, or because of any great political power, but because he was almost universally liked and respected, a man that most Republicans felt they could work with.<sup>79</sup> He was a moderate Republican, who would follow party views to the hilt. On 4 January 1965, Ford resigned from the Appropriations Committee to begin his new job as Minority Leader--the job of organizing the vastly outnumbered House Republicans in order to combat the flood of "Great Society" legislation President Johnson was sending to Congress.

The battle over domestic legislation soon was overshadowed by growing dissatisfaction with the Vietnam War. Lyndon Johnson continued to involve greater numbers of troops and more money in Southeast Asia not to achieve military victory, but to achieve a stalemate.<sup>80</sup> This policy drew criticism from those who wanted peace and from those who wanted full military commitment to winning the war. Gerald Ford fell in the latter category. Ford was a hawk on Vietnam; he was "by instinct a Cold Warrior of

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<sup>79</sup>ter Horst, p. 92.

<sup>80</sup>Vestal, p. 137.

the Eisenhower-Dulles school."<sup>81</sup> This means that he, like Eisenhower and Dulles in the 1950s perceived a monolithic Communist bloc that posed a world threat, and needed to be checked at any place where a Communist regime threatened to take power. Ford delivered a major address on the House floor in 1968 entitled, "Why Are We Pulling Our Best Punches in Vietnam?" This speech represented the views shared by most hawkish Republicans.<sup>82</sup> As the 1968 elections approached, the unpopularity of the Vietnam war and the corresponding unpopularity of Lyndon Johnson gave the Republicans some solid campaign issues. Then Lyndon Johnson surprised the nation by withdrawing his name from nomination for reelection. Republicans themselves were undecided between advocating increased military involvement to achieve victory in Vietnam, or taking steps to withdraw troops and find a peaceful solution. This issue was debated at the Republican National Convention in 1968, where Gerald Ford was selected as permanent chairman of the convention. Ford's old friend Richard Nixon emerged as the party nominee for President. Gerald Ford was one of several names mentioned as a possible Vice-Presidential choice. Nixon, however, surprised the convention and the nation by choosing Spiro Agnew as his running mate. As the campaign progressed, both Nixon and Democratic nominee

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<sup>81</sup>terHorst, p. 92.

<sup>82</sup>Vestal, pp. 135-138.

Hubert Humphrey adopted moderate-liberal stands on Vietnam; Nixon promised to end the war, to gain "peace with honor." Ford supported Nixon completely, campaigning vigorously for him across the nation. After Nixon's victory in 1968, Gerald Ford returned to his duties as House Minority Leader, now working with a Republican President. The next few years demonstrated clearly Ford's consistently conservative voting record, and steadfast party loyalty. Through 1971, Ford voted 87 percent of the time with the preferences of the Conservative Coalition group.<sup>83</sup> He staunchly supported the President, too, throughout the Nixon years. In 1973, for example, although Nixon's popularity was waning, Ford supported his position on over 80 percent of Congressional votes.<sup>84</sup> Ford was occasionally dismayed, however, by Nixon's tendency to pull surprise moves, major policy changes made without any prior consultation or announcement to Republican leaders. This happened with the wage-price freeze and the liberalized policy towards the People's Republic of China.<sup>85</sup> Nevertheless, Ford defended the President consistently.

A move by Ford in 1970 presented what is perhaps the darkest blot on his career. He demanded impeachment proceedings against the extreme liberal Supreme Court Justice William O. Douglas. The rather flimsy charges Ford made

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<sup>83</sup>Ibid., p. 131.

<sup>84</sup>President Ford: The Man and His Record, p. 27.

<sup>85</sup>terHorts, p. 129.

against Douglas were never substantiated, and the entire episode was seen as a blatantly political move by Ford made as a retaliation to the rejection by Congress of Nixon Supreme Court nominees Clement Haynsworth and Harold Carswell.<sup>86</sup>

Despite this incident, Ford remained in the early 1970s a well-liked Congressman respected by both Democrats and Republicans. He was perceived as a hard worker: not a flashy showman or great political innovator, but a man who would get things done and who did his job well through sheer effort and determination.<sup>87</sup> By 1973 Gerald Ford had reached the summit of his career--or so he thought. Little did he realize that, within one year's span, the national government would be turned upside down, and he, Gerald R. Ford, would be on top.

On October 10, 1973, Vice-President Spiro Agnew resigned, facing possible criminal charges concerning tax evasion. Nixon's choice to succeed Agnew was Gerald Ford. On November 1, Congress opened hearings on the qualifications of Gerald Ford for the Vice-Presidency--the same day that Nixon appointed special Watergate prosecutor Leon Jaworski in the midst of public outcry over his firing of Archibald Cox. With Watergate troubles in the air, the Ford hearings paid far more attention to Ford's Presidential

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<sup>86</sup>terHorst, p. 125.

<sup>87</sup>Ibid., p. 176.



qualifications than might have been expected under more normal circumstances.<sup>88</sup> After a month of exhaustive hearings, in which all aspects of Ford's public and private life were investigated, he was sworn in on December 6, 1973, as the first Vice-President to assume that office under the guidelines of the 25th Amendment.<sup>89</sup> The vote in Congress had been overwhelmingly in favor of Ford, 387-5 in the House of Representatives and 92-3 in the Senate.<sup>90</sup> His best qualification at the time seemed to be his impeccable honesty, a welcomed contrast to the image of the Nixon-Agnew administration.

Ford spent much of his time as Vice-President defending the President, and supporting the Republican party:

. . . he had assumed a niche doubtlessly undreamed of by the authors of the Constitution, and one that was particularly appropriate to the Watergate era of American government: that of chief fundraiser and guidon for the Republican party in its year of distress.<sup>91</sup>

Ford was accused of "zig-zagging" in his statements on the Watergate scandal.<sup>92</sup> He was certainly in a difficult

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<sup>88</sup>The World Almanac and Book of Facts, 1975 ed., s.v. "Some Major Events and Trends of 1974," p. 35.

<sup>89</sup>Section 2 of this Amendment states:

Whenever there is a vacancy in the office of the Vice-President, the President shall nominate a Vice-President who shall take office upon confirmation by a majority of both houses of Congress.

U. S. Constitution, Amendment XXV, Section 2.

<sup>90</sup>President Ford: The Man and His Record, p. 39.

<sup>91</sup>Ibid., p. 19.      <sup>92</sup>Ibid., p. 21.

position: his personal friendship and close political affinity with Nixon and his strong sense of party loyalty compelled him to defend the President, yet he became increasingly aware that Nixon was being less than candid both with himself and the nation, and that Nixon was becoming less and less able to effectively perform Presidential duties because of the Watergate scandal. Yet Ford remained loyal to the end: as late as August 4, 1974, Ford stated his belief that Nixon was innocent.<sup>93</sup> The next day, August 5, Nixon released the fatal missing tapes, that were virtually an admission of guilt on his part. A Ford transition team of Donald Rumsfeld, John Marsh, Rogers Morton, and William Scranton began preparing his staff and office for the Presidency, knowing that the end for Nixon was near.<sup>94</sup> Three days later, August 9, 1974, Richard Nixon resigned. Gerald Rudolph Ford, by succession, became the thirty-eighth President of the United States. Declaring in a speech that "our long national nightmare is over,"<sup>95</sup> Ford began his new job as President. Within days his popularity soared, as people welcomed the change of leadership. In his first few days he held meetings with top Cabinet officials, cabled reassuring messages to

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<sup>93</sup>terHorst, p. 182.

<sup>94</sup>President Ford: The Man and His Record, p. 4.

<sup>95</sup>Text of televised speech of 9 August 1974, cited in *Ibid.*, p. 1.

Moscow and Peking, appointed new staff members, and began making important decisions on a variety of issues. One of his first major decisions--to grant a full pardon to Richard Nixon for any Watergate-related crimes--caused Ford's popularity to plummet almost as quickly as it had risen. Another of his first major decisions was to initiate a clemency program of repatriation for Vietnam war evaders and deserters. The narrative stops here, for it is these first few days of the Ford administration with which this thesis is concerned.

Certain aspects of Gerald Ford's background, career, and personality are particularly relevant to this study. These are the elements that may provide the greatest insight into why Ford dealt with, and spoke of the amnesty issue the way he did.

First, he was raised in a disciplined, hard-working middle-class environment. The Fords were a large family, and the paint and varnish store that Gerald Ford, Sr., ran needed extra help from the sons, as well as occasional outside jobs to supplement family income. Young Gerald worked parttime throughout his high school and college days. The value of work in Gerald Ford's belief system is indicated by his insistence that deserters and evaders "work" their way back and pay for their mistakes, rather than be given a blanket pardon with no strings attached. Ford's religious upbringing was strong, but not dogmatic.

Still a regular church-goer, Ford referred to God in his first amnesty remarks, saying that justice and mercy were needed.<sup>96</sup> Ford's upbringing instilled in him not only these Christian values of hard work, justice, and mercy, but also fairness and honesty. All biographies of Ford, and most evaluations of him written by other political figures emphasize his complete honesty and candor, and his firm sense of commitment. If Gerald Ford makes a promise, Gerald Ford will fulfill that promise. In his first address as President, Ford said:

In all my public and private acts as President, I expect to follow my instincts of openness and candor with full confidence that honesty is always the best policy in the end.<sup>97</sup>

J. F. terHorst characterizes Ford as "decent, honest, candid, forthright, trustworthy, brave, and reverent--a Boy Scout in the White House."<sup>98</sup> It is with these qualities of openness and bravery that Gerald Ford faced the V. F. W. convention on August 19, 1974 to announce his clemency plan for deserters and evaders.

Gerald Ford's views and actions on the amnesty issue are more difficult to explain in light of his political background and his record. The Grand Rapids region

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<sup>96</sup>Gerald R. Ford, "Cutting the Red Tape for Veterans; Amnesty," Vital Speeches of the Day 40 (15 September 1974), p. 707.

<sup>97</sup>Text of televised speech, cited in President Ford: The Man and His Record, p. 2.

<sup>98</sup>terHorst, p. 214.

of Michigan from which he hails has been for many years strongly Republican, and politically conservative. Throughout his public career he has followed the party line in most cases, a steady but moderate conservative. On economic issues, he has consistently opposed government spending. His record on civil rights has been less than satisfactory to minority group leaders, but has followed Republican party line.<sup>99</sup> On foreign policy matters he has proved a hawk, advocating a firm, well-budgeted military. The opposition of the Republican party to amnesty probably influenced Ford's decision not to grant any blanket amnesties or pardons, but only to allow case-by-case earned reentries. Ford was consulted prior to his announcement by persons in the Republican party who favored allowing deserters and evaders to return. Ford has said that his decisions were influenced by Melvin Laird, former Defense Secretary and a personal friend of Ford's.<sup>100</sup> The Washington Post reports that Laird, Defense Secretary James Schlesinger, and Senate Minority Leader Hugh Scott of Pennsylvania had urged Ford to adopt a leniency policy.<sup>101</sup> The day after his V. F. W. speech Ford told reporters that "five or six people in my cabinet, in my staff, and others

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<sup>99</sup>Ibid., p. 161.

<sup>100</sup>"A Sure Touch in Ford's Second Week," Time (4 September 1974), p. 12.

<sup>101</sup>Washington Post, 26 August 1974, p. 1.

said to me last week at some point, 'We have to do something about this.'"<sup>102</sup>

Gerald Ford has always maintained a sense of responsibility to his constituents. One of the few times Ford voted against a Nixon bill concerned a proposed mass transportation package. Ford's Michigan Fifth District has many employees of large automobile plants. Since a mass transportation bill stood to damage the interests of many of his voters, Ford opposed the bill. Ford's voting record in Congress shows a conscientious, sincere effort to reflect the views of the people in his district. J. F. terHorst offers the explanation that Ford's clemency proposal was an effort to reflect a national constituency:

Ford's willingness to propose limited amnesty to those who resisted service during the Vietnam war and his selection of Nelson A. Rockefeller as his Vice Presidential nominee again pleased liberals while outraging the conservatives in the Republican Party. Both of these Presidential decisions indicate Ford's awareness of a national constituency that is less doctrinaire and homogeneous than his old Fifth District of Michigan. "His constituency has grown, so he has grown," one White House adviser has remarked. "His views are not embalmed in formaldehyde."<sup>103</sup>

Gerald Ford has said that his heroes are Dwight Eisenhower, Harry Truman, and Abraham Lincoln.<sup>104</sup> It is interesting to note that both Lincoln and Truman granted controversial but limited amnesties and pardons, and that Ford invoked

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<sup>102</sup>Ibid., 10 August 1974, p. 8.

<sup>103</sup>terHorst, p. 216.

<sup>104</sup>Ibid., p. 219.

their names in justifying his own measures.<sup>105</sup>

Finally, the Ford family and home life have been a strong influence on Gerald Ford. Gerald and Betty have four children: Mike, born in 1950; Jack, born in 1952; Steve, born in 1956; and daughter Susan, born in 1957. They describe their family as "extremely close,"<sup>106</sup> and enjoy spending time together. Although his two older sons were of draft-eligible age during the Vietnam war, neither of them have served in the military. Nevertheless, Ford said that his thinking on amnesty was shaped partially by the views of his children.<sup>107</sup>

Based on the influences from his economic background, his religious and moral beliefs, his political philosophy, his personality traits, his close staff and advisers, and even his family, Gerald Ford made his decision to grant a limited, case-by-case amnesty to the deserters and evaders.

#### Jimmy Carter

James Earl Carter, Jr., was born on October 1, 1924, in Plains, Georgia, in the rural southwestern part of the State where the Carter family has lived for over 200 years. He spent his childhood during the depression years on the

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<sup>105</sup>"Cutting the Red Tape for Veterans," p. 707.

<sup>106</sup>terHorst, p. 214.

<sup>107</sup>"A Sure Touch in Ford's Second Week," p. 12.

family farm which, along with his father's meager trade business with local farmers, provided the family's minimal income. The Carters were poor--a fact which candidate Carter would refer to more than once during the 1976 campaign.<sup>108</sup> Jimmy Carter acquired an early interest in politics from his father, who served on the local county school board, and was elected to the Georgia legislature one year before his death in 1953. Carter has described his father as "conservative"; they argued frequently over racial issues during his father's last years.<sup>109</sup> His mother was--and still is--a strong influence, too, on Jimmy Carter. A registered nurse, she instilled in him humanitarian ideals and many of his more "progressive" philosophies.<sup>110</sup> He attended local public school, which carried him through the eleventh grade. He had already begun seeking appointment to the U. S. Naval Academy, where he had long wanted to study. After a year at Georgia Institute of Technology in 1942-1943 where he took preparatory courses for Naval school,<sup>111</sup> he received

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<sup>108</sup>See Jimmy Carter, Jimmy Carter in His Own Words, ed. by Robert W. Turner (New York: Ballantine Books, 1976), pp. 14, 20.

<sup>109</sup>"Jimmy Carter: A Look at the Man and What He Stands For," United States News and World Report, 19 July 1976, p. 19.

<sup>110</sup>U. S. News, p. 19.

<sup>111</sup>Who's Who in American Politics, 5th ed. (New York: R. R. Bowker Co., 1975), p. 150.



his appointment to Annapolis. He graduated from the U. S. Naval Academy with a B. S. in 1946, finishing fifty-eighth in a class of 820.<sup>112</sup> At the Academy Carter studied astronomy, engineering, gunnery, and navigation, as well as Spanish and after-dinner speaking. After graduation--and after a trip home to marry Rosalynn Smith, his sweetheart of several years--he worked for two years on assignment on experimental radar/gunnery ships operating out of Norfolk, Virginia. Son Jack Carter was born in 1947, while the Carters were living in Norfolk. In 1948 Carter was selected for a special submarine research program under Admiral Hyman Rickover, and the Carters moved to New London, Connecticut, where Jimmy attended submarine school. His first submarine assignment took them to Hawaii, where Chip Carter was born in 1950. A new assignment to an experimental nuclear submarine took the Carters back to Connecticut where a third son, Jeffrey, was born in 1951. A final transfer moved the Carters to Schenectady, New York; he served here until 1953 when, after his father died, and against his wife's objections, he resigned his lieutenant's commission and returned to Georgia to take over the family peanut and warehouse business.<sup>113</sup> (Over the years, this family business--co-run by Jimmy Carter

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<sup>112</sup>Jimmy Carter, Why Not the Best? (New York: Bantam Books, 1975), p. 64.

<sup>113</sup>U. S. News, p. 19.

with his mother and his brother Billy--grew successful; their operation is now valued in excess of one million dollars.<sup>114</sup>) Along with an increasingly successful business career, Carter developed an increasing interest in public affairs. During the 1950s, he served on the local county school board; was president of the Georgia Planning Association; and served on county Library Board and Hospital Authority.<sup>115</sup>

In 1962, in an election fraught with court challenges and accusations of fraud on both sides, Carter won the Democratic nomination for the local seat in the Georgia Senate.<sup>116</sup> He won the subsequent election over his Republican opponent. That Carter ran as a Democrat is no surprise; in this rural region of the Deep South, few successful politicians have been anything but Democrats. Also, his family reveals a strong Democrat influence. Jimmy Carter has said, "I've always been a Democrat ever since I was eight years old."<sup>117</sup>

Carter made a campaign promise to read every bill that came before the legislature. Although this was a

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<sup>114</sup>Ibid.      <sup>115</sup>Why Not the Best?, pp. 87-88.

<sup>116</sup>Accusations against Carter were later dropped, and the local political leader whom Carter had accused of fraud, was later convicted in federal courts for fraud and for running an illegal liquor distribution business. See Why Not the Best?, pp. 89-97.

<sup>117</sup>Jimmy Carter in His Own Words, p. 26.

laborious task, since more than 2,500 bills were introduced annually, Carter claims he faithfully read them all during his four years as Senator.<sup>118</sup> While in the Georgia Congress he served on the appropriations committee, where he developed an interest in budget and financial problems and in eliminating waste and streamlining bureaucracy in state government. He also researched and took interest in the areas of education, conservation, and mental health reform, and attempted to introduce legislation to establish uniform salaries for state officials.<sup>119</sup>

The year 1966 was an important one for the Carters. A fourth child, daughter Amy, was born, and Jimmy Carter decided to seek the nomination for governor of Georgia. He campaigned vigorously, finishing third in a three-person race for the Democratic nomination, won by Lester Maddox.<sup>120</sup> Then, no longer serving in the legislature and no longer needed at home to help with the family business, Carter spent the next four years campaigning for the 1970 governorship race. With an efficient, well-planned staff effort that analyzed and systematically campaigned in every county in Georgia,<sup>121</sup> Jimmy Carter

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<sup>118</sup>Why Not the Best?, p. 98.

<sup>119</sup>Ibid., pp. 99-102.

<sup>120</sup>Candidates '76 (Washington: Congressional Quarterly, 1976), p. 29.

<sup>121</sup>Why Not the Best?, p. 114.

won the nomination and then the general election for governor in 1970.

Political opponents of Carter have charged that he ran a campaign in 1970 that, if it had not been overtly racist, had at least attempted to court the conservative, white segregationist vote.<sup>122</sup> While Carter claims that the racist image was part of a smear campaign against him and was unsubstantiated,<sup>123</sup> he did apparently make remarks that could be interpreted as being sympathetic towards white segregationist leaders and their philosophies.<sup>124</sup> His opponent, former Governor Sanders, received 95 percent of the black vote in the election.<sup>125</sup>

Whatever his tactics may have been, Carter did win the election, and in his inaugural address in January, 1971, spoke strongly against segregation and racial discrimination:

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<sup>122</sup>U. S. News, p. 20.

<sup>123</sup>"Playboy Interview: Jimmy Carter," Playboy, November, 1976, pp. 64, 66.

<sup>124</sup>In a speech at a fundraising dinner for the 1970 campaign of Lester Maddox for lieutenant governor, Carter said:

Lester Maddox represents the essence of the Democratic party. He has compassion for the ordinary man. I am proud to be on the ticket with him.

Despite reports you have heard, there had never been any difference between us in the primary.

Cited in Jimmy Carter in His Own Words, pp. 41-42.

<sup>125</sup>Candidates '76, p. 29.

I believe I know our people as well as anyone. Based on this knowledge of Georgians, north and south, urban and rural, liberal and conservative, I say to you quite frankly that the time for racial discrimination is over. Our people have already made this major and difficult decision, but we cannot underestimate the challenge of hundreds of minor decisions.

. . . No poor, rural, weak, or black person should ever have to bear the additional burden of being deprived of the opportunity of an education, a job, or simple justice. . . As governor, I will never shirk this responsibility.<sup>126</sup>

Jimmy Carter's record as governor shows some positive and respected achievements, and some claims of accomplishments that have been disputed and challenged by Carter's political opponents. He appointed numerous blacks to state boards and commissions and, in what Carter calls "both a substantive and a symbolic gesture,"<sup>127</sup> hung a picture of Martin Luther King, Jr., in a gallery of famous Georgians in the State capitol. A 1976 summary of Carter's four years as Governor states that

Carter is generally given high marks in the fields of the environment, upgrading State bond ratings and improving mental-treatment facilities, prisons and the educational system--and he is rated impeccably honest.<sup>128</sup>

Another evaluation of his record as governor concluded: "As a governor, Carter was certainly in the tradition of Southern progressives."<sup>129</sup>

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<sup>126</sup>Jimmy Carter in His Own Words, p. 104.

<sup>127</sup>Why Not the Best?, p. 123.

<sup>128</sup>U. S. News, pp. 20, 22.

<sup>129</sup>Arthur T. Hadley, The Invisible Primary (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1976), p. 215.

Carter has cited as one of his greatest accomplishments the streamlining of State bureaucracy, reducing the number of State agencies from 300 to 22. According to Carter, this move eliminated much duplication and saved considerable sums of taxpayers' money.<sup>130</sup> Yet Ernest Davis, the State Auditor during the Carter years, claims that his own records show no financial savings by the Carter administration.<sup>131</sup> The number of State employees rose 24 percent from 1970-1974, and the budget rose nearly 60 percent.<sup>132</sup> If the claimed savings are explained not as money actually saved and unused but rather as money redirected into more efficient and more beneficial channels, then Jimmy Carter's assertions may be justifiable.

Even while presenting reform bills and new legislation to the Georgia Congress, Jimmy Carter began to look to the national political scene. He nominated Senator Henry "Scoop" Jackson for the Presidency at the Democratic National Convention in 1972.<sup>133</sup> He chaired the Campaign '74 Committee for the National Democratic Party, and on December 12, 1974, nearly two years before the next Presidential election, Jimmy Carter announced his candidacy

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<sup>130</sup>Why Not the Best?, pp. 128-132.

<sup>131</sup>U. S. News, p. 20.

<sup>132</sup>Ibid.

<sup>133</sup>Jimmy Carter in His Own Words, p. 54.

for the Presidency of the United States.<sup>134</sup> His campaign was vigorous, thorough, systematic, and well-organized. Jimmy, wife Rosalynn, his sons, and eventually even his mother, "Miss Lillian," all traveled extensively, giving speeches, making public appearances, seeking media exposure. Carter progressed from being one of the lesser known of a field of more than ten Democratic candidates to becoming the frontrunner by late spring, 1976; and in July, 1976, Jimmy Carter was nominated on the first ballot at the Democratic National Convention.

Jimmy Carter retains long-held, deep-seated religious beliefs. Raised a Southern Baptist, Carter has described himself as a "born-again" Christian. He was called upon more than once during the 1976 Presidential campaign to explain his beliefs, to allay fears held by some that his religion would interfere with his ability to effectively and rationally lead the country. In an interview of March 16, 1976, Carter discussed his faith:

I was quoted as saying I was "twice-born," but the expression I use is "born-again." We believe that the first time we're born as children, it's human life given to us; and when we accept Jesus as our saviour it's a new life. That's what "born again" means. I was baptized when I was eleven years old. I never did have a personal feeling of intimacy with Christ until, I'd say, ten, twelve years ago, and then I began to see and it changed my attitudes dramatically.

Question: How might your religious beliefs guide your political career?

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<sup>134</sup>The Invisible Primary, p. 4.

It has no particular significance. It's something that's with me every day.<sup>135</sup>

One other passage--from the notorious Playboy interview of November, 1976--illustrates both public misgivings about Carter's faith and his interpretation of that faith:

Playboy: We'd like to ask you a blunt question: Isn't it just these views about what's "sinful" and what's "immoral" that contribute to the feeling that you might get a call from God, or get inspired and push the wrong button? More realistically, wouldn't we expect a puritanical tone to be set in the White House if you were elected?

Carter: Harry Truman was a Baptist. Some people get very abusive about the Baptist faith. If people want to know about it, they can read the New Testament. The main thing is that we don't think we're better than anyone else. We are taught not to judge other people. But as to some of the behavior you've mentioned (extra-marital sex, sodomy, homosexuality, drug usage, alcohol consumption), I can't change the teachings of Christ. I can't change the teachings of Christ! I believe in them, and a lot of people in this country do as well. . . . I think we've pursued this conversation long enough--if you have another question . . . Look, I'll try to express my views. It's not a matter of condemnation, it's not a matter of persecution. I've been a governor for four years. Anybody can come and look at my record. I didn't run around breaking down people's doors to see if they were fornicating. This is something that's ridiculous.<sup>136</sup>

A review of the biographical information on Jimmy Carter is now in order to discern the major influences that might have affected his dealings with the amnesty issue. First, Carter grew up in a rural area in the South, in a poor family, with many black as well as white friends,

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<sup>135</sup>Jimmy Carter in His Own Words, p. 79.

<sup>136</sup>Playboy, pp. 69-70.



most of whom were also poor. He referred to these men in his amnesty remarks to the American Legion on August 24, 1976.<sup>137</sup> Carter believes that for many young men who fought in Vietnam, the alternatives of running to Canada or Sweden simply did not exist. The alternative of going to college to avoid the draft was not possible.<sup>138</sup> So these men went to Vietnam, even though many of them did not believe in the war.<sup>139</sup> After calling these men the nation's "greatest unsung heroes,"<sup>140</sup> Carter went on, in both the American Legion remarks and in the Playboy interview, to deny any comparison between the "heroic" acts of those who served and the actions of those who fled or illegally avoided the war.<sup>141</sup>

One of those young men who went to Vietnam was Carter's son Jack. He speaks in the American Legion address of his son's negative feelings towards the war, and of the negative experiences Jack went through both during and after the war, when he returned to the United States. Carter emphasizes the point that soldiers returning from previous wars were treated with honor and respect; soldiers returning from Vietnam were treated with scorn and even contempt.<sup>142</sup>

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<sup>137</sup>See Appendix, "Remarks by Jimmy Carter to the American Legion," 24 August 1976, p. 4.

<sup>138</sup>Ibid.      <sup>139</sup>Ibid.      <sup>140</sup>Ibid.

<sup>141</sup>Ibid., and Playboy, pp. 73-74.

<sup>142</sup>"Remarks by Jimmy Carter to the American Legion," p. 1.

Jimmy Carter's amnesty beliefs grow out of his perception of the Vietnam conflict. To his view, it was a bad war that caused much strife and bitterness in the United States. All young men facing the draft had to respond to the situation as best they could. Some chose to go ahead and fight, which Carter believes was the most honorable option; others chose to avoid fighting, legally or illegally. The almost hopeless dilemma in which these men were caught justifies forgiveness of their actions, if those actions violated the law.

Politically, Carter's background has been that of a Democrat--a Southern Democrat. The Democratic Party is often associated with liberal policies, and big government spending programs. Southern Democrats, however, are characterized as more conservative, especially on social race-related issues, and on defense and foreign policy matters. Carter tends to fall in the middle; he once described himself as "'fairly liberal' on civil rights, social justice, and the environment, and 'quite conservative' on balanced budgets and long-range planning."<sup>143</sup> These labels are tentative at best; Carter himself has given contradictory descriptions of his political philosophies.<sup>144</sup> But his Democratic Party affiliation has

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<sup>143</sup>Jimmy Carter in His Own Words, pp. 31-32.

<sup>144</sup>In the 1970 governor's race in Georgia, Carter described himself as "the only true conservative" in the race. *Ibid.*, p. 32.

certainly influenced his political outlook; and on the issue of amnesty or pardons, the Democratic party has been liberal. The 1972 Democratic party platform advocated allowing those who left the country to avoid the draft to return without punishment.<sup>145</sup> The 1976 Democratic party platform was consistent with Carter's own views that evaders should be granted blanket pardons, and deserters should be considered on a case-by-case basis.<sup>146</sup>

Another major influence on Carter's amnesty beliefs is his own military experience. In his eleven year Naval career Carter never saw actual combat; yet his experiences gave him a perception of deserters, and the effects that a desertion can have on others who do not desert. He views participation in the military as a commitment that brings the men into a sort of mutual dependency. Because desertion destroys that mutual dependency, Carter has advocated granting pardons for deserters only on a case-by-case basis.<sup>147</sup>

Jimmy Carter's religious beliefs have also shaped his amnesty views. In a news conference of July 27, 1976, Carter discussed civil disobedience and Christianity, concepts that would bear directly on his feelings about amnesty:

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<sup>145</sup>The Gallup Opinion Index, July 1972, p. 17.

<sup>146</sup>Congressional Quarterly Weekly Report, 19 June 1976, p. 1552.

<sup>147</sup>Playboy, p. 73.

The Bible teaches that in that case (when a person declares he cannot obey a law because of his religious beliefs) that the citizen has to suffer the consequences of the law.

We are supposed to have a responsibility as citizens to make sure that the law, the government, the public authorities do provide for honesty, for concern, for equality of opportunity, for love.

So we have a responsibility to try to shape the government so that it does exemplify the teachings of God; to obey the government and--if at times the government, because of an inadequate influence of ourselves, violates, in our opinion, the rule of God--that we're supposed to accept the punishment administered to us by the state.<sup>148</sup>

Jimmy Carter believes that those who willfully break civil law should be prepared to accept the punishment. Yet if the government is being less than fully just, and can be corrected, then it should be altered. This belief is consistent with Carter's expressed feelings and intentions concerning amnesty and pardon.

Carter has emphasized that his faith professes to be nonjudgmental, that is, not to assume that a "saved" or right individual is any better than another who is not "saved" or is morally or ethically "wrong." This attitude is reflected in his distinction of amnesty from pardon. Amnesty, to Carter, implies a moral judgment; pardon, which he advocates, makes no judgment, but merely removes the offense.<sup>149</sup>

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<sup>148</sup>Jimmy Carter in His Own Words, p. 82.

<sup>149</sup>"Remarks by Jimmy Carter to the American Legion," p. 4.

These, then, are the chief influences on Jimmy Carter's decisions concerning the amnesty issue--his regional and economic background, his political affiliation, his own military experience, his son's military experience, and his strong religious beliefs. From these, Jimmy Carter evolved an attitude towards this issue that remained consistent throughout the 1976 Presidential campaign.

CHAPTER III  
RHETORICAL CRITICISM

Introduction

On August 19, 1974, Gerald Ford delivered his major address on the amnesty issue to a national convention of the Veterans of Foreign Wars. In this address he announced his clemency program, which was initiated in September, 1974. Amnesty became an issue of primary importance again during the 1976 Presidential campaign. The Democratic party platform advocated a broader program than that Ford had provided. Then on August 24, 1976, Democratic Presidential nominee Jimmy Carter delivered his major amnesty address to a national convention of the American Legion. Although the pardon plan he advocated in this speech was a restatement from a previously issued policy paper, this address attracted much publicity. A rebuttal to Carter's comments was offered the following day at the same convention by Gerald Ford's Vice-Presidential nominee, Senator Robert Dole. Ford himself remained silent on the matter. Carter discussed amnesty again in the Playboy interview of November, 1976. Then both candidates addressed the amnesty issue in the first of three televised debates, in September, 1976.

A cursory examination of the two major amnesty addresses--Ford's speech to the V. F. W. announcing his leniency program, and Carter's speech to the American Legion advocating blanket pardons for draft evaders--suggests some striking similarities in the setting, the content and format of the speeches, and in the effects these speeches had on the images of the speakers. The bulk of this chapter is devoted to examining these two speeches separately, then comparing and contrasting them. Other remarks made by Ford and Carter prior to and subsequent to these addresses will also be examined, particularly the Presidential debate remarks. This chapter includes discussion of the lines of argument employed by the speakers, their word choice, and the effects of their remarks especially as those remarks were channeled through various mass media to a nationwide audience.

#### A Note on Textual Accuracy of the Speeches

Fortunately, good transcriptions of the Ford-Carter amnesty remarks are available. Ford's address to the V. F. W. is reprinted in its entirety in Vital Speeches of the Day,<sup>1</sup> and the portion of that address specifically concerned with amnesty is reprinted in the New York Times of August 20, 1974.<sup>2</sup> Only one sentence differs between

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<sup>1</sup>Gerald R. Ford, "Cutting the Red Tape for Veterans; Amnesty," Vital Speeches of the Day 40 (15 September 1974): 706-708.

<sup>2</sup>New York Times, 20 August 1974, p. 18.

the two texts. In the Vital Speeches version, the sentence reads, "As I reject amnesty, so I reject revenge." In the New York Times version, the sentence reads, "I reject amnesty, and I reject revenge." This slight difference is attributable to on-the-spot changes in the text made by the speaker. Otherwise, the two scripts are exactly alike. The disputed sentence is cited in both the Christian Science Monitor<sup>3</sup> and the Washington Post<sup>4</sup> as, "I reject amnesty, and I reject revenge." This version of this sentence will be used. Further verification of textual accuracy is provided by excerpts of the amnesty-related remarks reprinted in the Washington Post<sup>5</sup> and the Greensboro Daily News.<sup>6</sup>

There is some evidence that Ford departed from his prepared text, or that the whole passage on amnesty may have been an insertion. An article in Time states that ". . . Ford departed from his bland prepared text and declared that 'unconditional, blanket amnesty for anyone who illegally evaded or fled military service is wrong.'<sup>7</sup>

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<sup>3</sup>Christian Science Monitor, 21 August 1974, p. E.

<sup>4</sup>Washington Post, 21 August 1974, p. 5.

<sup>5</sup>*Ibid.*, 20 August 1974, pp. 1, 8.

<sup>6</sup>Greensboro Daily News, 20 August 1975, p. 1.

<sup>7</sup>"A Sure Touch in Ford's Second Week," Time, 2 September, 1974, p. 11.



An advanced text of the speech distributed to newsmen did not contain the amnesty statement.<sup>8</sup> The Greensboro Daily News reported that "Ford apparently drafted his remarks on amnesty en route to Chicago, inserting them into his prepared text."<sup>9</sup> Even if Ford did depart from his prepared text, however, the copies of what he did say are accurate, and the public speaker is certainly to be held as accountable for unprepared remarks as he is for prepared remarks.

The only complete copy of Carter's American Legion address was provided by local Democratic headquarters. This is one of a series of speeches and policy statements reprinted as part of the Carter campaign. Parts of the same speech--especially the amnesty remarks--are quoted extensively in the New York Times.<sup>10</sup> There are no discrepancies between passages quoted in both sources, and there is no substantial evidence to cast doubt upon the authenticity of the transcript provided by the Democratic headquarters.

How much of these speeches Ford and Carter authored themselves and how much was created by "ghost writers" is not known. In discussing the part of his address on

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<sup>8</sup>Washington Post, 20 August 1974, p. 1.

<sup>9</sup>Greensboro Daily News, 20 August 1974, p. 1.

<sup>10</sup>New York Times, 25 August 1976, p. 22.

amnesty that was added later to the rest of the speech, Gerald Ford said, "We carefully chose our words."<sup>11</sup> (emphasis mine) If he indeed wrote this section on the plane to Chicago, then someone--an adviser or a speech-writer--was there with him. The wording of this section resembles that of the rest of the speech closely enough to assume at least some common authorship. However, even if Ford and Carter relied heavily upon ghost-writers, as political figures they must be held accountable for their public utterances. When they deliver an address, without citing anyone else as the author of that address, then it can be assumed that at least the ideas, if not the words used to express those ideas, are theirs.

Transcripts of remarks from the Presidential debates were prepared by the author, from audio copies of those debates. Excerpts of comments by Robert Dole, representing the Republican team, are printed in the New York Times.<sup>12</sup> Further discussion of amnesty by Jimmy Carter is printed verbatim in Playboy.<sup>13</sup> All of these copies of statements are assumed to be accurate.

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<sup>11</sup>Washington Post, 20 August 1974, p. 8.

<sup>12</sup>New York Times, 26 August 1976, p. 22.

<sup>13</sup>"Playboy Interview: Jimmy Carter," Playboy, November 1976, pp. 73-74.

Ford's Remarks to the V. F. W.  
August 19, 1974

Background and Setting

The occasion was the 75th annual convention of the Veterans of Foreign Wars. The audience consisted almost exclusively of war veterans and their wives. Certain beliefs are recurrent among many members of the V. F. W. First is a strong sense of military patriotism. Members of the V. F. W. have as their common bond their experience in one or another of America's military conflicts. Persons who fight in wars, who see death and injury and combat first-hand, understandably seek reinforcement of the notion that their efforts were important, that their cause was right, and that their nation is worth fighting and dying for. Conventions of veterans serve to provide this reinforcement. The patriotism of V. F. W. members is associated with a belief in the military strength of the United States. This leads to a second common belief, which is that the United States should remain the strongest nation on earth in military capacity. Special attention is devoted to the Soviet Union, who from 1945 until almost the present has been considered the chief rival and enemy of the United States. V. F. W. members tend toward a hawkish approach to foreign relations, coupled with a strong sense of patriotism and belief in American principles. The members of this organization have a dim view of Vietnam deserters and evaders. One year prior to Ford's address, the V. F. W.

had adopted a resolution endorsing President Nixon's strong stand against amnesty.<sup>14</sup>

Gerald Ford occupied a unique position in the political arena as he addressed the veterans on August 19, 1974. Less than one year before, he had been minority leader of the House of Representatives, a respected Republican, secure in his position. When Spiro Agnew resigned under pressure, President Nixon appointed Ford to the Vice-Presidency. Then on August 9, 1974, Richard Nixon resigned under pressure, and Gerald Ford was elevated to the Presidency, having never been a candidate in an election for either of the two highest offices in the country.

Ford's political views were generally known, and consistent. A conservative Republican, he held common beliefs with the V. F. W. members about the need for strong defense and a tough foreign policy. Ford's previous statements on amnesty had attracted little attention, as they tended to follow the Nixon policy completely. For example, in a press conference on December 6, 1973, the day Ford was sworn in as Vice-President, he said: ". . . you don't downgrade the 2,500,000 who served in Vietnam by changing the status of those who decided to leave the country and violate the law."<sup>15</sup> This statement

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<sup>14</sup>New York Times, 20 August 1974, p. 18.

<sup>15</sup>Gerald Ford, press conference of 6 December 1973, cited in President Ford: The Man and His Record (Washington, D. C.: Congressional Quarterly, 1974), p. 55.

is similar to comments made by Nixon on the possibility of amnesty.

Certainly a part of the stature and ethos of the President stems from his having received the endorsement of a plurality or majority of voters in an election. Gerald Ford, still unproven and untested, needed to establish his credibility as Chief Executive. The likelihood was great that this speech, one of Ford's first as President, would attract national press coverage and attention. The importance of Ford's remarks and the reception given Ford by the V. F. W. convention would go far beyond the immediate audience and occasion.

Ford made a triumphant entry into Chicago, riding in a motorcade from O'Hare Airport to Downtown, past thousands of cheering people.<sup>16</sup> His initial reception by the V. F. W. audience was vociferous, and quite positive.<sup>17</sup> Here was a Republican President, an honest, likeable man, who agreed with their views on many issues. Little in his previous statements could have prepared the veterans for the comments in the speech that followed.

#### The Speech

Ford began his address with statements to increase his identification with the audience. He spoke of the

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<sup>16</sup>Washington Post, 20 August 1974, p. 8.

<sup>17</sup>Ibid.

site of the convention, Chicago, complimented Mayor Daley, and mentioned that wife Betty had been born in Chicago. He then spoke of his own membership in the V. F. W., the American Legion, and AMVETS. Ford announced that in his speech he would talk about the "work facing veterans-- and all Americans--the issues of world peace and national unity." The first section of his speech dealt with positive moves for veterans--including the appointment of a new and apparently popular man, Dick Roudebush, as administrator of the Veterans Administration<sup>18</sup>--and included statements stressing Ford's concern for the plight of the veterans. After stating that veterans should be treated as individuals rather than as "numbers in a computer" (always a good appeal to an American audience), that the V. A. should have the best of technological facilities, that V. A. hospitals will provide higher quality service, and that overall V. A. management will be improved and streamlined, the President expressed the belief that veterans of different wars should not receive different treatment. The mention of Vietnam provided a transition into the heart of Ford's speech, a discussion of the controversial amnesty issue.

Ford began his remarks on this subject by reiterating his previous strong opposition to blanket unconditional

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<sup>18</sup>"A Sure Touch in Ford's Second Week," p. 11.

amnesty: "It is wrong." The audience responded to this statement with strong applause.<sup>19</sup> When the ovation faded, he continued: "Yet, in my first words as President of all the people, I acknowledged a Power, higher than the people, Who commands not only righteousness but love, not only justice but mercy." Here are appeals to Christian, moral, and religious beliefs of the audience for love and mercy commanded by God. Ford then suggested historical precedent and justifications for his position by contrasting his situation as President to those of Lyndon Johnson and Richard Nixon, and by suggesting similarities with the situation encountered by Presidents Lincoln and Truman following wars. Then, in a series of parallel sentence structures, Ford expressed both some of the factors in his background influencing his decision on amnesty and the philosophic bases for his decisions. Now that he had justified and defended his decisions on amnesty, Ford finally announced just what those decisions were--that he had requested research and recommendations from the Attorney General and Secretary of Defense on the 50,000 deserters and evaders still at large, charged, or convicted. Ford stated that "There are differences" in the categories, and that every case would not be treated the same way. Throughout this portion of his

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<sup>19</sup>New York Times, 20 August 1974, p. 1.

speech, the audience was unusually quiet. Applause was restrained during subsequent parts of the address.<sup>20</sup>

In an ambiguous remark, Ford said that he had found that few of the cases related directly to Vietnam. Perhaps by this he meant that few of the deserters and certainly none of the evaders actually went to Vietnam. However, the majority of violators broke the law rather than go to Vietnam, so in another sense most of the cases were directly related to Vietnam. Whatever the actual meaning, the probable intent was to separate in the veterans' minds the amnesty issue from the strong emotional feelings and memories associated with the Vietnam conflict.

The President continued to work on the audience's sense of compassion and forgiveness, stressing that all American men forced to live abroad are "casualties" for America. He now arrived at the key statement of his address: "I want them to come home if they want to work their way back." He would allow deserters and evaders to return, but not without some kind of compensation on their part for their "mistakes."

This was followed by a change of tack, as he spoke of having recently awarded fourteen Congressional Medals of Honor posthumously for veterans' bravery. The men were very young, he said, who died; so were those who

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<sup>20</sup>Ibid., p. 18.



"committed the supreme folly of shirking their duty at the expense of others. . . . The glory and agony of war are experienced by the young, who sometimes make mistakes; these young should have another opportunity."

Then without pausing for a reaction, Ford presented a further appeal to the veterans: as older and wiser men who have gone through the experience of war themselves, they should show understanding of the feelings and the mistakes of youth, and help carry out his leniency proposal. The President referred to "justice," "leniency," and a "new atmosphere of hope, hard work, and mutual trust" as positive qualities to be demonstrated by all good Americans. Returning to historical justifications, he again compared himself to Lincoln and Truman. The statement "As I reject amnesty, so I reject revenge," with its parallel structure, presented Ford's position as one of moderation between two undesirable extremes. Ford ended the remarks on this subject with compliments and tributes to the audience members and appeal to their feelings of goodness, mercy, and forgiveness. He again spoke of the "casualties"--referring to deserters and evaders--and the need to end the bitterness of a past war.

Ford turned immediately to re-discussing the problems of discrimination against veterans, and the need for veterans benefits. Then his focus shifted

briefly to inflation, peace, and international relations. He ended the address with rather traditional phrases of hope and faith in the future greatness of America.

### Strategies and Tactics

Gerald Ford's chief rhetorical objectives for this speaking situation were (1) to present his initial clemency action to an audience potentially hostile to such an idea, and (2) to establish his ethos to the nation as an effective leader and President.

Only two specific proposals were mentioned in this speech. The first was appointment of Dick Roudebush Administrator of the Veterans Administration. Since Roudebush had already been deputy administrator, this could hardly have been a surprise move. In fact, the text of the speech indicates that the audience anticipated Ford in mid-sentence announcing this appointment.<sup>21</sup> The other major announcement concerned amnesty. Otherwise, the speech was mostly noncommittal general policy statements. The clemency discussion was specific and lengthy. Since potential amnesty or clemency for deserters and evaders does not directly affect veterans--those who desert do not join the V. F. W.--and does not

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<sup>21</sup>"Today, I am happy to announce my intention to send the Senate the nomination of my personal friend and former Congressional colleague Dick Roudebush of Indiana--it seems to me you know what I am going to say--but I will finish the sentence--to be Administrator of the Veterans' Administration."

really concern future foreign policy or defense commitments, it stands out noticeably in the context of the speech. The clemency proposal was the only part of the speech that promised to be unpopular with the audience. The V. F. W. convention delegates had rejected any form of leniency one year ago, and they were not likely to be receptive to leniency now.

How did Gerald Ford present this idea to this audience--what rhetorical tactics did he use to broach a controversial subject to an unreceptive audience? And at the same time, how did he attempt to reinforce his own ethos?

He began the clemency discussion by denying blanket amnesty. This is important to understanding his strategy in attempting to win the V. F. W. members over to his plan. The phrase "unconditional blanket amnesty" tends to evoke strong negative responses from many people, especially an audience of veterans. The Christian Century, a magazine editorially in favor of amnesty, discusses this tactic:

(Ford) surrounded the specific announcement (of clemency) with a reiteration of his opposition to unconditional blanket amnesty. With this qualification, he lapsed into the political rhetoric of his predecessor. The term "unconditional blanket amnesty" is a code phrase used by politicians to express disgust over unpatriotic men who refused to "do their duty and fight." Mr. Ford makes no reference to the position of those who support amnesty; namely, that the war in Indochina was illegal and that, with varying degrees of commitment, many of the men who

evaded the draft or deserted military services were doing so out of a conviction that the war was wrong.<sup>22</sup>

Although the Christian Century is admittedly biased on this issue, there is much validity to their editorial interpretation. "Unconditional blanket amnesty" had been referred to by Nixon previously; Ford used this phrase, then quickly assured the audience that he would have no part of such an idea. He then went on, to the dismay of most of the veterans, to announce that he would attempt some sort of reconciliation for the evaders and deserters. Ford attempted to soften the impact of an unpopular move by contrasting his alternative with the even less acceptable "unconditional blanket amnesty." Part of the President's strategy was to deal with the negative connotations of this phrase; to steadfastly avoid any reference to his proposal as being "unconditional," "blanket," or "amnesty"; and to take pains to disassociate his proposal completely from those terms and their connotations.

The Christian Century editorial is also valid in stating that President Ford made no mention of any of the arguments usually given by those in favor of amnesty. Based on his previous statements, one can surmise that Gerald Ford did not agree with most of the arguments in

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<sup>22</sup>"Mr. Ford's Cautious Reconciling Step," Christian Century, 4 September 1974, p. 811.

favor of amnesty that implied anything but wrongdoing on the part of the resisters. Even if Ford had held those beliefs, he would have been unwise to espouse such views in front of the veterans. He was proposing a bold and somewhat drastic change. To make that change more palatable, he had to doctor it with as much reactionary rhetoric against the connotations of such a change as possible.

Ford's refusal of amnesty, then is attributable to both his personal beliefs on the matter and a rhetorical tactic. "Amnesty" is a loaded word:

It is a sad commentary on recent American leadership that the audience of veterans Mr. Ford chose as his forum would not have been as emotionally hostile to even a gentle proposal for leniency had they not been subjected during the Vietnam war to political debate that used "amnesty" with the same viciousness that southern politicians once used the word "nigger" to inflame fears and prejudices of southern whites. Amnesty as an issue has not been discussed or even probed seriously; it has been exploited for political purposes. We are assuming Mr. Ford knows this and is endeavoring to meet the public at the point to which it has been led by this political exploitation.<sup>23</sup>

A Washington Post editorial furthers the idea that Ford sought to avoid both the realities and the semantic connotations of amnesty:

Perhaps the first thing for all of us to do about the so-called amnesty issue, now that President Ford has had the courage to raise it before a veterans convention in the first days of his presidency, is to recognize that amnesty is not the issue. . . .

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<sup>23</sup>Ibid.

We should begin by counting ourselves among the contributors to confusion in this respect; in this newspaper as well as in others a need for compression leads to the use of catchwords that can get seriously in the way of constructive debate on sensitive issues . . . Mr. Ford did not propose "amnesty" . . . . But President Ford did something else; he dared to venture out into the dangerous middle ground between "granting oblivion, or a general pardon," on the one hand, and, on the other, a harsh refusal to do anything about the problem of the Vietnam exiles other than to confront them with the full force of the law.<sup>24</sup>

Another Ford tactic was to ask the veterans to accept his proposals on moral and religious grounds. He spoke of a "Power, higher than the people" who commands righteousness, justice, mercy, and compassion. He asked the veterans for their understanding; he asked that any American who had ever sought goodness, mercy, or forgiveness, to extend those same qualities to the evaders and deserters. Such language gives the audience an implicit choice: either to be God-like, forgiving and merciful, and accept the proposed plan; or, by opposing the plan, to go against the will of God. The religious and moral references are best understood since the amnesty issue, more so than many other political issues, has tended to be phrased in judgmental, moral terms of "right" and "wrong." Gerald Ford used the tactic of implying that the "right" moral choice for the audience to make was to agree with him. The moral overtones of his

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<sup>24</sup>Washington Post, 22 August 1974, p. 20.

comments were discussed in an editorial in the Christian Science Monitor:

If there is any issue on which a president can publicly invoke divine guidance without false piety-- it is amnesty. The feelings on all sides are so linked with people's concepts of righteousness that President Ford was on the best possible ground in introducing the subject by acknowledging "a Power higher than the people, who commands not only righteousness but love, not only justice but mercy. . . ."

On such a foundation Mr. Ford could boldly tell a veterans' audience what they didn't want to hear-- "I am throwing the weight of my presidency into the scales of justice on the side of leniency."<sup>25</sup>

The structure of the speech offers a clue to another of Ford's tactics. The meat of the speech--the leniency discussion--is sandwiched between pieces of material sure to be acceptable and pleasing to the V. F. W. This format suggests the standard speech organization of introduction, body, and conclusion; yet within the body itself the same format is followed. This is best illustrated by a word-count analysis. The entire address is approximately 2400 words. The amnesty-related remarks begin about 700 words into the speech or one-third of the way through. The amnesty remarks last through 640 words, or slightly more than one-fourth of the speech. The remainder of the speech, some 1000 words, is devoted to general non-amnesty material.

Ford prefaced the amnesty remarks with statements praising the veterans and discussing his administration's

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<sup>25</sup>Christian Science Monitor, 21 August 1974, p. E.

interest in the needs of veterans. Ideally this tactic should have the audience members receptive to the speaker and agreeing with him as he moves into the more objectionable material. Then, after the controversial information is presented, the speaker retreats to positive and less disputable material, to soften the impact of that which is unpleasant. Thus, the V. F. W. members should have left with some of the harsh impact of Ford's contrary amnesty views negated by the more acceptable views that followed. Maybe the audience would not be completely enthusiastic about Ford, but perhaps they would not be quite as adamantly opposed to his ideas on leniency.

An examination of transitions within this address lends credibility to the idea that the amnesty-related remarks were added to an already prepared speech. The passages immediately preceding and following the section on amnesty have a continuity of thought, from discussing different treatment of veterans from different wars to mentioning the new V. F. W. commander-in-chief, a veteran of the Korean war, to discussing specifically the plight of the Vietnam veterans. Assuming, then, that Ford did add the amnesty remarks at a later point, the sandwiching effect of placing those comments in the middle offers a reasonable explanation for the ordering he used.

Gerald Ford also attempted to create a more positive image for himself through this speech. He sought to



strengthen his ethos as President by (a) delineating the philosophies and policies he intended to follow, and (b) demonstrating that he possessed the qualities of a good President: experience, wisdom, strength, and decisiveness.

The first tactic--enumerating his beliefs and intended actions--was especially important since he had not previously done so in an election campaign context. He announced the appointment of the new V. A. administrator. He announced his upcoming plan of leniency for Vietnam war resisters. He talked about V. A. hospitals and unemployed veterans. He mentioned other items of interest to this audience, including the national economy, and foreign policy. Except for the passages on the V. A. administrator and leniency, he was seldom specific about policies; he was specific, however, on the direction that defense and foreign relations would take under him.

During the amnesty discussion, Ford referred to the aspects of his background that led him to make his decision. This served a dual purpose: besides justifying his proposal, it demonstrated that he has the experience and education to make Presidential decisions, having been a lawyer, a naval reservist, a Congressman, House Minority Leader, and Vice-President. The language of this part of the speech is clear, strong, and decisive--the veterans might not like it, but Ford would pursue his leniency idea anyway.

The very fact that Ford chose to discuss amnesty at this early point in his tenure as President and to this particular audience is a tactic, showing a tough-but-fair leader, not afraid of being unpopular for doing what he thinks is right. So while attempting through this speech to initiate genuine clemency action, Ford also attempted to show that he as President merited the confidence and trust of the nation in him.

Carter's Remarks to the American Legion  
August 24, 1976

Background and Setting

On August 24, 1976, Jimmy Carter, the Democratic party nominee for President, addressed the American Legion National Convention in Seattle, Washington. The Legion is an organization of war veterans, mostly older men. They tend to hold the cluster of attitudes associated with veterans: hawkish military views, belief in a strong national defense with a generous budget, and conservative views on economic and social issues. To this group Jimmy Carter was essentially a mystery candidate. Although he had already received the Democratic nomination for President, this was his first major campaign address since the convention. He was viewed by many persons as being "wishy-washy" or vague on the major issues; his political beliefs were, to many voters, a question mark.

Carter's views on amnesty prior to this address had not been widely publicized. He issued a position paper on amnesty and pardon on January 26, 1976.<sup>26</sup> His views coincided closely with those written into the Democratic party platform of 1976. The platform supported "full and complete pardon for those who are in legal or financial jeopardy because of their peaceful opposition to the Vietnam War, with deserters to be considered on a case-by-case basis."<sup>27</sup> Still, the Legionnaires knew little about Jimmy Carter's views on any subject, much less amnesty.

Concerning Carter's qualifications for President, several doubts had been widely published in national media:

First, it was held that he was not knowledgeable enough. Carter had served in the Georgia legislature, and as Governor of Georgia. He had no political experience in Washington. He is not a lawyer, as most nationally elected officials are. Particularly in defense and foreign policy, areas of great concern to the Legionnaires, his experience and knowledge were considered limited.

Second, many persons feared that his strong fundamentalist religious beliefs would have an adverse bearing

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<sup>26</sup>See Appendix

<sup>27</sup>"Summary of the 1976 Democratic Party Platform," Congressional Quarterly Weekly Report, 19 June 1976, p. 1552.

on his performance as President.<sup>28</sup> Any candidate for political office who speaks of the love of God and of sins and of righteousness and salvation is due to be skeptically regarded by many Americans. This aspect of Carter's belief system may not have bothered members of the American Legion as much as it might other groups of voters.

The third chief doubt concerned Carter's indecisiveness on issues. In attempting to appeal to as many voters as possible, Jimmy Carter tended to rephrase his statements to suit each particular audience he faced.<sup>29</sup> This, coupled with his perceived habit of fence-straddling on certain issues,<sup>30</sup> brought accusations that he was "two-faced" and inconsistent. These were some important parts of Jimmy Carter's image as he faced the Legionnaires in late August. He had to disassociate himself from the

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<sup>28</sup>See excerpts from Playboy interview, supra, Chapter II.

<sup>29</sup>In an interview, Carter discussed his use of adaptive language:

There are some groups with whom I feel perfectly at home, and there are some that I don't. But in general, I'm able to accommodate different kinds of groups fairly well, and that's one of the things I've always tried to do in a speech: to figure out in my own mind the compatibilities between me and them. But I'm not always successful.

New York Times, 18 June 1976, p. 18.

<sup>30</sup>For instance, Carter said he was opposed to abortions, but opposed to laws outlawing abortions. While positions such as this are not logically inconsistent, they can create an impression of logical inconsistency, fence straddling, or fuzziness on the issues.

negative qualities attributed to him through general press treatment; he had to create an ethos with a still largely noncommitted audience.

### The Speech

Carter faced the American Legion audience wearing what they were wearing: an American Legion cap. This readily recognizable symbol began the identification with the audience for Carter before he ever said a word. His opening statements did more to establish him as "one of them"; not a strange southerner, but a man among "my fellow Legionnaires." He stated that he wanted to discuss items of interest to "us as veterans and as Americans." He mentioned the military tradition in his family and his own military experience. This experience includes having worked under Admiral Hyman Rickover, and Carter stated that he learned good qualities from Rickover that he has put into his business and political careers. This was followed by a mention of his son Jack, who served in Vietnam. Jack Carter had been treated with scorn and derision because he was part of the Vietnam war; this reception at home, which many vets in the audience had also experienced, was, Carter reminded them, quite different from the attitudes following previous wars. The bitterness following Vietnam was to Carter "nothing less than an American tragedy." He did not say the war itself was a tragedy, but that the reception veterans received

and the national mood following Vietnam were a tragedy. Then Carter spoke about patriotism: what it used to mean, what it should mean, and what it means to many people today. He stated that one of his goals as President would be to restore national pride and patriotism.

As a transition into the body of the speech, Carter said:

I did not come here just to get your vote or endorsement, nor just to make a good impression on you. I come here as a nominee for President who has spent full time the last 20 months learning about this country--what it is and what it ought to be.

Perhaps this is not a strikingly original statement for a man seeking political office (I'm not just here because I want your vote . . ."). Yet it is an attempt to disavow the image of Carter the vote-hungry hack who will say anything to win a vote, and to demonstrate a Jimmy Carter who is knowledgeable and who has learned much about this country.

Carter said he would talk about some "tough decisions" facing Americans. He outlined his priorities for the military and foreign relations. Military strength would be ensured by commitment to necessary expenditures, elimination of waste and duplication, and a constant search for peaceful relations. In the future, the U. S. would avoid involvements in the internal affairs of other countries. Commitments abroad in general will be more

cautious. Carter advocated constant alertness of comparative military capacity, and maintaining a rough balance of power with the U. S. S. R. The words "national security," said Carter, have fallen into disrespect, and need to be given a new and valid meaning for Americans.

After discussing these topics, Jimmy Carter moved on to a subject which he would bring up at other times during the 1976 campaign: that the strongest defense comes from a secure home front, that solving domestic social and economic problems would be the chief step in keeping America strong abroad. He spoke in abstractions of the need for patriotism and trust, and more concretely of policy guidelines, with an effectively self-conscious transition between these areas:

I recognize, of course, as you do, that it is not enough for the President to talk about patriotism and national security. He must take positive, aggressive action to ensure that our defense establishment is worthy of national respect. That calls for leadership, and that calls for management.

Carter spoke of priorities in budgeting and foreign aid, reevaluation of military programs, and some specific suggestions for ways to save money without losing necessary military services. Then came Pentagon budgeting and National Guard priorities--Carter mentioned that as Governor of Georgia he had attended Guard training sessions every summer.

International terrorism was the next subject for discussion; Carter's expressed intention to take steps

against terrorism undoubtedly was agreeable to the audience.

Now the Democratic candidate began bringing his comments closer to home for the American Legionnaires. He lamented the plight of the returning Vietnam veteran, and the problems of the Veterans' Administration and federal government bureaucracy in helping the veterans. He listed a series of facts, statistics, and widely accepted generalizations about the present conditions of these problems. Then he drew the conclusion for the audience, to leave no doubt: "The reason for this dismal record is clear: it is a failure of leadership." He cited some controversial vetoes and budget cuts of the Ford administration that might have adversely affected veterans, especially Vietnam vets.

He made certain the contrast between the current leadership and himself, the challenger, was evident. If he is elected, "the American veteran, of all ages, of all wars, is going to have a friend, a comrade and a firm ally in the White House." The implication of this statement was that they had no friend, comrade or ally in the White House at that time.

Carter had now presented his best punches, the material most likely to meet the approval of the audience and create in their minds a favorable impression of him. With this done, he shifted course and began to discuss amnesty.



He assumed a softer, more serious tone to say, "I would like to speak for a moment about the single hardest decision I have had to make during the campaign. That was on the issue of amnesty." Up to this point the Legionnaires had consistently cheered and applauded his speech. But now they grew quiet as Carter began to talk about this controversial topic. He spoke of the men he knew who went to Vietnam: that they were poor and uneducated, that they did not even know about the possibility of evading the draft or running away. Many of them, he said, were wounded or killed. Many were treated with indifference upon returning to America. He completed this brief tribute to Vietnam veterans--many of whom were in this audience--with, "The Vietnam veterans are our nation's greatest unsung heroes." Yet the audience surely knew that something less pleasing to them was about to follow as he stated that he could never equate the action of draft evaders with the bravery of the Vietnam veterans; "But I think it is time for the damage, hatred, and divisiveness of the Vietnam war to be over. . . ."

The New York Times describes the next critical moments of the speech:

A spirited applause rose from the audience and continued as an underscore for the beginning of his statement--"I do not favor a blanket amnesty." However, when he pronounced the word "but," the boos began. He finished the sentence: "but for those who violated Selective Service laws, I intend to grant a blanket pardon."

Cries of "No! No! No!" erupted from the audience of more than 15,000 Legionnaires and their wives, and ended only after the organization's national commander, Harry G. Wiles, gaveled the audience to silence.<sup>31</sup>

Some audience members responded with applause rather than boos.<sup>32</sup> but the predominant mood was one of disapproval. The candidate stood silently while the boos continued, then smiled, as he did often in tense or uncomfortable moments during the campaign.

Carter resumed his speech with a distinction between "amnesty" and "pardon": "Amnesty means that what you did is right. A pardon means that what you did--right or wrong--is forgiven."

He also distinguished between those who violated Selective Service laws--draft evaders--and deserters. The former group would receive blanket pardons; the latter group would be handled on a case-by-case basis in military courts. He spoke of the need to forget the differences and problems of Vietnam, to "bind up our wounds." Servicemen, he said, best understand the need for peace, and for strength to ensure peace. He implied here that amnesty is a necessary step to achieving national unity and strength, and that the veterans should know that more

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<sup>31</sup>New York Times, 25 August 1976, pp. 1, 18.

<sup>32</sup>According to the Washington Post, 25 August 1976, p. 1, "The only discernible applause came from the upper tier of the Seattle Coliseum where several hundred young people, apparently not Legion members, had gathered."

than anyone else. He reminded them again that he too is a veteran, a former submarine officer. He digressed, relating how he had been at sea in 1945 when the first atom bomb was dropped, and how neither he nor any of the others he worked with had even comprehended the significance of it. Now, years later, we have forgotten how terrible and awesome nuclear warfare really is. We cannot comprehend the vastness of a truly global war. Carter then tied this back into the mainstream of his speech: In a world of nuclear power, using "little wars"--i.e., Vietnam--to prevent bigger ones is dangerous. This closing passage of Carter's address went beyond amnesty, or any other specific policy, and ended with generalities about the current loss of trust and confidence in government. But, he said, there is no one in this audience who does not want to heal wounds and restore the greatness of the nation. He, Jimmy Carter, hoped to play a part in that effort.

#### Strategies and Tactics

Jimmy Carter hoped to gain the support of the American Legion with this address, and, more importantly, to strengthen his image to a national audience through secondhand accounts of the speech. The strategies he employed to achieve these immediate and long-term objectives included (1) To overcome some of the negative aspects of his image as created in media treatment;

(2) To discuss amnesty in such a way that, if his controversial views on this subject did not strengthen his support, at least those views would not prove detrimental to him; (3) To outline the other policies, programs, and beliefs that would guide him if he were elected President; and (4) To demonstrate that the present administration--his opponent in the election--was inadequate and merited replacing.

As previously discussed, Carter was still regarded as something of an unknown figure, even though he had already swept the Democratic party convention and had been campaigning vigorously. Doubts had been widely circulated that Carter was not sufficiently educated about Washington and international politics to run the country. He gave brief but intelligent discussions about comparative military strength of the U. S. and the U. S. S. R., and NATO and the Warsaw Pact; he listed very specific proposals for budget cuts in certain wasteful areas within the Defense department budget; and he talked in specifics about the current problems with job training and education for veterans. Overall, the speech covered a wide range of subjects of interest to the Legionnaires; on most of the issues, candidate Carter showed that he had done his homework well. He also sought to combat his image of being vague and wishy-washy. On most issues he gave clear statements of intention and policy. In fact, Carter was

perhaps too clear when he was booed for stating that he would pardon evaders.

Doubt had been expressed about Carter's strong religious convictions; that, as a fundamentalist Southern Baptist, he might act irrationally, or let religion interfere with the running of the country. Whether or not Mr. Carter was aware of this aspect of his image is not known; it is interesting to note, though, that this speech is entirely secular, without a single religious reference. The closest to religion he approached in this talk was his discussion of patriotism and faith in the country. If Christian beliefs indeed hold a great influence over Carter's thought processes and values, they do not always appear in the wording of his speeches.

Carter needed to be very careful in the way he approached the topic of amnesty, since this stood to be the most unpopular of his policy statements. He prefaced the pardon discussion by saying that this was the "single hardest decision" he had made during the campaign. This made him appear quite serious, and also implied that whatever followed would be, while perhaps displeasing, at least well thought-out and sincere. What did follow was first a reminder to the audience that he had not forgotten the role of the Vietnam veterans--"I could never equate what they (Vietnam veterans) have done with those who left this country to avoid the draft"--and then the statement of policy.

Carter made two clear sets of distinctions in this policy. First, he stated his opposition to amnesty, but his intention of granting a pardon. He told the audience that, to him, amnesty implies that what the violator did is right; pardon means that the violator is forgiven, and no judgment of right or wrong is made. This distinction apparently made little impression on the Legionnaires; any form of leniency, it seems, was objectionable to them. Because this distinction is central to the Carter policy on this issue, and because this is the statement that produced the most overt negative reaction from the Legionnaires, the amnesty-pardon sentence merits further discussion. The distinctions provided by Carter are not consistent with the historical and legal applications of the terms amnesty and pardon.<sup>33</sup> Consensus among both conservatives and liberals is that Carter created his own definitions. A Washington Post editorial, discussing the distinction, said "One can question whether Mr. Carter, by this word juggling, was not trying to simply evade the harsh political overtones of the word 'amnesty.'"<sup>34</sup>

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<sup>33</sup>As discussed supra, in Chapter II, pardons usually are granted to individuals; amnesties, to groups. Pardon frequently refers to the waiving of punishment for an already convicted criminal; amnesty frequently promises absolution prior to trial or punishment. In confusing the legal meanings of the terms, however, Carter is certainly not without precedent. See Chapter II, history of amnesty.

<sup>34</sup>Ibid., 26 August 1976, pp. 1, 18.

The Greensboro Daily News called the distinction "a trifle contrived."<sup>35</sup> Both of these editorials favored Carter's proposal. Speaking for the opposition, Robert Dole, addressing the same American Legion convention the next day, said that a speaker, "whoever he was, had provided his own definitions" for amnesty and pardon.<sup>36</sup> Finally, an editorial in the Christian Science Monitor denied the validity of Carter's distinctions:

Jimmy Carter apparently was well prepared to clarify things for booing American Legionnaires by drawing a distinction between "amnesty" and the "blanket pardon" he proposes for Vietnam draft evaders. But his venture into semantics confused the issue.<sup>37</sup>

But for Carter himself, the amnesty-pardon differentiation was important in emphasizing that he was implying no moral judgment of the acts of war resisters, but would simply absolve their crimes, never attempting to determine whether they were right or wrong.

Carter's second major distinction was between evaders and deserters. Since some deserters might have endangered their fellow soldiers on the battlefield or deserted for other than political or moral reasons, their cases would be handled individually. He then said that, whatever reasons for disagreement there were in 1966,

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<sup>35</sup>Greensboro Daily News, 26 August 1976, p. E.

<sup>36</sup>Robert Dole, cited in New York Times, 26 August 1976, p. 22.

<sup>37</sup>Christian Science Monitor, 26 August 1976, p. E.

that now they should be forgotten and we should move on to a "rebirth of patriotism." This implies that there is no longer any reason not to allow evaders to return unpunished. For the United States to remain strong in the world, "We must bind up our wounds." This binding and healing must be done by allowing evaders and deserters to return. Since all the audience members would want the United States to be strong, then, by his reasoning, they should see that the pardon is necessary. Carter emphasized that they of all people should understand that; "those who most want peace, and who best understand the need for strength as a prerequisite for peace, are our past and present servicemen and families." Therefore the audience members, all servicemen present and past, should also best understand that strength and peace depend upon healing, and that the healing process depends upon letting exiled and imprisoned Americans return to the mainstream of society.

At this juncture Carter left the amnesty discussion hanging and went into his story about being in the Navy at the time of the first atom bomb. He did not mention the deserters or evaders in this speech again.

Another of Carter's strategies was to clearly enumerate his beliefs and planned policies on certain issues. The speech ranged from generalities and philosophy of foreign policy and defense to specific statements about



selected subjects. The issues were those thought to be most important to veterans: military strength, future policy on foreign military involvements, the Soviet Union, NATO, government budgeting and spending, foreign aid, education and job training for servicemen and veterans, the National Guard, and amnesty. Probably the amnesty-pardon issue was not the only one on which Carter's views conflicted with some members of the audience. His mentioning of budget cuts, of eliminating some "unnecessary" weapons systems, and of streamlining the Defense Department may well have threatened or displeased some of the Legionnaires. Yet in all of these selected areas--primarily areas of defense and foreign policy--Jimmy Carter clearly stated what his attitudes were and what his policies would be.

As the challenger in this election, Jimmy Carter needed to demonstrate that Gerald Ford was not an adequate President, and that Carter would be preferable. Yet his attacks on his opponent had to be cautious and tactful; both he and Ford sought to avoid the mudslinging image that has been applied to previous candidates. The majority of Carter's speech was devoted to talking about his own beliefs and intentions. But when he discussed "the poor record of government bureaucracy" in helping veterans with jobs and education, he went on to blame present problems on a failure of leadership, without ever naming Gerald Ford.

He then reinforced the contrast between candidates by mentioning again what his attitude as President would be towards veterans. The one subject area he chose to attack the present administration on is an area sensitive to many veterans, and an area in which his criticisms would be shared by many persons in the audience. It is also an area of domestic policy rather than foreign policy. So Carter only devoted one passage of his address to an outright criticism of his opponent; that criticism concerned a subject of great importance to this audience and a subject on which the administration had drawn previous fire.

#### Comparison and Contrast

On August 19, 1974, President Gerald Ford gave a speech outlining his controversial views on leniency towards war resisters and deserters. Almost exactly two years later, on August 24, 1976, Presidential candidate Jimmy Carter gave a speech outlining his controversial views towards deserters and evaders. The similarities and differences in their settings, in the speakers' respective images, and in the way Ford and Carter each approached a discussion of this issue is the subject of this section.

Setting

The audiences of these two speeches were remarkably similar. Both the Veterans of Foreign Wars and the American Legion are organizations of military personnel, mostly retired. Many of the members are older men; many veterans are members of both organizations. The two groups tend to hold the same basic set of political beliefs as discussed earlier in this chapter. Both groups stood strongly opposed to any kind of leniency for those who deserted or evaded the draft during the Vietnam conflict. Ford and Carter each made their first policy statements about leniency to the national conventions of veterans, where opposition to any such idea would be strong. Gerald Ford stated after his speech that he intentionally chose this audience, whom he expected to be unreceptive, to test out his leniency ideas first. He told reporters that he had discussed leniency

with five or six people in the Cabinet, in my staff and others who had said to me last week that at some point we have to do something about this.

The more I thought of it, the more I thought that the right audience would be an audience that might be difficult rather than some handpicked audience. It's better to talk to people who have some understanding. It would have been a little cowardice [sic], I think, if I'd picked an audience that was ecstatic.<sup>38</sup>

If Ford's comments are accepted as a genuine expression of his motivation--and there is no reason to

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<sup>38</sup>New York Times, 20 August 1974, p. 18.

believe otherwise--then he chose an audience for announcing his clemency proposal the group most strongly opposed to any form of amnesty or lessening of penalties.

Jimmy Carter, too, expected disapproval from his audience:

The protest to his Legion speech did not come as a surprise to the Democratic Presidential nominee. In the last week, while working on the speech, he had frequently suggested to aides that it would not play well here today. "But I want to meet it head on," one aide quoted him as saying.<sup>39</sup>

Another quoted comment presents Carter as having deliberately chosen this audience for this speech: ". . . he said to another assistant working on the speech: 'I want a confrontation with that organization.' He got it."<sup>40</sup>

The two addresses were delivered two years apart from each other. This time lapse is most important in the change of the status of amnesty as an issue. In 1974 amnesty was actively debated by many people. Congressional hearings had considered the issue, and numerous Congressional bills had been written offering amnesty-related measures. Meanwhile, Richard Nixon had steadfastly refused any sort of amnesty or clemency. It was very much an alive and active issue in August, 1974. But out of Ford's speech came his clemency plan. The plan was controversial and unpopular with many persons on

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<sup>39</sup>ibid., 25 August 1974, p. 1.

<sup>40</sup>John Osborne, "Glimpses of Jimmy," The New Republic, 18 September 1976, p. 10.

both sides of the amnesty issue; yet through the plan an estimated 25,000 out of 125,000 eligible resisters and evaders returned.<sup>41</sup> Despite the unpopularity of the plan, many people approved of it after it was terminated.<sup>42</sup> To Gerald Ford, as well as to many others, amnesty became a closed issue. The debate on amnesty lessened. The bitterness of the Vietnam war receded two years more from memory. Yet many thousand of men remained in exile out of the country, or continued to suffer jail sentences or other repercussions in America. But the two years' lapse between Ford's speech and Carter's speech had seen amnesty go from a major issue to an issue that, while still important, had been forgotten or dismissed by most people.

#### Image and Ethos

The two years' lapse between these speeches was significant in one other way. Although 1974 was not a presidential election year, 1976 was. The demands on a just-appointed President are different from those on a candidate seeking the office. Gerald Ford and Jimmy Carter faced their respective audiences from different roles and with different images; yet they sought to establish a similar type of ethos with their audiences.

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<sup>41</sup>The Gallup Opinion Index, October, 1975, p. 24.

<sup>42</sup>Ibid.

Ford had to divorce his image from that of Richard Nixon and the Watergate administration. Beyond that, he needed to establish his own credibility as Chief Executive. He made statements during his speech to show his experience and knowledge; to show his good judgment; and to show his firmness and strength of character as a decision-maker. A secondary task in creating his image was for Ford to outline the philosophies and actions that would characterize him as President. The very fact that he would make an effort to outline policies clearly would serve to reinforce a more positive image.

Jimmy Carter had to contrast his image with that of the incumbent administration. He needed to establish his own credibility as a contender for the Presidency. He made statements during his speech to show his knowledge and experience, which had been questioned before; to show his good judgment; and to show his decisiveness and firmness, which also had been questioned before. Like Ford, Carter also outlined the philosophies and actions that would characterize him as President.

One must not overlook the obvious in this comparison: Gerald Ford was not a candidate for the Presidency when he delivered this speech in 1974. He was President. It can be safely assumed, however, that his strength and popularity as President was less than solid. Certain aspects of Ford's position during that crucial week in

August, 1974, have no recent historical precedent: Ford suddenly found himself succeeding as President the man who had appointed him as Vice-President, in an administration steeped in controversy. His role was dissimilar from that of a candidate in that he already was President, even though he had never been elected; few persons would seriously challenge his Constitutional claim to the office. Yet his performance in those first few days would significantly determine his stature and effectiveness as President for the two years to come. He had not gone through the process of campaigning as a candidate for one of the two highest offices--a process that gives the public a thorough, if somewhat distorted, view of the men seeking offices. Without this, Ford was not as well known to the public as he might have been. In this respect his situation as a speaker is analogous to that of candidate Carter: facing the veterans' audience, still largely an unknown. Ford and Carter each had large parts of their image yet to be established; they each needed to establish those images positively to accomplish their respective political purposes.

For the two speakers, the reinforcement of a suitable image was more important than the revelation of specific intentions concerning amnesty or anything else discussed in these speeches.

Candidate preference, however, does not depend as much on issue differences as it does on image projection. The citizen will ultimately be presented with a decision making alternative, not necessarily amongst promises and aspirations, but rather, between candidates' personalities and performances.<sup>43</sup>

Some issues, then, become important chiefly in how they affect the image of the speaker. With this in mind, it is important to examine the significance of Ford and Carter both selecting amnesty as an issue to discuss in these speeches.

#### Issue Selection

Despite the inclusion of other material, the most important--and most controversial--thrust of each speech was on amnesty. Why did they want to deal with the amnesty problem? Each man could have conceivably ignored or avoided the subject without serious repercussions. For Gerald Ford, reasons both moral and political can be suggested. Moral reasons include his own beliefs in the validity of the solution he suggested. The justice and mercy he expressed are tempered by his conviction that evaders and deserters were fundamentally wrong, and should somehow atone for their mistakes. Thus he formulated the plan to have violators work their way back, without having to serve jail terms or stand trial. Politically this was

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<sup>43</sup>Alan M. Rubin, "The 1960 Kennedy-Nixon Television Debates: Implications for a Strategy of Communication in the Modern Presidential Campaign," paper, The University of Illinois, 1972, p. 1.



one of several moves made by Ford that provided a sharp contrast between his administration and that of Richard Nixon. He stood to benefit by making that contrast clear. He hoped his policy would be an effective compromise between extremes on a divisive issue, that liberals seeking full amnesty and conservatives disapproving of any form of leniency would both be appeased. Ford had been advised by members of his staff that he would need to deal with the amnesty problem before long.<sup>44</sup> Thus, it became politically expedient for him to attempt to solve it as quickly and peacefully as possible. Amnesty was a suitable choice as an issue and a speech topic to improve Gerald Ford's ethos.

For Carter, too, a combination of ethical and political reasons can be inferred for his decision to discuss amnesty. Moral beliefs led him to elaborate a distinction between treatment for deserters and evaders, as the nature of the two acts are different. He advocated blanket pardon for evaders, since their actions were based on their beliefs; and case-by-case examination of deserters, since some of them might have deserted out of moral conviction, and some out of simple cowardice. An important political motivation for Carter to present amnesty views is that those views appeared in the Democratic party platform; as

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<sup>44</sup>New York Times, 20 August 1974, p. 18.

party nominee, he was also party spokesperson. Also, amnesty was a sore spot of the Ford administration, since many persons were dissatisfied with Ford's leniency program. For Jimmy Carter, too, amnesty was a good choice of issues to improve certain factors influencing his ethos.<sup>45</sup>

### Organization and Terminology

Beyond the external and motivational similarities in these two rhetorical situations, there are some internal similarities in the speeches themselves. Given comparable rhetorical goals, Gerald Ford and Jimmy Carter used some common methods of organization, word choice, and lines of argument, especially in discussing amnesty.

The organization of the speeches is comparable. Both begin with traditional introductory material, then progress to discussion of a variety of related topics: The Veterans' Administration, the Defense Department, foreign policy, foreign aid, etc. In each speech, amnesty is not even mentioned until at least halfway through the address.<sup>46</sup> And in each case, the amnesty

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<sup>45</sup>Specifically, by hitting a hostile audience head-on with an emotion-laden issue, Carter stood to attract much publicity and improve his image in terms of strength of conviction, willingness to face adversity, and decisiveness of belief and action.

<sup>46</sup>In the Carter address, which runs a length of approximately 3,800 words, the amnesty remarks, covering only 380 words or one-tenth of the total, fall in the final one-fourth of the speech.

discussion is followed by more general material, and traditional conclusory material. The passages on amnesty were clearly the most disputable passages in these speeches. Both of the speakers knew this when they prepared the speeches. So they sought to lessen the potentially negative impact of amnesty comments by surrounding them with statements likely to evoke positive responses from the audiences. Then, after bringing in the contested amnesty material, the speakers again moved to more general, palatable material to soften the impact of the amnesty statements.

The issue to which both speakers addressed their remarks is usually referred to as "amnesty." Yet both men specifically stated their opposition to amnesty. Amnesty is but one of several ways a President can change the status of those accused of breaking the law. There are also "pardon," "clemency," and "leniency." The terms have distinct legal and historical meanings; however, the various meanings and applications of these terms are frequently interchanged or confused. The negative connotations of "unconditional blanket amnesty" have already been discussed. Ford steadfastly avoided any association of this phrase with his plan, and made a point of rejecting this notion. Nor did Ford call his plan a "pardon" or "clemency." How did he describe his intended actions? These words and phrases appeared

in references to his plan and ideas: "love," "mercy," "to bind up the nation's wounds," "to deal with the different kinds of cases," "should have a second chance," "leniency," "earned re-entry," "rehabilitating all the casualties of the tragic past." Gerald Ford was careful to avoid labeling his intended program with any title or phrase that would carry negative implications.

Mr. Carter was not so careful. He too stated his opposition to blanket amnesty, but then declared himself in favor of a "blanket pardon." The Legionnaires did not wait for Carter to clear up this distinction, but rather began immediately providing him with explicit negative feedback--they booed. This is one key difference in the two speeches. Ford said only that he intended to make some sort of reconciliation step involving work assignments; Carter announced specifically blanket pardons for evaders, and individual case consideration for deserters.

A recurring set of images in both speeches characterize the leniency measures as healing, ending suffering, closing wounds, and rehabilitating the injured or lost--images that suggest an American body politic that needs to be cleansed once and for all of the internal disorders created by its involvement in the Vietnam conflict. Ford refers to: "the urgent problem of how to bind up the nation's wounds," "all, in a sense, are casualties," "the agony of the young," "the rebuilding of

peace," "a new atmosphere," "to join in rehabilitaing all the casualties of the tragic conflict of the past."

Jimmy Carter, too, speaks of the need to "bind up our wounds"--the implication being that Ford's attempt to "bind up our wounds" had failed.

. . . time for the damage, hatred and divisiveness of the Vietnam war to be over . . . we can come together and seek a rebirth of patriotism . . . we must bind up our wounds. We simply cannot afford to let them fester any longer . . . our attention must turn to rebuilding . . . the need for strength as a prerequisite for peace.

The major thrust of Carter's reasoning in his amnesty-related remarks is "forgive and forget"; that whatever happened due to Vietnam is in the past, and old injuries must be reconciled as we look to the future. The major thrust of Ford's reasoning is that the violators were young men who made mistakes, and that those who made the right choices in the same situation, the veterans, should forgive the violators. Ford's reasoning is consistent with his policies. Carter's reasoning is consistent with his definition of "pardon"; that no attempt is made to judge the draft evaders, or place guilt. He did not attempt, as Ford did, to include directly the veterans in the leniency action and reasoning. Ford asked the audience to "join in rehabilitating all the casualties," implying that they had a role in the rebuilding. Carter merely stated his position, gave his reasoning, then said that veterans more than anyone else would

understand the need for such a move. He did not elaborate further.

### Effects

Any attempt to gauge the effects of a modern public communication must consider both the immediate audience effect and the effect upon the national audience present through the mass media. Today, most political persuasion is achieved through television, radio, and the printed media. The media image of a political figure is of primary importance if that figure is to succeed. In this section the immediate effects of the two addresses by Ford and Carter will be discussed briefly; then will follow a more in-depth analysis of the effects beyond the V. F. W. and American Legion conventions. Since both of these speeches were followed by subsequent discourses on amnesty, the long-term effects will be best explained after brief digressions to consider other discourses.

### Short-Term Effects

Some of the responses of the immediate audiences have been noted. As Gerald Ford launched into his announcements about his leniency proposals, the veterans were described as sitting in "shocked silence";<sup>47</sup> subsequent applause was "restrained."<sup>48</sup> Until the leniency

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<sup>47</sup>"A Sure Touch in Ford's Second Week," p. 11.

<sup>48</sup>New York Times, 20 August 1974, p. 18.

remarks the audience had been strongly enthusiastic; past that point, they were only politely receptive. The Veterans of Foreign Wars were not persuaded by the President's arguments. Two days later the convention adopted this resolution:

We sustain total opposition to general and selective amnesty for draft dodgers and military deserters and (believe) that they should be required to stand trial . . . and . . . pay such penalties as laws prescribe.<sup>49</sup>

The rest of Ford's address was well received; only with the amnesty-related remarks did Gerald Ford fail to win total agreement from the V. F. W. audience.

The most obvious and immediate of responses to Carter's speech was the chorus of boos that interrupted him. But besides his comments on amnesty and pardon, most of his address was well received by the Legionnaires. They gave the candidate a standing ovation at the end of his address.<sup>50</sup> Later, Harry Wiles, the American Legion National Commander, said "I think the Legion agrees with half of what Mr. Carter said."<sup>51</sup> The majority of this audience was not convinced by Carter's arguments about amnesty and pardon; however, his willingness to face the controversy seems to have made an impression with some American Legion members:

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<sup>49</sup>"Amnesty: President Fans a Burning Debate," U. S. News and World Report, 2 September 1974, p. 18.

<sup>50</sup>Time, 6 September 1976, p. 10.

<sup>51</sup>New York Times, 25 August 1976, p. 1.

But the Legionnaires oppose both amnesty and pardon. Moreover, many of them see no difference between them. Nevertheless, there were those in the audience of 15,000 at the Seattle Center Coliseum who said that they admired Mr. Carter for taking a stand that he knew would be unpopular.<sup>52</sup>

Ford, Amnesty, and Richard Nixon:  
Effects, August-September 1974

The nationwide ramifications of Gerald Ford's speech are evident in two directions: the effect of his speech on the amnesty issue, and the effect of his speech on his image as President.

Debate on the amnesty issue, which had diminished under Richard Nixon, was re-opened by this address. Articles reviewing the facts and the arguments pro and con appeared in numerous periodicals afterwards. In his speech Ford indicated that the final plan would reflect the consensus opinion concerning a solution to the amnesty issue; yet it was apparent in his speech that, whatever, public opinion might be, the solution would entail resisters working their way back, without serving prison terms. This solution, presented in complete form some weeks later, proved to be acceptable to some, and objectionable to many. If Gerald Ford's intention was merely to re-open the debate on amnesty so that he could get "the full spectrum of American opinion on this controversial question,"

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<sup>52</sup>Ibid., 26 August 1976, p. 23.



then he certainly succeeded. If his intent was, however, to gain public approval for his plan, then he was not entirely successful. Some liberal elements such as the Christian Century and Senator George McGovern expressed cautious approval of Ford's proposal.<sup>53</sup> Yet the majority of those favoring unconditional amnesty disapproved; and, perhaps most importantly, the

majority of the draft resisters and deserters interviewed by Time correspondents said that they would accept nothing less than unconditional amnesty, explaining that anything less would imply wrongdoing on their part.<sup>54</sup>

On the other side of the issue, conservatives, and particularly veterans' organizations, continued to oppose any form of leniency.<sup>55</sup>

As a booster to his ethos as President, this address was strikingly successful for Gerald Ford. It demonstrated, perhaps more than any other action during his first few days in office, the welcome change of policy from the Nixon administration to the Ford administration.<sup>56</sup> It also demonstrated Ford's own abilities as a decision maker and a leader. The Christian Century said of the

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<sup>53</sup>See "Mr Ford's Cautious Reconciling Step," p. 811, and New York Times, 20 August 1974, p. 1.

<sup>54</sup>"A Sure Touch in Ford's Second Week," p. 11.

<sup>55</sup>Washington Post, 26 August 1974, p. 1.

<sup>56</sup>See "Amnesty: President Fans a Burning Debate," and New York Times, 20 August 1974, p. 13.

leniency remarks: "Those are the words of a leader."<sup>57</sup>  
 The V. F. W. speech along with other Ford actions produced an effective first ten days in office:

The activity was calculated to project an image of a Chief Executive who was firmly in command and to diminish whatever doubts might still linger over the transition from Richard Nixon to a new and untested President. Much as Lyndon Johnson did in the week after John F. Kennedy's assassination, Ford was reaching out for a national consensus, a show of bipartisan support--and he was doing it with a sure touch. Declared Democratic Senator Edward Kennedy of Ford's first days as President: "It's been excellent. I don't think he's missed a beat."<sup>58</sup>

In articles running on two consecutive days, the Christian Science Monitor expressed similar reactions: "After only 11 days as President, Gerald Ford is showing a willingness to face up quickly to divisive issues in the U. S. and to making initial moves toward solving them."<sup>58</sup> In the second article, it was argued "More importantly he acted on his inaugural promises of reconciliation by promptly addressing this divisive issue, showing a sensitivity to it and to its human factors which had been missing in the Nixon White House."<sup>60</sup>

Gerald Ford's tactic of presenting his leniency proposal to an audience of veterans made some impression:

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<sup>57</sup>"Mr. Ford's Cautious Reconciling Step," p. 811.

<sup>58</sup>"A Sure Touch in Ford's Second Week," p. 11.

<sup>59</sup>Christian Science Monitor, 20 August 1974, p. 1.

<sup>60</sup>Ibid., 21 August 1974, p. #.

Perhaps the most remarkable fact about President Ford's Chicago statement on amnesty was not what he said but where he said it.

Veterans' conventions, not entirely without prompting on their part, have come to be viewed by politicians as forums for saber-rattling and jingoism. We do not recall that a major political figure has risen to statesmanlike utterance before a veterans' convention since Adlai Stevenson, 22 years ago this month, reminded the American Legion--then deeply embroiled in domestic Red-hunting--that "patriotism is not the fear of something; it is the love of something. . . ." The important thing is that President Ford has had the moral courage to take his case to the toughest, not the easiest, audience; and that he is not just mouthing the language of reconciliation but trying to effect it.<sup>61</sup>

Not everyone was pleased with Gerald Ford's amnesty-related speech and proposals. According to a summary of responses in the Washington Post, conservative Republicans, along with veterans' groups, saw this as a shift by Ford away from his own conservative principles.

One bitter Republican official, who warned that concern about amnesty for Vietnam-era deserters and draft dodgers was not limited to "a few bomb-throwing idiots on the right" but extended far over into the party center, said that Mr. Ford's suggestion for conditional amnesty in a speech to the Veterans of Foreign Wars had "put Republican candidates on the defensive for no reason."<sup>62</sup>

The majority of reactions to Ford's proposals were positive, however.

The immediate, nationwide effects of Ford's V. F. W. address were greater on Gerald Ford himself than on the amnesty issue itself. The nation seemed not so much

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<sup>61</sup>Greensboro Daily News, 22 August 1974, p. 6.

<sup>62</sup>Washington Post, 26 August 1974, p. 8.

concerned with what Ford proposed to do about the war resisters, as that he proposed to do anything about them at all. A National Observer reporter, after interviewing people in the Washington, D. C. area, wrote, "People here seem to care far less about amnesty as an issue that they do about the President's compassionate approach to it."<sup>63</sup>

The Ford V. F. W. speech and leniency proposal capped off an enormously successful first ten days in office. But the tremendous ethos-strengthening that resulted from the leniency move may well have been a result of fortunate timing as well as anything else. Ford was perceived as honest and believable, a welcomed relief from Richard Nixon. His popularity would have remained higher than Nixon's had he even simply sat in the White House and done nothing. As it was, he made some bold, decisive moves that disassociated him from the Nixon administration and established Gerald Ford as a strong personality of his own. With the amnesty issue, Richard Nixon paved the way for Ford to gain from his policy announcements. Nixon refused to consider amnesty. Ford's program, limited as it was, was seen as a step forward from the Nixon policy. Even those who did not like the specifics of Ford's proposal understood it

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<sup>63</sup>"Amnesty: A Calm After the Storm," National Observer, 31 August 1974, p. 1.

as an attempt to do something about the problem of the war resisters, and appreciated that attempt.

J. F. terHorst, in his biography of Gerald Ford, writes,

It was the contrast with Nixon that made Ford so initially attractive as a President; one wonders what the national judgment would have been if Ford had followed an Eisenhower or John Kennedy.<sup>64</sup>

This is the key to the success of the V. F. W. speech in creating a positive image for Gerald Ford. At another time, under different circumstances, the same speech and policy might have attracted little attention, or might have done far less for Ford's ethos. But in the context of Richard Nixon, with his Watergate troubles and his absolute shunning of any form of leniency for war resisters, "nice guy" Gerald Ford, with his mild program of leniency and his blunt, direct, and trustworthy style of politics, appeared, if not great, then at least superior to his predecessor.

Events of the next few weeks showed that Gerald Ford's tremendous popularity was short-lived. Ford started his administration with a "honeymoon" with Congress. Whereas Nixon had tended to be noncommunicative with Congressional leaders, Ford held several meetings with them in his first few days in office. In these meetings, in his selection of Nelson Rockefeller as his

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<sup>64</sup>J. F. terHorst, Gerald Ford and the Future of the Presidency (New York: Joseph Okpaku Publishing Company, Inc., 1974), p. 215.

choice for Vice-President, in his clemency proposal, in his general willingness to listen to advisors, to accept new input, to deal with pressing problems, Ford had come to be highly regarded by Congress, the national press, and the nation. But all this changed with the issuance of one brief document on Sunday, September 8, 1974--the pardon of Richard Nixon for any Watergate-related crimes. Public reaction was immediate and adverse; within days, Ford's popularity ratings had dropped significantly.<sup>65</sup>

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<sup>65</sup>In August 1974, 71 percent of the American public had thought Ford was doing a good job. Three months later only 43 percent approved his conduct in office, 39 percent disapproved, and 18 percent were undecided. Arthur T. Hadley, *The Invisible Primary* (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1976), p. 170.

Columnist Mary McGrory, as cited in terHorst, pp. 238-239, interprets Ford's sudden drop in popularity as the awakening of a national press and public that had been lulled into expecting greatness from Ford:

. . . And what made him think he could get away with it (the pardon of Richard Nixon)? Here the press must step forward with bowed head. Reading his notices for the first month in office, Ford learned that he was irresistible, invulnerable, and invincible. The Washington press corps lost its head over Gerald Ford. A thousand reporters were turned overnight into flacks for Jerry Ford. They raved about his decency, his smile, his English muffins, his peachy dancing.

. . . In their lust for decent leadership, they went all out, promising themselves and their readers a rose garden. They joyfully chronicled the overtures to the Vietnam exiles, the blacks, the women. They babbled about fresh winds and total change. They forgot everything they knew about Gerald Ford, his dreary record in the House, his slavery to the party and the Joint Chiefs of Staff, his spiteful and silly effort to impeach Justice William O. Douglas. They dismissed his unbecoming performance as vice president as "politics" . . .

He perhaps did us all a favor by slapping us all awake that Sunday morning.

So the great ethos boost Gerald Ford had gained from his V. F. W. speech was in effect nullified by the Nixon pardon. Meanwhile, the amnesty issue receded, as the clemency board began their investigations and began drafting proposals for a specific plan--actions that were necessary, but not particularly newsworthy.

Ford's Remarks Announcing the  
Clemency Program, September 15, 1974

Eight days after the pardon of Richard Nixon, Ford faced television cameras with a brief statement outlining the plan for "reconciliation" of evaders and deserters.<sup>66</sup> He reiterated basic facts: that he had instructed the Attorney General and Secretary of Defense to research the status of resisters, and that he had announced at the August 19 V. F. W. convention his intention of giving the resisters a chance to return. He repeated language used in the August 19 speech: "bind up the Nation's wounds," "throw the weight of my Presidency into the scales of justice on the side of leniency," "my predecessors . . . Harry Truman and Abraham Lincoln." He stated that his objective was to make the penalties meted out fit the seriousness of the crimes committed. He announced the establishment of a Clemency Review Board, and briefly discussed the plan of requiring alternative service for

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<sup>66</sup>See appendix.

returning war resisters. He closed by saying,

My sincere hope is that this is a constructive step toward a calmer and cooler appreciation of our individual rights and responsibilities and our common purpose as a nation whose future is always more important than its past.

He then signed the Executive order, and the address was over.

This speech offered little that was new or different from the V. F. W. address. Ford simply restated the arguments, and discussed in practical terms what the plan would entail. Little attempt at persuasion is evident in this talk; not surprisingly, little persuasion was achieved because of this talk. The amnesty-related remarks of one month ago had created a big news splash. With a newly approached subject, Ford had surprised the nation; he had addressed a hostile audience, and the contrast to Richard Nixon was pleasing to newsmen and citizens alike. But now the newness and surprise of the issue had faded. While the first address had impressed people with the fact that Ford was doing something about the war resisters, this second talk had merely to present the specific plan. The plan, attempting a compromise on a highly polarizing issue, was, like many compromises, not initially well received by the majority of either advocates of total amnesty or those opposed to any form of amnesty. Finally, in the wake of the Nixon pardon, this second announcement inevitably invited comparisons between



the full and complete pardon granted to Nixon, who had never been brought to trial, and the very limited clemency offered to the resisters, many of whom had already served jail sentences or had lived in exile for years. Ford attempted to deny comparisons between the two acts:

The only connection between the two cases is the effort that I made in the one to heal the wounds involving the charges against Mr. Nixon and my honest and conscientious effort to heal the wounds for those who have deserted military service or dodged the draft. That's the only connection between the two.<sup>67</sup>

Yet the comparisons were made, and the limited clemency of war resisters did not appear quite so generous by contrast. For all of these reasons--the lack of any new persuasive effort by Ford, the loss of newness or shock value of the announcements, the specific nature of the plans given in the talk, and the shadow of the Richard Nixon pardon--the second Ford talk on clemency, given to a nationwide television audience, had an insignificant effect on either the ethos of Ford or on public opinion concerning the amnesty issue. And the great ethos boost Ford had gained from his V. F. W. speech, negated by the Nixon pardon, was temporary, and did not reemerge with the September 16 clemency announcement.

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<sup>67</sup>Gerald Ford, cited in Washington Post, 17 September 1974, p. 11.

Jimmy Carter and Amnesty:  
Effects, August-November 1976

Jimmy Carter's American Legion address of August 24, 1976, had little immediate effect upon the amnesty issue. Carter was only a Presidential candidate when he delivered this address. Ford implemented his decision soon after he spoke about them whereas Carter, for the time being, could only state future intentions. Also, the two years' lapse and the Ford leniency program had made amnesty a less volatile issue. Finally, Carter's proposed pardon for evaders stood to affect only a minority of the violators--about 12,000 of an estimated 106,000 men.<sup>68</sup> For all of these reasons, his remarks produced no immediate change in the status of the amnesty issue or in the amount of debate concerning amnesty. However, Carter was probably not overly concerned with stirring up debate on amnesty. He did not say that, if elected, he would seek out public opinion on amnesty, or accept new input on his decision; he simply said that he would grant the pardons.

In a Presidential campaign, issues do not become major focal points of discussion unless more than one candidate chooses to deal with them. Gerald Ford gave no response whatsoever to Carter's American Legion address. With Ford's consistent silence on the amnesty issue, and

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<sup>68</sup>New York Times, 28 August 1976, p. 20.

the exclusion of any mention of amnesty from the 1976 Republican Party Platform, the Republicans tried to minimize the importance of the amnesty issue, to treat it as a closed, finished matter. The one noticeable response came in Robert Dole's speech to the American Legion. This speech merits a brief digression, since Dole, as Ford's choice for Vice-President, presumably would not have made statements that did not represent in substance the views of Ford; and since Dole's response influenced the effects of Carter's address.

Robert Dole: August 25, 1976

The next day after Carter was booed by the American Legion for advocating blanket pardons for draft evaders, Robert Dole addressed the same American Legion National Convention. Dole did not name Carter, but said that a speaker, "whoever he was, had provided his own definitions" for amnesty and pardon.<sup>69</sup> Dole said he had checked Webster's New World Dictionary and found no such distinction. "It defines amnesty as a general pardon."<sup>70</sup> Dole received a loud, standing ovation from the Legionnaires when he declared:

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<sup>69</sup>Ibid., 26 August 1976, p. 22.

<sup>70</sup>Ibid. Note that, while Carter's definitions may have been of his own invention, Dole's corrections of those definitions are no more historically accurate than Carter's. See *supra*, history of amnesty, Chapter II.

Let there be no confusion as to President Ford's position on this issue. It is unequivocal, and applies equally to draft evaders and deserters, no blanket pardon, no blanket amnesty, no blanket clemency.<sup>71</sup>

Dole continued, attacking Carter and praising the Ford clemency program:

Today, we have those who would signal weakness and generate strife by declaring that those who served this nation in her armed forces deserve no greater consideration than those who turned their backs and scurried away.

President Ford extended the hand of mercy to those who fled America when she needed their service. He offered them a chance to earn clemency, and I say earn clemency, by proving their right to resume their place in this nation. The offer was extended to draft evaders and deserters alike, on a case-by-case basis. Some accepted. Some 19,000. Some refused. Some 80,000 or 90,000. As far as I know, the effort is finished.<sup>72</sup>

In the absence of comments by Ford, these remarks stand as representative of the Republican ticket. Besides winning the overwhelming support of the Legionnaires, Dole's comments accomplished little else, receiving far less publicity than had Carter's remarks of the previous day. The negative, vindictive tone of Dole's remarks invited criticism of him as a "hatchet man," doing Ford's dirty political work. For example, an editorial in the Washington Post stated:

The Republican vice-presidential nominee, Mr. Dole, followed Mr. Carter to the American Legion podium yesterday and gave a tough political speech intended apparently to convey that, whereas Mr. Ford had been

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<sup>71</sup>New York Times, 26 August 1976, p. 22.

<sup>72</sup>Ibid.

both thoughtful and firm in his past approach to this matter, the Democratic nominee is being casual and weak. Mr. Dole contrived this impression by means of a combination of nuance, misstatement and sloganeering that, one hopes, will not be his regular campaign style. In fact, the spirit in which Mr. Carter would advance beyond the Ford position to offer pardon to draft-law evaders is quite the spirit in which Mr. Ford pardoned his predecessor in the White House.<sup>73</sup>

Except for the Presidential debates, this Dole response was the closest the Ford team came to entering the discussion on amnesty during the 1976 campaign.

At this point in Jimmy Carter's Presidential campaign, regeneration of the amnesty-pardon controversy was not important; what was important was that his American Legion speech be successful in improving his image. Apparently it was successful. The American Legion address came after three days of campaigning on the West Coast, where the Democratic nominee had met large, enthusiastic crowds, and had been well received. At this early point in the campaign, with the election still more than two months away, any negative effects of Carter's pardon views on the public might fade by election day. The New York Times reports that this was the thinking of the Carter staff:

There was evidently some thought in the minds of Carter aides that perhaps by raising the question of amnesty at this point, its unpopularity with certain segments of the country could be dealt with immediately and perhaps put behind in the Democrats' campaign.<sup>74</sup>

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<sup>73</sup>Washington Post, 26 August 1976, p. 14.

<sup>74</sup>New York Times, 25 August 1976, p. 18.

What would remain in the voters' minds, after the specifics of Carter's amnesty views faded, would be an image of a tough candidate, unafraid of controversy.

Carter supporters and amnesty advocates were pleased by the fact that Carter faced a hostile audience to discuss an unpopular belief. The New York Times editorial staff, admittedly in favor of amnesty, wrote this two days after the speech:

It took the kind of forthrightness that is in short supply in contemporary American politics for Jimmy Carter to tell an American Legion audience in Seattle that, if elected he would grant a blanket pardon to Vietnam draft evaders. . . . Mr. Carter's stand on the issue of amnesty coincides with our views. What matters more, however, in anticipation of the Presidential election campaign, is the clear implication that Mr. Carter intends to speak out on controversial issues, even at the risk of displeasing special interests in direct confrontation. If President Ford is prepared to adopt a similar course, the campaign could become a reaffirmation of democracy in action.<sup>75</sup>

Even more interesting are the reactions of the members of the Southern Governors' Conference. One would expect Carter supporters to interpret his pardon speech as a commendable gesture, but what about conservative Southerners, some of whom were cool towards Carter and many of whom were cool towards amnesty? Governor Cliff Finch of Mississippi said that constituents of his state probably opposed Carter on draft evaders, but would vote for the "total man"; and that they saw Carter as a

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<sup>75</sup>Ibid., 26 August 1976, p. 32.

"conservative with some progressive ideas." Governor David Pryor of Arkansas indicated that the pardon stand was unpopular in Arkansas, but that the South would understand that Carter "took a hard and unpopular stand." Southerners disagree, "but they admire his courage and in the South courage is pretty big."<sup>76</sup>

An article by John Osborne in the New Republic suggests that Jimmy Carter deliberately presented his pardon statement to the American Legion audience for precisely this kind of image-building:

Several assistants who participated in researching and preparing the speech said afterward that the pardon vs. amnesty reference to Vietnam era draft dodgers and deserters was almost an afterthought and was never intended either to bring on the confrontation it did or to overshadow the substantive proposals for defense economies, military pension improvements and the like that took up more words and time than the pardon passage did. These assistants evidently didn't know that the passage in question was designed to bring on the confrontation that it caused. It put Carter on camera in the guise of a principled and courageous politician defying his detractors.<sup>77</sup>

However intentional or unintentional the amnesty remarks may have been, both those remarks and the audience response to those remarks made national headlines for Carter, and served to improve his image with regards to the qualities of firmness, decisiveness, strength, and willingness to face controversy. His amnesty-related remarks, made to a different audience, would have produced a far less significant effect. John Osborne states:

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<sup>76</sup>Ibid., 31 August 1976, p. 16.

<sup>77</sup>Osborne, p. 10.

Carter had been saying much the same thing for months. It was the hostile reaction, not the statement, that made the news as he must have known it would.<sup>78</sup>

Jimmy Carter employed his rhetoric on amnesty successfully by careful audience selection. As a Presidential candidate, he needed publicity, and he needed to have a positive image of himself presented in the media. The choice of the American Legion National Convention audience for his amnesty remarks contributed to both of those objectives. Carter's amnesty discourse had a noticeable effect upon his national image as presented in the media. As the 1976 campaign progressed, amnesty was treated in two more situations: the Playboy interview, and the Ford-Carter debate.

"Lusting vs. Amnesty": The Playboy Interview, November, 1976.

The November, 1976, issue of Playboy magazine, containing a lengthy interview with Jimmy Carter, hit the newsstands days before the 1976 Presidential elections. In it, Carter answered questions on a wide range of subjects, including his own image, his record, the press, religion, abortion, drug usage, adultery, homosexuality, the Supreme Court, Vietnam, amnesty, Communism, Bob Dylan, and his Baptist teachings. The final passage in the in which Carter said, "I've looked on a lot of women with

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<sup>78</sup>Ibid.



lust,"<sup>79</sup> attracted much adverse publicity for the Democratic candidate. His comments on sin and adultery, misquoted and taken out of context, overshadowed the wide-ranging moral and philosophic discussion in the rest of the interview. His answers to questions about amnesty restated his previous arguments: that deserters, due to the nature of the offense, should be dealt with separately; that amnesty and pardon are distinct; and that he implied no judgment, but merely forgetting of the offenses.<sup>80</sup> The amnesty remarks, in the context of the religious and moral beliefs espoused throughout the Playboy interview, are consistent with Carter's interpretation of Baptist doctrine. Except for the "lusting after women" passage, little attention was paid to the substance of the rest of this interview. So because the amnesty remarks were overshadowed by much more controversial statements which received national media attention, and because the amnesty remarks offered no new arguments, but merely restated previous arguments, their effects were insignificant on the amnesty issue or Carter.

The Ford-Carter Debate, September 23, 1976

Amnesty was one of numerous issues discussed in the first of three televised debates held between Ford

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<sup>79</sup>Playboy, p. 86.

<sup>80</sup>See Appendix

and Carter, sponsored by the League of Women Voters.<sup>81</sup> The format consisted of question-and-answer between each candidate and a panel of newsmen, with little opportunity for direct confrontation between the two candidates. Frank Reynolds first questioned Gerald Ford, reminding him that only a minority of eligible men had taken advantage of the Ford clemency program, and comparing the clemency with the pardon of Richard Nixon. Ford replied that his program gave all men a chance to earn their way back, that fourteen or fifteen thousand had done so, and that he was opposed to across-the-board pardons for evaders or deserters. He then explained his rationale for the Nixon pardon. Reynolds pressed the point, asking whether Ford didn't think that the 90,000 remaining resisters had not suffered enough. Ford answered that Jimmy Carter would give blanket pardons to evaders, and that Ford didn't agree with that. He repeated that his program had lasted amply long, that all men had had an opportunity to voluntarily clear their names, and that he didn't believe anything further should be done.

Then it was candidate Carter's turn to speak. He began by saying that Ford could not easily explain the difference between the Nixon pardon and his attitude towards amnesty. Then, although no one at the debate had accused Carter of advocating amnesty, he defended himself

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<sup>81</sup>See Appendix.

by saying, "As a matter of fact, I don't advocate amnesty. I advocate pardons." Here Carter repeated his amnesty-pardon distinction, emphasizing that he would forgive draft evaders, right or wrong. He said that Ford's program had excused three times as many deserters as evaders. Shifting into less specific statements, Carter expressed the need to "heal our country after the Vietnam War." He added that what people are interested in is not amnesty or pardon, but whether the justice system is fair. He spoke briefly about "white-collar crime"--an oblique reference to the Watergate, i.e., Republican, administration--then said he hoped to help make the justice system fair and hoped to help end the divisiveness of the Vietnam war. At the end of this digression, a new question was asked, and the amnesty subject was closed.

The political debate is an honored tradition in the United States. Here, face-to-face, candidates can no longer talk in circles and avoid each other, but must face the issues and the opponents. Stanley Kelley indicates that Presidential political debates can have a clarifying effect:

It (the debating situation) led the candidates to state their positions with greater clarity and in more specific terms. It led each to acknowledge the other's position. It reduced distortion in accounts of party records and party policies.<sup>82</sup>

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<sup>82</sup>Stanley Kelley, Jr., Political Campaigning; Problems in Creating an Informed Electorate (Washington, D. C.: The Brookings Institution, 1960), p. 69.

The Ford-Carter debate produced no new or significant statement by either speaker on the amnesty issue. Ford stated that, as far as he was concerned, the effort had already been made and the issue was closed. Carter, after taking a couple of mild jabs at Ford, paraphrased his same standard pardon policy statement. The debate situation failed to produce any lively interchange, or in-depth discussion of reasoning or belief. This failure is partly attributable to the format--as mentioned before, the candidates did not really debate each other, but rather answered interviewers' questions. But perhaps equally important is that, although their plans differed in specifics, Jimmy Carter and Gerald Ford had expressed similar sentiments on amnesty, and had expressed those sentiments in remarkably similar language. Beyond the fact that one plan had been Ford's and the other plan was Carter's, they really had little to debate about. Each man stated his position, briefly criticized his opponent, and stopped. An editorial printed one month earlier had predicted this effect of the amnesty issue:

Because Gov. Carter and President Ford find themselves in principle, if not in detail, on the same side of the issue, the pardon plan shouldn't become a major bone of contention in the campaign.<sup>83</sup>

An in-depth discussion of the effects of the Presidential debates is beyond the scope of this thesis.

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<sup>83</sup>Greensboro Daily News, 26 August 1976, p. 4.

In evaluating the importance of the comments on amnesty in this debate, however, certain pieces of evidence are worth noting. The first debate was viewed by an estimated 100,000,000 people.<sup>84</sup> A Gallup Poll survey indicated that 38 percent of those who watched the debate believed Gerald Ford won; 25 percent thought Carter won.<sup>85</sup> Another survey taken by the polling firm of Yankelovich, Skelly and White presents an interesting paradox. While voters were more impressed overall by Ford's performance in the first debate--41 percent to 28 percent--more voters actually agreed with Carter's stand on the issues than Ford's--by 44 percent to 40 percent.<sup>86</sup> Considering the closeness of these results, and the conflicting nature of some of the figures; and considering that the amnesty-Nixon pardon question was but one of twelve sets of questions in the first of three debates, it is difficult to conclude anything other than that, despite the large audience, the amnesty remarks in this context had a negligible effect on the respective images or political success of Ford or Carter. This debate was the first (and only) time during the 1976 Presidential campaign that the two candidates spoke face to face about the amnesty issue.

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<sup>84</sup>Newsweek, 4 October 1976, p. 23.

<sup>85</sup>Ibid., p. 27. Of the other 37 percent, 29 percent said neither candidate, and 8 percent were unsure.

<sup>86</sup>Daniel Yankelovich, "What the Voters Want," New Republic, 23 October 1976, p. 16.

Neither of them said anything new or substantially different from their previous statements. The debate format, in this instance, provided viewers with a review of the candidates' stand on the issue, rather than a debate or discussion of that issue.

CHAPTER IV  
CONCLUSIONS, RHETORICAL EVALUATIONS

As stated in Chapter I, this thesis is adhering to the four-step approach to rhetorical criticism, as outlined by Robert Cathcart: description, analysis, interpretation, and evaluation. The process will be completed in this final chapter. In order to finish the steps of interpretation and evaluation, several aspects of this study require discussion: a summary of some of the trends in the rhetoric of Ford and Carter on amnesty; some overall conclusions concerning the effects of their rhetoric; and, finally, a rhetorical evaluation by artistic and ethical standards.

Trends in the Rhetoric of Amnesty

Gerald Ford's address to the Veterans of Foreign Wars remains his basic position statement on amnesty. All of his other discussions as President simply restated or defended this fundamental statement. In it he expressed, in simple, direct language, his opposition to full amnesty, his belief that evaders and deserters made a serious mistake, and his belief that they should be forgiven only if they are willing to work for forgiveness and fulfill their obligations. His was a compromise position on a divisive, polarizing issue. This attempt at compromise and

reconciliation, expressed in terms of forgiveness and healing, had been urged upon Ford by both family and political advisors. With his background of conservatism, of hard work, of extreme loyalty, and of strongly-held beliefs about America and the role she should play in the world, Gerald Ford could not understand desertion and draft dodging as anything but mistakes, as letting the country down in its time of need. He did understand, though, that the Vietnam war forced many men into difficult choices; it was a war that had pleased nobody, neither those who wanted no war, nor those, like Ford, who had wanted fuller commitment to the war. Still, to Ford, the military is a responsibility, and those who shirk their responsibility could not expect to be absolved of that responsibility completely. His clemency proposal was seen as niggling by some, as cheap, as less than was needed. A great many exiles refused to return under a program that implied their guilt. But in his circumstances, with his personal and political values, the clemency proposal was the most Gerald Ford could offer. He presented the proposal first in front of an audience that had much in common with him--military experience, conservative views, belief in a strong national defense and national security. Strong opposition to any form of leniency



for deserters and draft dodgers was an integral part of the belief cluster of this audience. It was the toughest audience Ford could have faced for his remarks--and precisely for that reason, he faced them. He gave a speech to them much as one father would address a group of fathers, asking them to excuse their sons' misbehavior. His speech told them that they, the older men, knew better; but they should not forget that youth is a difficult time, that we all make mistakes, that the young deserve a second chance. And in this vein, with mercy and compassion, they, the Veterans, should allow the prodigal children to come home--not free of charge, but under a program of alternative service. The rhetoric in this discourse is directed towards a more conservative constituency--it is tough language, saying, "We're right and they're wrong, but let's let them come back anyway." It is the kind of rhetoric that might appease conservatives and hawks, and might take away the sting of Ford's decision. Presenting his plan as the golden mean, he told them that amnesty is wrong--which brought cheers--but that revenge is equally wrong. This middle ground, he hoped to convince them, might not be popular, but it was the best course in this situation.

Like Gerald Ford, Jimmy Carter evolved one basic policy statement on the amnesty issue. He drafted it early in his campaign; the January, 1976 position paper

outlined the arguments that he would employ throughout the rest of the campaign. However, his amnesty position attracted little attention until he created a large-scale media event by speaking about amnesty to a hostile audience, the American Legion convention. He said little that was new; but he spoke to a group that booed him, and thus drew national headlines. He told them that this was the hardest decision he had made. He told them that those who did fight in Vietnam, even though the cause was doubtful, deserve honor and respect. But to refer to their honor as a basis for denying leniency to those who chose not to fight is wrong, and does nothing to solve America's problems. He said he would grant blanket pardons, not amnesties, to evaders, not deserters. These distinctions were based on his own beliefs that the grants should be made without passing judgment and that draft evasion is more clearly an act of moral conscience than desertion. His decision came from influences of the people he grew up with, his military experiences, his sons, and his religious doctrine. Jimmy Carter could easily have minimized amnesty in the 1976 campaign. But he chose to pursue it, and, in fact, made a major issue out of it. He minced no words in telling the Legionnaires what he intended to do. He explained his policy and gave his reasons. He made no great attempt to persuade them to agree with him; instead, he seemed to be telling them

that they could make their own decisions about amnesty. He simply let them know what he was going to do--whether they supported him or not. Like Ford, Carter filled his speech with images of healing wounds, ending suffering, and rebuilding. Although he personally did not agree with evasion and desertion, he stressed that he--and the audience--should not be judging the motives of others; but in a spirit of healing and forgetting the past, they should overlook the draft crimes. Carter's amnesty remarks, like the rest of his American Legion speech, were direct, precise, and specific, mixing philosophy and policy, ethics and politics.

Carter revealed the same approaches to his other brief discourses on amnesty--the Playboy interview and the debates. He made little attempt to be persuasive with his remarks; rather, believing in the ethical validity of his position, he expressed it straightforwardly, and let his audiences accept or reject that position.

#### Effects of the Rhetoric of Amnesty

In Chapter III were reported specific effects of the discourses by Ford and Carter and reactions to those discourses that represent the public response. It now remains to examine the effects in a broader scope, over a longer period of time. In this section, too, we must add some new history, for the amnesty issue did not end with these specific discourses.

The issue of the Vietnam war deserters and evaders exploded into national prominence with Gerald Ford's address to the V. F. W. on August 19, 1974. Ford's plan, the earned reentry of resisters, pleased few people, but appeased many. More importantly, it provided several days of excellent press for President Gerald Ford, at a time when popular support was badly needed. When Richard Nixon resigned, his popularity rating was one of the lowest ever for a President. At least for his first few days in office, Gerald Ford had nowhere to go but up. He took the initiative, spoke of honesty and of looking ahead, and, with the clemency speech and other major actions, gave the impression of a progressive, highly responsive and responsible Chief Executive. The amnesty-related moves, as much as anything else, fostered this impression.

But those turbulent months of summer and autumn 1977 saw events and issues of national prominence rise and fall in rapid succession, as one surprise followed on the heels of another. For a few short weeks, events worked for Gerald Ford. Then, with the pardon of Richard Nixon, Ford's ethos began to crumble; in the remaining two years of his administration, he never regained the popularity he had had those few weeks, before the "honey-moon" was over.

The announcement establishing the Presidential Clemency Board on September 16, 1974, made far less national impact than had the previous V. F. W. speech. The September 16 announcement fell in the shadow of the Nixon pardon, and suffered by comparisons to it. Soon after the actual program began operation, it became apparent that the great majority of deserters and evaders were not returning. The program became more and more a political embarrassment to Ford. Persons favoring a broader amnesty blamed the heavily judgmental tones of the program for preventing the majority of the resisters from returning. Persons opposed to amnesty perceived the program as an unwise move on Ford's part that not only was failing, but was allowing the draft dodgers and deserters to add insult to injury by rejecting it. At the end of the Clemency Board's charter, Ford granted two one-month extensions, although the board members had recommended a six-month extension. Jack Anderson posits that the President's reluctance to continue the program was because of the political embarrassment it had caused:

The President, under increasing fire from the right wing of his own party, had become uneasy over the clemency program. He wanted to wind it up, according to White House sources, with a report that would appease its conservative critics.<sup>1</sup>

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<sup>1</sup>Jack Anderson, "The Clemency Board: 'A Bureaucratic Vietnam,'" Washington Post, 30 May 1976, sec. B, p. 7.

At the program's termination, 21,000 out of over 100,000 eligible men had applied.<sup>2</sup> Former Senator Charles Goodell, head of the Clemency Board, termed the program a "mixed success."<sup>3</sup> A Gallup Opinion Poll taken in August, 1975, showed that 47 percent of those surveyed approved of Ford's earned reentry program; 18 percent advocated granting pardons without alternative service; and 24 percent advocated no pardons under any circumstances.<sup>4</sup> Still, many individuals continued to call for a broader amnesty, especially as the 1976 Presidential campaign approached.<sup>5</sup>

The uncomfortableness Ford experienced from the way the clemency program turned out may well explain why the Republican Party sought to make amnesty a non-issue in the 1976 campaign. Ford and the Republicans had nothing to gain by bringing up amnesty, and everything to lose. He certainly could not advocate any new or broader program; therefore, to discuss the problem at all would mean defending what had already been done. Knowing the criticism the program had brought from both left and right, Ford tried to avoid that criticism by

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<sup>2</sup>Ibid.

<sup>3</sup>Cited in Parade, 10 August 1975.

<sup>4</sup>The Gallup Opinion Index, October 1975, p. 26.

<sup>5</sup>For example, see "A More Inclusive Amnesty," The Christian Century, 5 May 1976, p. 427.

treating the issue as finished. But like the Nixon pardon, the clemency issue was still volatile enough to be exploited by Democrats in 1976.

A man named Fritz Efaw attended the Democratic National Convention in New York as an alternate delegate from Democrats Abroad, representing members of the party in Europe. Efaw's appearance was largely symbolic, for he had been living in exile in Europe for the last seven years as a draft evader. By a court order Efaw was allowed to attend the convention before facing arrest and trial. Efaw's appearance attracted new publicity to the amnesty issue. The Democratic Platform Committee debated long over the amnesty plank, and finally struck a compromise position, closely in agreement with that of nominee Jimmy Carter.<sup>6</sup> When Carter began full-time campaigning, nearly a month later, one of his first major addresses was the American Legion speech.

Carter's August 24 speech served to strengthen his image as a Presidential candidate. Ordinarily, being booed heavily during a speech would not create good publicity. Yet his position on the Vietnam evaders and deserters was moderate enough that it was not generally interpreted as radical or extreme. Instead, the national media presented it as a moral stand on a difficult question. That the American Legion is perceived as holding

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<sup>6</sup>Summary of the Efaw incident cited in The New Republic, 24 July 1976, p. 10.

extremist views on this situation made Carter's stand appear both more mainstream and more courageous. Jimmy Carter created the media event by presenting the right speech to the right audience to create a furor; the mass media responded by playing up that event, and interpreting it in Carter's favor, thereby making it the right speech to the right audience at the right time.

The contemporary Presidential campaign places the major candidates under grueling, constant media exposure for months. Inevitably, mistakes are made, or the wrong things are said, and the media seizes upon and publicizes these for much the same reason they publicize controversial events like Carter's American Legion appearance. The August 24 speech, coming as it did early in the post-convention campaign, had less of a long-term effect as other media events on the campaign trail arose. In both Carter's Playboy interview and in the Ford-Carter debates, discussions of subjects other than amnesty created great furor. Carter's discussion of lust and morality was played up as a political error; Gerald Ford's comment about the freedom of the Polish people in the second debate was also called a tactical blunder. The long-term effect of these and similar statements is to produce a cacophony of input that the voters must filter. The media praises, criticizes, interprets, and discusses candidates extensively, perhaps to the point of information



overload for those who attempt to follow the entire campaign. The effect of one particular discourse, such as Carter's American Legion address, diminishes after a period of time that sees new discourses and events of comparable significance to the media image of the speaker. It is highly improbable, then, that Jimmy Carter's rhetoric on amnesty won him the election, or that Ford's silence on the issue cost him the election. The more plausible interpretation is that, for a short duration of time, Carter's rhetoric on amnesty significantly strengthened his ethos as presented in the national media. While the strengthening effect of that particular issue diminished, it provided a base for building other issues whose treatment could enhance the candidate's image. For Gerald Ford, the cumulative effect of his rhetoric on amnesty was nullified by other events during his Presidency. During the 1976 campaign, amnesty had negligible effects on Ford. Had Ford become outspoken on this issue, or had Carter continued to stress the differences between his views and Ford's so that a greater series of amnesty-related discourses had received national publicity throughout the campaign, the general effects of this one issue might have proved much more substantial.

Recent Developments:  
December, 1976--January, 1977

On Sunday, December 26, 1976, Senator Philip Hart of Michigan died. President Gerald Ford telephoned Hart's widow, offered his condolences, and asked if there was anything he could do. "Well, yes," Mrs. Hart replied, "There is just one thing I wish you would do and that is to give amnesty to the Vietnam protestors, deserters and draft evaders." She explained that that was "the last thing Phil in his last weeks wished he could have gotten through."<sup>7</sup> Ford told her he would consider the matter. When asked the next day if he was serious about reconsidering his former stance, Ford replied, "Oh, no. I just said at the request of her (Mrs. Hart) that I would look into it."<sup>8</sup> On his final day in office, January 20, 1977, Ford refused to reconsider for the final time.<sup>9</sup>

Jimmy Carter had promised that he would grant blanket pardons to draft evaders his first week in office. In his first executive order on his first day in office, Carter did just that.<sup>10</sup> Like the Ford clemency action of two years before, Carter's measure was a middle ground between blanket amnesty for all war resisters and denial

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<sup>7</sup>Cited in Greensboro Record, 27 December 1976, p. 1.

<sup>8</sup>Ibid., 28 December 1976, p. 1.

<sup>9</sup>Greensboro Daily News, 20 January 1977, p. 1.

<sup>10</sup>Greensboro Record, 21 January 1977, p. 1.

of any leniency. Like Ford's program, it pleased neither side.<sup>11</sup> Carter's avowed intention with the pardon was to "get Vietnam behind us," to settle the issue once and for all. But his pardon did more to stir up the issue anew than to finish it.<sup>12</sup> No figures are yet available as to how many men will return to America or have records cleared because of the Carter pardon. It is evident, though, that thousands of men are still paying the penalty of opposition to the Vietnam war. As long as these men remain estranged, and as long as there exists a large group of people who oppose amnesty and pardon for these men, this issue will remain fresh and vital in the minds of many American citizens.

#### Rhetorical Evaluation

The preceding section has considered the effects of the discourses of Ford and Carter on amnesty. The final task now is to evaluate those discourses. This evaluation will focus primarily upon the two major addresses--Ford to the Veterans of Foreign Wars, and Carter to the American Legion, for these are the most complete discussions of this issue. Also, the remarkable similarity between these speeches, as discussed in Chapter III, invites comparative evaluation of the respective styles and approaches of the speakers.

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<sup>11</sup>See Greensboro Daily News, 22 January 1977, p. 1.

<sup>12</sup>For example, see "Amnesty Verdict Won't Quell Debate," National Observer, 22 January 1977, p. 3.

The language of Gerald Ford's speech is direct, yet sometimes ponderous and trite, with some rather forced transitional phrases:

. . . the issues of world peace and national unity. Speaking of national unity, let me quickly point out that I am also a proud member of the American Legion and the AMVETS.<sup>13</sup>

But the speech is honest and undeceptive, with no attempt to shade or mask the proposals in any way. One may also note here that Ford did exactly as he said he would in this address--he fulfilled his promises.

The organization of Ford's V. F. W. address is not readily apparent. The topic sentence loosely describes the subject as "the work facing veterans" and "the issues of national unity and world peace." Conventional public speaking wisdom recommends a clear topic statement and evident organization and transitions. Yet in this situation such clarity was not necessary. This address represented a new Chief Executive telling an audience what his policies and philosophies would be on subjects that most concerned them. A conventional truth of speechmaking is that audiences like to hear speeches on subjects which they perceive as relevant to their own needs and interests. The items discussed in this speech, from specific veterans-related business to general foreign policy and economic policy, were matters of importance to

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<sup>13</sup>Gerald R. Ford, "Cutting the Red Tape for Veterans; Amnesty," Vital Speeches of the Day 40 (15 September 1974): 706.

V. F. W. members. With the tendency of the veterans to compare draft evaders and deserters to those who fought in Vietnam, the issue of amnesty, too, was of significant importance to them. Overall, the loose organization of moving from point to point in the address was workable, considering the number of subjects discussed, and considering that all of the topics were significant to the veterans. Had Ford consciously made more noticeable transitions and organizational points, the address would have come across even more stilted and ponderous than it did. Furthermore, especially concerning the leniency proposals, if Ford had stated earlier in the address clearly what his reasoning was leading to, the negative reaction might well have been greater than it was. John Wilson and Carroll Arnold discuss this tactic in general terms:

There are times, however, when more will be lost than gained if you tell your hearers exactly what you are trying to do and how. This is almost always the case with a doubtful or hostile audience.<sup>14</sup>

The V. F. W. audience was hostile--not to Gerald Ford, but to any suggestion of amnesty in any form. Although the tactic of making no mention of this issue until well into it perhaps improved the chances of favorable reception of his ideas, his clear direct expression of his intentions evoked clear and direct negative responses from the veterans.

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<sup>14</sup>John F. Wilson and Carroll C. Arnold, Public Speaking as a Liberal Art (Boston: Allyn and Bacon, Inc., 1964, p. 129.

The word "amnesty" evokes such strong negative connotations to the veterans that Ford might have done better not to mention it at all. As it was, he stated his opposition to amnesty, bringing applause, and then added "Yet." The contrasting conjunction "yet" clued the audience that Ford was preparing to say something against their beliefs--something resembling amnesty, however much he might deny the comparison.

Gerald Ford made effective use of ethical appeals, as discussed in Chapter III. The reference to his former political positions and experiences served the dual purpose of strengthening his image for its own sake and lending credibility to his upcoming announcement. Logical appeals served little function in his clemency remarks. But for this audience, this was an intensely emotional issue. Emotional appeals, then, stood a better chance of influencing the veterans than logical appeals.

Ford's speech was not successful in persuading the veterans to support his clemency plan. It is a commonly accepted assumption that persuasion, even with the best of preparation, does not always achieve the desired goals. Ford was facing an audience which held strong beliefs; he was attempting to reverse those beliefs totally. That he did not succeed with the immediate audience is understandable. Persuasion in general tends to be more effective with audiences that are less ego-involved with

the issue. Gerald Ford could hardly have picked a more ego-involved audience for amnesty-related remarks, unless it were a group of deserters and evaders.

In Chapter I of this thesis the concept of the "second persona" was discussed--of an identifiable auditor implied by a discourse. The persona and accompanying ideology implied by Ford's address is perhaps best comparable to a stern but forgiving father. The father believes in hard work, loyalty, keeping one's obligations, and not shirking duty. The father watched some of his sons run from their duty, and break the law. The father knows his sons made a mistake. But he understands--he thinks he understands--that they were in a difficult situation, and perhaps did not know any better. He is willing to forgive them, and let them come home--but not without fulfilling the responsibilities they had avoided. They must show they deserve his mercy by working, and pledging allegiance. Then they can live at home again.

This implied persona is admirable in Ford's speech for two reasons. First, it is an honest expression of Ford's own beliefs, and a genuine attempt to do what he perceived as best in this situation. Second, it represents perhaps the best approach to persuading auditors holding belief clusters similar to those of the V. F. W. People take pleasure in being told that they are superior, and that they are right. Gerald Ford said to the veterans,

"You were young once. You know how difficult it was. But you did right. Now, in your maturity, kindness, and wisdom, show mercy towards these misguided youth; give them a chance to work again." Gerald Ford and the veterans can pass judgment; having judged, and found the deserters and evaders guilty, they can then show mercy, once again secure in their own rightness. An appeal of this sort stood a good chance of striking a sympathetic note with the veterans, far more than, for example, would a speech advocating clemency because we made a terrible mistake fighting in Vietnam. As an attempt to persuade men who tended to be unforgiving that they should forgive, Ford's posture is commendable.

But it is this very tone of condescension, of saying to the evaders and deserters "because we were right and you were wrong, we'll let you return--if you'll work," that kept so many of the exiles abroad. Men who had served jail sentences, or had lived in exile, or had lived with dishonorable service records would naturally seek to justify their actions. If they could not believe that they were right in resisting, then they might be left with little else to believe in. One can easily understand why so many men were not interested in the Ford clemency, with its implications of judgment and guilt. The moral tone of the persona implied by Ford's discourse deserves blame for limiting the ultimate success of the clemency program.



From Jimmy Carter's speech to the American Legion one senses much more of a shrewd politician manipulating his audience and his speech for a specific purpose. According to the reports of Carter's aides, the candidate wanted a confrontation--and he got it. The immediate temptation is to look askance at this address because of Carter's deliberate seeking of an adverse reaction. Americans tend to be suspicious of anyone in politics who appears consciously--and effectively--persuasive. Also, such a strategy on Carter's part virtually forced the audience of Legionnaires in the "bad guys" part for giving their expected reaction to his views. Yet we must look beyond the manipulative nature of Carter's discourse, and render evaluation on other bases. The amnesty remarks in this discourse were genuine expressions of Carter's beliefs. He, like Ford, made no attempt to cloak or misrepresent his beliefs. He expressed them clearly and openly, although his definitions of amnesty and pardon were unique. Carter, too, did as he promised he would--his first day in office, he granted blanket pardons to draft evaders.

Artistically, Carter's address stands as a better effort than Ford's. Carter's speech does not appear to be as persuasive in intent as Ford's. Gerald Ford genuinely wanted the V. F. W. to understand and go along with his views; Carter, perhaps anticipating from the

beginning that the Legionnaires would not change their minds about the pardons, simply presented his views. Carter's entire discourse, in fact, reveals a similar strategy: rather than attempting to convince the audience to take his stand on issues, he was more concerned with creating in the audience a favorable impression of himself as a candidate. The image, not the issue, was most important. If the image could be improved by truthfully expressing beliefs on an issue, then so much the better.

The wording of this speech is simple, fluid, and conversational. The only difficulty with word choice arose over the usage of the terms amnesty and pardon, and the reactions they caused. Yet Carter had been previously aware of the controversial implications of these terms;<sup>15</sup> he chose to use these terms, if not directly to seek a confrontation, at least with the knowledge that they would not be well received.

Carter's organizational pattern is similar to Ford's; after a lengthy introduction, Carter said he would talk about "some tough decisions." These tough decisions covered a variety of issues related to veterans' interests. The amnesty-pardon remarks were the last of a series of policy statements and were followed by a final anecdote and a conclusion. Kenneth Andersen posits that this

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<sup>15</sup>For example, see Carter's remarks in the Playboy interview, appendix.

positioning of disputable points last may have merit:  
"Reinforcement theory suggests that one should proceed from ideas that are supportive of and easily acceptable to the receivers and move towards less agreeable points last."<sup>16</sup>

The fact that Carter received a standing ovation after his address indicates that his statements on other issues must have been well received by the Legionnaires. If so, then presenting the amnesty-related comments last might have softened the potential negative impact of those comments on the ethos of Carter to this audience.

Since Carter's intent was less persuasive than Ford's with the amnesty comments, reliance upon various appeals was not as essential. Still, the appeals Carter employed were primarily emotional in nature. Logical appeals stood little chance with an audience as emotionally involved with the issue as were the Legionnaires. Carter's own ethos was not well-established enough with the audience to rely upon ethical appeals to carry his message. As stated above, the establishing of his ethos was the essential objective of Carter's address.

The second persona implied by Carter's discourse is, on the whole, a commendable one. That persona appears as rational, intelligent, and mature. Persons possessing

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<sup>16</sup>Kenneth E. Andersen, Persuasion; Theory and Practice, (Boston: Allyn and Bacon, Inc., 1971), p. 169.

these qualities can discuss matters with each other, expressing different opinions, and even strongly disagree without losing control. They will understand and accept disagreements, and respect opinions that they do not hold. Carter's presentation, on a wide range of subjects is from one persona expressing his belief and value clusters, and expressing how those beliefs will translate into actions. The second persona is expected to listen, and accept or reject those beliefs as he sees fit. Concerning the pardons, the second persona is asked to realize that differences over the Vietnam war, like the war itself, belong to a bygone era. The differences must be forgotten, and persons still living under punishment for those differences must be absolved--without judgment. It is not up to the speaker or the audience to decide whether deserters and evaders were right or wrong, but it is up to the audience and speaker to see that they come back.

This evaluation is not intended to give blanket praise of Jimmy Carter as a speaker. His manipulations have not always been as successful, the implied persona have not always been as admirable, and he has not always been as fully honest as he might have been. But this speech is one of Carter's finest--in its effects, artistically, and ethically.

Appearances suggest that Carter's pardon program may be as unsuccessful as Ford's in returning the majority

of war resisters. If so, the failure may be explained by an invalid division of deserters from evaders. His decision that deserters will be handled case-by-case indicates that someone must pass judgment on them, and decide if they are worthy of a pardon. Once again this proves a politically polarizing issue. The men who stand to be affected do not want judgment passed upon them. Those opposing amnesty and pardon feel the war resisters should have no more chances. Carter's attempt at reconciliation, like Ford's, is genuine. Like Ford's it will not succeed in "healing our wounds" completely, but it will take another step in that direction. Perhaps only the passage of time will finally dissolve the bitterness and hard feelings caused by America's involvement in the Vietnam war.

The American political environment contains a complex set of interactions between personalities, issues, events, and communicative acts. There are political figures who devote themselves and all of their rhetorical abilities to a single issue or cause, and are willing to sacrifice all for that cause. On the other end of the continuum there are political figures who will exploit any and all causes or issues to further their own ambitions. Perhaps an ideal between the two is the political figure who can contribute to the advancement of a humanitarian cause while achieving his own personal political goals. Gerald Ford and Jimmy Carter approached this ideal with their discourses on amnesty in 1974 and 1976.

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UNITED STATES DEPARTMENT OF JUSTICE

Memorandum

To: [Faded Name], Director of the United States

Delivered before the [Faded] Commission  
of the [Faded], Chicago, Illinois  
August 12, 1914

[Faded text paragraph]

APPENDIX

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## CUTTING THE RED TAPE FOR VETERANS

Amnesty

By Gerald R. Ford, President of the United States

Delivered before the 75th Convention  
of the VFW, Chicago, Illinois  
August 19, 1974

Commander Ray Soden, Governor Walker, my former members or former colleagues of the United States Congress, my fellow members of the Veterans of Foreign Wars: Let me express my deepest gratitude for your extremely warm welcome, and may I say to Mayor Daley and to all the wonderful people of Chicago who have done an unbelievable job in welcoming Betty and myself to Chicago, we are most grateful.

I have a sneaking suspicion that Mayor Daley and the people of Chicago knew that Betty was born in Chicago. Needless to say, I deeply appreciate your medal and the citation on my first trip out of Washington as your President. I hope that in the months ahead I can justify your faith in making the citation and the award available to me.

It is good to be back in Chicago, among people from all parts of our great Nation, to take part in this 75th annual convention of the Veterans of Foreign Wars. As a proud member of Old Kent Post VFW 830, let me talk today about some of the work facing veterans--and all Americans--the issues of world peace and national unity.

Speaking of national unity, let me quickly point out that I am also a proud member of the American Legion and the AMVETS.

In a more somber note, this morning we all heard the tragic news of the killing of our American Ambassador to Cyprus. He, too, gave his life in foreign wars. Let us offer our prayers and our condolences to his loved ones for his supreme sacrifice on behalf of all Americans.

As President and as a veteran, I want good relations will all veterans. We all proudly wore the same Nation's uniform and patriotically saluted the same flag. During my Administration, the door of my office will be open to veterans just as it was all my 25 years as a Member of the Congress.

Today, I am happy to announce my intention to send the Senate the nomination of my personal friend and former Congressional colleague Dick Roudebush of Indiana--it seems to me you know what I am going to say--but I will finish the sentence--to be Administrator of the Veterans Administration.

As past National Commander of the VFW, Roudy has served well as Deputy Administrator of the VA. He is a man who gets things done and, I am confident, will do a first-class job.

It seems to me that we should recognize the veteran is a human being, not just a "C" number to be processed by a computer system. We all know that the Government knew our name when we were called into service. This Administration is going to see to it that we still know your name and your problems. A veteran is a person, not just a digit in a computer system which more often than not goofs up.

I propose the VA take the best of our technology and the very best of our human capabilities and combine them. As President, I want no arrogance or indifference to any individual, veteran or not. Our Government's machinery exists to serve people, not to frustrate or humiliate them.

I don't like red tape. As a matter of fact, I don't like any kind of tapes.

Our great veterans hospitals, which will not lose their identity, must be the very best that medical skill and dedication can create. VA hospitals have made many great medical breakthroughs in the past. One of America's great challenges today is the older veteran. The VA medical and nursing care system for older people must become a showcase for the entire Nation. We can work together to achieve that end and humanize the VA.

But to achieve such progress, I intend to improve the management of the VA. We must get the most for our tax dollars. While supporting the new Administrator in maximum efforts to make the best use of funds available, I want Roudy to take a constructive new look at the VA's structure and the services that it renders to our veterans.

I think it is about time that we should stop thinking of veterans in terms of different wars. Some may march at a different pace than others. But we all march to the same drummer in the service of our Nation. I salute the men of many campaigns--of World War I, World War II, Korea, and Vietnam.

As Minority Leader of the House and recently as Vice President, I stated my strong conviction that unconditional, blanket amnesty for anyone who illegally evaded or fled military service is wrong. It is wrong.

Yet, in my first words as President of all the people, I acknowledged a Power, higher than the people, Who commands not only righteousness but love, not only justice but mercy.

Unlike my last two predecessors, I did not enter this office facing the terrible decisions of a foreign war, but like President Truman and President Lincoln before him, I found on my desk, where the buck stops, the urgent problem of how to bind up the Nation's wounds. And I intend to do that.

As a lawyer, I believe our American system of justice is fundamentally sound. As President, I will work within it.

As a former naval reservist, I believe our system of military justice is fundamentally sound. As Commander in Chief, I will work within it.

As a former Congressman who championed it, I believe the concept of an all-volunteer armed force is fundamentally sound and will work much better than peacetime conscription.

Accordingly, in my first week at the White House, I requested the Attorney General of the United States and the Secretary of Defense to report to me personally, before September 1, on the status of some 50,000 of our countrymen convicted, charged or under investigation, or still sought for violations of [the] Selective Service [Act] or the Uniform Code of Military Justice--offenses loosely described as desertion and draft-dodging.

These two Cabinet officers are to consult with other Government officials concerned and communicate me their unvarnished views and those of the full spectrum of American opinion on this controversial question, consolidating the known facts and legal precedents.

I will then decide how best to deal with the different kinds of cases--and there are differences. Decisions of my Administration will make any future penalties fit the seriousness of the individual's mistake.

Only a fraction of such cases I find in a quick review relate directly to Vietnam, from which the last American combatant was withdrawn over a year ago by President Nixon.

But all, in a sense, are casualties, still abroad or absent without leave from the real America.

I want them to come home if they want to work their way back.

One of the last of my official duties as Vice President, perhaps the hardest of all, was to present posthumously 14 Congressional Medals of Honor to the parents, widows, and children of fallen Vietnam heroes.

As I studied their records of supreme sacrifice, I kept thinking how young they were.

The few citizens of our country who, in my judgment, committed the supreme folly of shirking their duty at the expense of others, were also very young.

All of us who served in one war or another know very well that all wars are the glory and the agony of the young. In my judgment, these young Americans should have a second chance to contribute their fair share to the rebuilding of peace among ourselves and with all nations.

So I am throwing the weight of my Presidency into the scales of justice on the side of leniency. I foresee their earned re-entry--earned re-entry into a new atmosphere of hope, hard work, and mutual trust.

I will act promptly, fairly, and very firmly in the same spirit that guided Abraham Lincoln and Harry Truman. As I reject amnesty, so I reject revenge.

As men and women whose patriotism has been tested and proved--and yours has--I want your help and understanding. I ask all Americans who ever asked for goodness and mercy in their lives, who ever sought forgiveness for their trespasses, to join in rehabilitating all the casualties of the tragic conflict of the past.

Naturally, I am glad to see the VFW at this convention install a veteran of the Korean war, John Stang, as your new national commander-in-chief. And I compliment you and congratulate you as well as John.

We have struggled for years in America to overcome discrimination against younger Americans, against older



Americans, against Americans of various creeds, religions, races and, yes, against women. I will not tolerate any discrimination against veterans, especially those who served honorably in the war in Vietnam.

I am deeply concerned about employment opportunities for the Vietnam-era veterans. We have had some success in placing veterans in the age span of 20 to 34, but the facts and figures show us that there are some tough problems in this category.

As of last month, the rate of unemployment for veterans between 20 and 24 was nearly 10 percent, much too high. The rate of unemployment for these young veterans who are members of minority groups was 19 percent. And far, far too many disabled veterans are still without jobs.

I can assure you, without hesitation or reservation, that this Administration puts a very high priority on aiding the men who bore the brunt of battle. If we can send men thousands and thousands of miles from home to fight in the rice paddies, certainly we can send them back to school and better jobs at home.

I am consequently considering the veterans education bill in this light. But your Government, of necessity, has to be constrained by other considerations as well. We are all soldiers in a war against brutal inflation. The veterans education bill more than likely will come before me very shortly for action. It comes when I am working hard, along with others from the Congress, labor, management, and otherwise, on a nonpartisan battle against excessive Government spending.

America today is fighting for its economic life. The facts are that uncontrolled inflation could destroy the fabric and the foundation of America, and I will not hesitate to veto any legislation to try and control inflationary excesses. I am open to conciliation and compromise on the total amount authorized so that we can protect [veteran] trainees and all other Americans against the rising cost of living.

I commend not only the past service of veterans but also the continuing involvement of many of you in the National Guard and Reserve forces. With current manpower reductions in the active duty Army, Navy, Air Force, and Marines, the Commander in Chief must, of necessity, place continuing reliance on the readiness of our National Guard and Reserves. And I intend to put muscle into this program.

Peace--it depends upon the strength and readiness of our defenses. And I will support every sensible measure to enhance the morale and the combat readiness of our Armed Forces.

The United States, our allies, and our friends around the world must maintain strength and resolve. Potential adversaries obviously watch the state of our readiness and the strength of our will. I will offer them no temptations.

America is not the policeman of the world, but we continue to be the backbone of a free world collective security setup.

Just as America will maintain its nuclear deterrent strength, we will never fall behind in negotiations to control--and hopefully reduce--this threat to mankind. A great nation is not only strong but wise, not only principled but purposeful. A fundamental purpose of our Nation must be to achieve peace through strength and meaningful negotiations.

Our good will must never be construed as a lack of will. And I know that I can count on you and the families of each and every one of you. Peace and security require preparedness and dedication.

You have experienced war firsthand. I want to make certain and positive that Washington never sends another tragic telegram. The list of mourners is already far too long. So is the list of those who wait and wonder--the families of those missing in action. I will never forget them.

Together we are going forward to tackle future problems, including the scourge of inflation which is today our Nation's public enemy number one. Our task is not easy. But I have faith in America. Through our system of democracy and free enterprise, the United States has achieved remarkable, unbelievable progress. We have shared our plenty with all mankind.

This is the same Nation that transcended inflations and recessions, slumps and booms, to move forward to even higher levels of prosperity and productivity. This is the same Nation that emerged from the smoke of Pearl Harbor on December 7, 1941, to change its own destiny and the history of the world--and for the better.

During the first few months that I was Vice President, I traveled some 118,000 miles and visited 40 of our great States. What I saw and what I heard gave me renewed

inspiration. It made me proud, proud of my country. It sustains me now.

Our great Republic is nearly 200 years old, but in many, many ways we are just getting started. Most Americans have faith in the American system. Let us now work for America, in which all Americans can take an even greater pride. I am proud of America. You are proud of America. We should be proud to be Americans.

Thank you very much.

PROGRAM FOR THE RETURN OF VIETNAM ERA  
DRAFT EVADERS AND MILITARY DESERTERS

The President's Remarks Announcing  
the Program. September 16, 1974

Good morning:

In my first week as President, I asked the Attorney General and the Secretary of Defense to report to me, after consultation with other Government officials and private citizens concerned, on the status of those young Americans who have been convicted, charged, investigated, or are still being sought as draft evaders or military deserters.

On August 19, at the national convention of Veterans of Foreign Wars in the city of Chicago, I announced my intention to give these young people a chance to earn their return to the mainstream of American society so that they can, if they choose, contribute, even though belatedly, to the building and the betterment of our country and the world.

I did this for the simple reason that for American fighting men, the long and divisive war in Vietnam has been over for more than a year, and I was determined then, as now, to do everything in my power to bind up the Nation's wounds.

I promised to throw the weight of my Presidency into the scales of justice on the side of leniency and mercy, but I promised also to work within the existing system of military and civilian law and the precedents set by my predecessors who faced similar postwar situations, among them Presidents Abraham Lincoln and Harry S. Truman.

My objective of making future penalties fit the seriousness of each individual's offense and of mitigating punishment already meted out in a spirit of equity has proved an immensely hard and very complicated matter, even more difficult than I knew it would be.

But the agencies of Government concerned and my own staff have worked with me literally night and day in order to develop fair and orderly procedures and completed their work for my final approval over this last weekend.

I do not want to delay another day in resolving the dilemmas of the past, so that we may all get going on the pressing problems of the present. Therefore, I am today signing the necessary Presidential proclamation and Executive orders that will put this plan into effect.

The program provides for administrative disposition of cases involving draft evaders and military deserters not yet convicted or punished. In such cases, 2 months of alternate service will be required which may be reduced for mitigating circumstances.

The program also deals with cases of those already convicted by a civilian or military court. For the latter purpose, I am establishing a Clemency Review Board of nine distinguished Americans whose duty it will be to assist me in assuring that the Government's forgiveness is extended to applicable cases of prior conviction as equitably and as impartially as is humanly possible.

The primary purpose of this program is the reconciliation of all our people and the restoration of the essential unity of Americans within which honest differences of opinion do not descend to angry discord and mutual problems are not polarized by excessive passion.

My sincere hope is that this is a constructive step toward a calmer and cooler appreciation of our individual rights and responsibilities and our common purpose as a nation whose future is always more important than its past.

At this point, I will sign the proclamation that I mentioned in my statement, followed by an Executive order for the establishment of the Clemency Board, followed by the signing of an Executive order for the Director of Selective Service, who will have a prime responsibility in the handling of the matters involving alternate service.

Thank you very much.

## JIMMY CARTER: POSITION PAPER ON AMNESTY

JANUARY 26, 1976

When I am president, I am going to issue a blanket pardon for all those who are outside our country, or in this country, who did not serve in the armed forces. I am going to issue a pardon not an amnesty. There is not much difference; there wouldn't be any punishment. I think those kids who have lived in Sweden or in Canada or have avoided arrest have been punished enough. I think it is time to get it over with.

In my opinion, amnesty says what you did was right. Pardon says whether what you did was right or wrong, you are forgiven for it. Where I live, most of the young people who were drafted are poor or black. They didn't know where Canada was, they didn't know where Sweden was, they didn't have enough money to hide in college. They went to Vietnam. Some of them came back; a lot of them didn't. And I personally have had a hard time coming to the pardon thing, I'll have to be frank with you. It's just hard for me to equate what the young people did who went and hid in Sweden with what the young men did who went to Vietnam thinking it was a bad war, but who gave their lives for it. And I'd like to draw that subtle distinction to assuage my own conscience.

(Cited in, Robert W. Turner, Ed., Jimmy Carter in His Own Words (New York: Ballantine Books, 1976, pp. 152-153.)

## CARTER - MONDALE ON THE ISSUES

Remarks by Jimmy Carter to the  
American Legion  
Seattle, Washington  
August 24, 1976

It is a pleasure to appear here today before my fellow Legionnaires and to have this opportunity to discuss matters of common concern to us as veterans and as Americans.

I am, as you may know, a member of Legion Post #2 in Americus, Georgia, as was my father before me.

A tradition of military service runs deep in our family. My first ancestor to live in Georgia, James Carter, fought in the Revolutionary War. Almost a hundred years later, others fought in the War between the States, and my father, Earl Carter, served as a first lieutenant in the Army during the First World War.

Including my time at the U. S. Naval Academy, I spent 11 years in the Navy, most of my sea duty in submarines. I had the good fortune to serve under Admiral Rickover on the development of one of the first atomic submarines, and I have tried to carry over into my business career and my political life the high standards of dedication and competence that I learned from that remarkable military leader.

My son Jack continued our family's tradition in the military, but his service came in an era quite different from my own. Jack left college several years ago and volunteered to serve in Vietnam. He did so because he didn't think it was right for him to escape service simply because he had the money and the educational background to stay in college.

During the Second World War, and even during the Korean War, I always wore my uniform with immense pride, and it was a badge of honor among my civilian friends and neighbors.

That was not the case when Jack came home from Danang in 1969. He and the uniform he wore were all too often greeted with scorn and derision. Many of his friends told him he was a fool to risk his life in a meaningless war that couldn't be won.

Hundreds of thousands of Vietnam veterans were meeting that same bitter reception all over America, and I

believe very strongly that those scenes, and the national mood they reflected, amount to nothing less than an American tragedy.

I believe in patriotism. I believe that people should be willing to fight to defend our country. That is how you and I grew up--never doubting that ours was the greatest nation on earth, and getting, as Senator John Glenn once put it, a warm feeling inside us whenever the American flag passed by.

I know that your patriotism has been demonstrated not only in your military service, but in your work in community and national affairs, such as your outstanding "War on Cancer" fund drive. But we must recognize that for millions of our fellow Americans, patriotism is out of fashion, or is an object of scorn and jokes. That fact is part of the bitter heritage of an unpopular war.

I do not seek a blind or uncritical patriotism. Obviously a government's policies must be deserving of public support. But in recent years, disagreement with our nation's policies too often became rejection of our nation itself. There is a great need for the next President to do everything in his power, by word and deed, to restore national pride and patriotism in our country--and if I am elected, that is what I intend to do.

I also believe in tradition. I was Governor of Georgia when Congress passed the law that changed the observation of Armistice Day away from the traditional date of November 11. I thought that action was unnecessary, insensitive, and offensive, and we kept November 11 as Armistice Day in Georgia.

I did not come here just to get your vote or endorsement, nor just to make a good impression on you. I come here as a nominee for President who has spent full time the last 20 months learning about this country--what it is and what it ought to be.

I want to talk to you about some tough decisions--as veterans, yes, but also as Americans who are farmers and truck drivers, doctors and lawyers, fathers and grandfathers, school teachers and civil servants, employed and unemployed, rich and poor.

We must maintain adequate military strength compared to that of our potential adversaries. This relative strength can be assured:



by a commitment to necessary military expenditures;  
by elimination of waste, duplication among forces,  
excessive personnel costs, unnecessary new weapons systems,  
inefficient contracting procedures;

and by a mutual search for peace so that armament  
levels can be reduced among nations, because the most im-  
portant single factor in avoiding nuclear war is the mu-  
tual desire for peace among the superpowers.

I would never again see our country become militarily  
involved in the internal affairs of another country unless  
our own security was directly threatened. But it is im-  
perative that the world know that we will meet obligations  
and commitments to our allies and that we will keep our  
nation strong.

We seek friendship with the unaligned and developing  
nations of the world. Many of them are weak and vulner-  
able and they need allies who can contribute to their  
peace, security and prosperity. Yet we must remember that  
excessive foreign commitments can overtax our national  
ability. We must therefore be cautious in making commit-  
ments, but firm in honoring them.

I have spoken recently with many experts in national  
defense matters, and I believe we have, overall, adequate  
ability to defend ourselves, to meet obligations to our  
allies, and to carry out a legitimate foreign policy. But  
we must be constantly vigilant to recognize and correct  
adverse trends.

Our total American ground combat forces are less than  
half those of the Soviet Union, and the number of men  
under arms in that country has increased by a million while  
ours have decreased by  $1\frac{1}{2}$  million since 1968. During the  
same period the number of U. S. ships has been cut in half.  
For every tank we have, the Soviets have at least eight.  
Because of our greatly improved anti-tank weapons, this  
heavy Soviet investment in tanks may prove to have been  
an unwise investment.

Of course there are counterbalancing factors of  
strength such as superior quality of our weapons, the  
relative security of our own borders, our more ready ac-  
cess to the sea, and the trustworthiness and military  
capability of our allies.

There is now, in my opinion, an overall rough equi-  
valency in direct military strength. This balance must  
be maintained.

Yet, as we seek an adequate defense, we must face the fact that the very words "national security" have fallen into disrepute. I want to hear those words spoken with respect once again. Too often, those words are now viewed with scorn, because they have been misused by political leaders to hide a multitude of sins, and because they have been used to justify inefficiency and waste in our defense establishment.

Whatever the price and whatever the pressures, the President must insist on a national defense posture that is lean and muscular and flexible.

It is sometimes said that the threat of war has receded. But in Europe, the Middle East, in northeast Asia, potential for conflict still exists, powerful armed forces are deployed and Americans have recently been brutally killed. To deny that these situations pose a potential danger to peace is to turn away from reality.

Our military power must be continually reviewed. In Europe, NATO must increase its combat readiness and adapt its forces to new military technology, if it is to offset steady improvements in Warsaw Pact forces. In the eastern Mediterranean, strong U. S. naval power must be maintained. We must also assure a close and confident defense relationship with South Korea and Japan.

We must maintain rough equivalency with the Soviet Union in strategic nuclear forces. Equally important, we and our allies must have conventional military capability adequate to reduce dependence on nuclear striking power. In a world where massive mutual devastation is the likely result of any use of nuclear weapons, such strategic forces cannot solely be relied upon to deter a vast range of threats to our interests and the interest of our allies.

We must always recognize that the best way to meet ideological threats around the world is to make our own democratic system work here at home.

The strongest defense grows out of a strong home front--out of patriotism. Our defense must come not only from our fighting forces, but from our people's trust in their leaders, from adequate transportation, energy, agriculture, science, employment, and most of all from the willingness of our people to make personal sacrifices for the sake of our nation. Not until we restore national unity can we have a truly adequate national defense.

Only then can we, in Theodore Roosevelt's phrase, speak softly but carry a big stick.

I recognize, of course, as you do, that it is not enough for the President to talk about patriotism and national security. He must take positive, aggressive action to ensure that our defense establishment is worthy of national respect. That calls for leadership, and it calls for management.

In any given annual budget, now or in the future, there is a limited amount of money available for national defense. When any resources are wasted, our nation's security is weakened. We now have an excessive drain on defense funding from waste and unnecessary expenditures.

We must better coordinate long-range planning and budgeting among departments responsible for military, foreign, fiscal, economic, transportation and social affairs of our government. A spirit of cooperation must be restored.

Foreign aid must be consistent with our national purposes, and designed to strengthen our allies and friends and to fulfill humanitarian purposes. I'm tired of our taxing the poor people in our rich country and sending the money to the rich people in poor countries.

We must frankly and constantly assess the effectiveness of our present voluntary recruitment program. As unemployment drops and civilian jobs become more plentiful, it will be much more difficult to maintain our present military strength.

We must ensure that oversized support establishment does not prevent us from maintaining needed combat force levels.

We must recognize that our military personnel are transferred too much. At any given moment, about one out of seven of those personnel is in the process of moving, or is away from his family on temporary training duty. This year \$2.5 billion will go simply to move service personnel, their families, television sets and furniture from one base to another. Such frequent moves not only eat up money, they undermine morale. If we extend the average tour of duty by just two months, we could save up to \$400 million per year.

We need to reexamine our military training programs. Recent congressional hearings, by the way, revealed that the ratio of students to instructors and support personnel

is 2.2 to 1. By moving to a ratio of only three students to each instructor, we could save hundreds of \$ millions per year.

Cost overruns have become chronic. The Pentagon itself estimates that the total current cost of overruns on the 45 weapons systems now in the process of development in the three services--exclusive of inflation--is \$13-14 billion. Over the next five years that would approximate the cost of the proposed B-1 bomber program over the same period.

We need sound, tough management of the Pentagon not only to eliminate waste, but to ensure that force structures are correlated with foreign policy objectives. Tough management will mean that overlaps are eliminated between Pentagon programs and similar programs of civilian agencies. It will mean that we cooperate closely with our allies in our mutual defense, that our weapons systems are integrated with each other, technically and strategically, and that we put a stop to the dubious practice of arms giveaway programs for potential adversaries.

Ever since I was Governor of Georgia, when I attended National Guard training sessions every summer, I have been concerned that our reserve forces, both the regular reserve and the National Guard, do not play a strong enough role in our military preparedness. We need to shift toward a highly trained, combat-worthy reserve, well equipped and closely coordinated with regular forces--always capable of playing a crucial role in the nation's defense.

If we can get the flab out of the Pentagon's budget, I believe that the public will evaluate questions about weapons systems and force levels on their merits in a calm and rational manner. Our people will support an adequate defense establishment without complaint, so long as they know that their tax dollars are not being wasted.

The threat to our security comes not only from states that might be hostile. International terrorism knows no boundaries, recognizes no law of warfare, accepts no standards of conduct. It is brutality at its worst, the law of the jungle in its most primitive form.

Recently at Entebbe the Israelis reaffirmed courageously the old principle that every state has the right to defend its citizens against brutal and arbitrary violence--violence that in this case was even based on collusion between the terrorists and a government.

The issue of international terrorism must be a priority item for the entire international community. If I become President, I intend to recommend strong multi-national sanctions against guilty nations as a necessary and productive means for crushing this intolerable threat to international law and peace. International terrorism must be stopped once and for all!

In our own country, we must recognize that, in far too many cases, the Vietnam veteran has been a victim of governmental insensitivity and neglect. Large bureaucracies of the federal government have often been incompetent, inefficient, and unresponsive in their fulfillment of responsibilities to veterans. Each month, thousands of veterans are plagued with late delivery of badly needed benefit checks. Hundreds of millions of dollars of benefit payments have been improperly computed. The average VA hospital has only half the doctors and supporting personnel found in the average community hospital.

The poor record of the government bureaucracy has been especially bad in programs intended to help recent veterans to find jobs. In 1973 and 1974 Congress passed legislation requiring special consideration for veterans in public service jobs, in training programs, for jobs with federal contractors, and for jobs in the federal government. None of these requirements has been fully or effectively carried out.

For example, despite the mandates of the law, many federal departments and agencies have few disabled veterans or Vietnam veterans serving within them. It took the Labor Department 18 months to establish administrative guidelines to ensure the hiring of veterans. In 1975, 16 federal agencies failed even to submit required plans for hiring disabled veterans until congressional inquiries were begun.

The record of placement in private sector jobs and training has been no better. In 1975 more than two thirds of the 153,000 job training slots went unfilled, largely due to inadequate administrative procedures.

Yet last month there were still 531,000 Vietnam veterans who had no jobs.

The reason for this dismal record is clear:

It is a failure of leadership.

Sympathetic leadership would not submit--as did the present administration--a budget recommending cuts of ten

percent or more to veterans' programs and denying full cost of living protection to disabled veterans.

Concerned leadership would not have vetoed a bill overwhelmingly voted by Congress for higher education allowances, better work-day programs, more educational loans, and employment and training preferences for more than two million veterans.

Only because the Congress overrode this veto do Vietnam veterans enjoy some of the educational benefits they deserve.

I believe we need to address the needs of veterans, especially of Vietnam veterans, with sympathetic and active leadership rather than with vetoes and passive resistance. Men who have endured so much suffering, so bravely, fighting in a far-off land, should not now suffer anew in their own country at the hands of insensitive bureaucrats and indifferent politicians.

If I become President, the American veteran, of all ages, of all wars, is going to have a friend, a comrade and a firm ally in the White House. My administration will act to strengthen the competence, the responsiveness, and the independence of the Veterans' Administration. I will appoint the most capable administrators available and I will insist on fair and sensitive treatment for veterans by every employee of the executive branch of government from top to bottom.

I would like to speak for a moment about the single hardest decision I have had to make during the campaign. That was on the issue of amnesty. Where I come from, most of the men who went off to fight in Vietnam were poor. They didn't know where Canada was, they didn't know where Sweden was, they didn't have the money to hide from the draft in college. Many of them thought it was a bad war, but they went anyway. A lot of them came back with scarred minds or bodies, or with missing limbs. Some didn't come back at all. They suffered under the threat of death, and they still suffer from the indifference of many of their fellow Americans. The Vietnam veterans are our nation's greatest unsung heroes.

I could never equate what they have done with those who left this country to avoid the draft.

But I think it is time for the damage, hatred and divisiveness of the Vietnam war to be over.

I do not favor a blanket amnesty, but for those who violated Selective Service laws, I intend to grant a blanket pardon.

To me, there is a difference. Amnesty means that what you did is right. A pardon means that what you did--right or wrong--is forgiven. So, pardon--yes; amnesty--no.

For deserters, each case should be handled on an individual basis in accordance with our nation's system of military justice.

We may not all be able to agree about what was the right course for the nation to take in 1966. But we can now agree to respect those differences and to forget them. We can come together and seek a rebirth of patriotism in which all our citizens can join.

We must bind up our wounds. We simply cannot afford to let them fester any longer. The world is too dangerous. We cannot remain distracted from what must be our overriding aim. Our attention must turn to rebuilding the military, economic and spiritual foundations of a peaceful world order.

Those who most want peace, and who best understand the need for strength as a prerequisite for peace, are our past and present servicemen and their families. As a former submarine officer, I know that fact from experience.

I can still remember hearing President Truman explain to the world that the atomic bomb had been dropped on Hiroshima. I was at sea in an old battleship in the North Atlantic. None of us had ever heard even a rumor of this quantum leap in destructive power. We had no way of comprehending the meaning of this new weapon which had been dropped on Japan. We were mainly relieved at the prospect that the need for invading Japan might be averted, thus saving what would surely have been the loss of hundreds of thousands of American and Japanese lives.

After we saw the destruction in Japan, for a while we understood the terrible havoc and devastation which would follow any use of nuclear weapons. But now we have a tendency to forget. Even if a strategic nuclear war could remain "limited in nature," it would still involve the death of approximately ten million Americans. A so-called "limited nuclear war" in Europe could produce an even greater number of deaths. In an all-out nuclear war, 200 million Americans could die--virtually the entire population.

Obviously, such a holocaust is beyond our capacity even to imagine. Numbers like 10 million dead or 200 million dead seem unbelievable. But they are true.

The Duke of Wellington said in 1838: "A great country cannot wage a little war." In our time that doctrine has acquired new meaning. In a nuclear world, we cannot rely on little wars to prevent big wars. We must maintain our strength and use it to prevent all wars.

Our people have been shocked and hurt over and over again. Things which we used to take for granted are now subject to widespread doubt. Things like trust in our leaders, confidence in our institutions--even love and respect for the flag and support and appreciation for the men and women who defend the flag. But I believe there is no one in this country--certainly there is no one in this room--who does not want to heal our wounds and restore the precious qualities and the national strengths we seem to have lost.

I hope to play a role in that noble enterprise.

I hope you will help.

Thank you.



CARTER ON AMNESTY IN THE PLAYBOY INTERVIEW

NOVEMBER, 1976

PLAYBOY: You've said you'll pardon men who refused military service because of the Vietnam war but not necessarily those who deserted while they were in the Armed Forces. Is that right?

CARTER: That's right. I would not include them. Deserters ought to be handled on a separate-case basis. There's a difference to me. I was in the Navy for a long time. Somebody who goes into the military joins a kind of mutual partnership arrangement, you know what I mean? Your life depends on other people, their lives depend on you. So I don't intend to pardon the deserters. As far as the other categories of war resisters go, to me the ones who stayed in this country and let their opposition to the war be known publicly are more heroic than those who went and hid in Sweden. But I'm not capable of judging motives, so I'm just going to declare a blanket pardon.

PLAYBOY: When?

CARTER: The first week I'm in office.

PLAYBOY: You've avoided the word amnesty and chosen to use the word pardon, but there doesn't seem to be much difference between the two in the dictionary. Could it be because amnesty is more emotionally charged and pardon a word more people will accept?

CARTER: You know I can't deny that. But my reason for distinguishing between the two is that I think that all of those poor, and often black, young men who went to Vietnam are more worthy of recognition than those who defected, and the word pardon includes those who simply avoided the war completely. But I just want to bring the defectors back to this country without punishment and, in doing so, I would like to have the support of the American people. I haven't been able to devise for private or public presentation a better way to do it.

("Playboy Interview: Jimmy Carter," Playboy, November, 1976, pp. 73-74.

## FORD AND CARTER ON AMNESTY

From the Debate of September 23, 1976

FRANK REYNOLDS: Mr. President, when you came into office, you spoke very eloquently of the need for a time for healing, and very early in your administration, you went out to Chicago and you announced, you proposed, a program of case-by-case pardons for draft resisters to restore them to full citizenship. Some 14,000 young men took advantage of your offer, but another 90,000 did not. In granting the pardon to former President Nixon, sir, part of your rationale was to put Watergate behind us; to, if I may quote you again, "truly end our long national nightmare." Why does not the same rationale apply now, today, in our bi-centennial year, to the young men who resisted in Vietnam, and many of them still in exile abroad?

GERALD FORD: The amnesty program that I recommended in Chicago in September of 1974, would give to all draft evaders and military deserters the opportunity to earn their good record back. About fourteen to fifteen thousand did take advantage of that program. We gave them ample time. I am against an across-the-board pardon of draft evaders or military deserters.

Now in the case of Mr. Nixon, the reason the pardon was given was that this country was in a very, very divided condition. There was hatred, there was divisiveness. People had lost faith in their government in many, many respects. Mr. Nixon resigned and I became President. It seemed to me that if I was to adequately and effectively handle the problems of high inflation, a growing recession, the involvement of the United States still in Vietnam, that I had to give 100 percent of my time to those two major problems. Richard Nixon resigned. That is disgrace. The first President out of 38 that ever resigned from public office out of pressure. So when you look at the penalty that he paid, and when you analyze the requirements that I had to spend all of my time working on the economy which was in trouble, that I inherited, working on our problems in Southeast Asia, which were still plaguing us, it seemed to me that Mr. Nixon had been penalized enough by his resignation in disgrace--and the need and the necessity for me to concentrate on the problems of the country fully justified the action that I took.

FRANK REYNOLDS: I take it then, sir, that you do not believe that you are going to reconsider and think about those 90,000 that are still abroad. Have they not been penalized enough? Many of them have been there for years.

GERALD FORD: Well, Mr. Carter has indicated that he would give a blanket pardon to all draft evaders. I do not agree with that point of view. I gave, in September of 1974, an opportunity for all draft evaders, all deserters, to come in, voluntarily, clear their records by earning an opportunity to restore their good citizenship. I don't think we should go any further.

EDWIN NEWMAN: Governor Carter?

JIMMY CARTER: Well, I think it's very difficult for President Ford to explain the difference between the pardon of President Nixon and his attitude toward those who violated the draft laws. As a matter of fact, I don't advocate amnesty. I advocate pardons. There's a difference, in my opinion, and in accordance with the rulings of the Supreme Court and in accordance with the definition in the dictionary. Amnesty means that what you did was right. Pardon means that what you did, whether it's right or wrong, you're forgiven for it. And I do advocate a pardon for draft evaders. I think it's accurate to say that two years ago when Mr. Ford put in this amnesty that three times as many deserters were excused as were the ones who evaded the draft. But I think that now is the time to heal our country after the Vietnam war, and I think that what the people are concerned about is not the pardon, or the amnesty of those who evaded the draft, but whether or not our crime system is fair. We've got a sharp distinction drawn between white collar crime--the big-shots who are rich who are influential, very seldom go to jail--those who are poor and have no influence quite often are the ones who are punished, and the whole subject of crime is one that concerns our people very much, and I believe that the fairness of it is what is a major problem that addresses our leader. And this is something that hasn't been addressed adequately by this administration. But I hope to have a complete responsibility on my shoulders to help bring about a fair criminal justice system, and also to bring about an end to the divisiveness that has occurred in our country as a result of the Vietnam war.