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THE RHETORIC OF SELF-VINDICATION, 1950-1970

DISSERTATION

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PLEASE NOTE:

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CHAPTER I

INTRODUCTION

Statement of the Question

Vindication involves the idea of successfully defending and justifying oneself or another. In self-vindication, the defense is made by the very person under attack. He himself responds to the criticism.

In beginning this analysis of the concept of self-vindication, we should first consider it as part of the broader field of persuasion. To define this broader term, we may use the definition of Wallace Potheringham who notes that persuasion is "that body of effects in receivers, relevant and instrumental to source-desired goals and brought about by a process in which messages have been a major determinant of those effects."¹

Before proceeding further, six characteristic aspects of this definition should be considered, each of which can be further illustrated in terms of speeches of self-vindication. These aspects will each be described in turn.

1. Persuasion involves effects.—Some authors have considered

persuasion as a message or an attempt to influence others. Potheringham, however, stresses effect as a necessary aspect of persuasion, noting that "without an effect there is no persuasion." Thus, a brilliant speech may result in no effect or persuasion on one member of the audience if he were completely distracted, for example, by checking for his friends seated in the crowd. The message did not "take hold"; there was merely an attempt at persuasion. Self-vindicatation, therefore, depends vitally upon achieving a certain effect on the audience.

2. Attempted persuasion involves intention.—Persuasion is limited to that effect which is intended by the speaker. For example, the communicator may focus on registered voters as his intended audience and urge them to vote for Nixon in an effort to achieve his intended goal. If the speaker's efforts should result in some man's deciding to vote, not for Nixon, but for Humphrey, this is not really persuasion, for it is not the effect intended by the speaker. Thus, in the rhetoric of self-vindicatation, the speaker or writer aims at successfully defending his character or vindicating his conduct in a particular situation in which these have been attacked or challenged.

3. A persuasive message is instrumental.—The message of the speaker or writer serves as an instrument to achieve another further result, e.g., self-vindicatation. The speech does not aim at consummatory effect; it is not an end in itself. A Bob Hope monologue is often con-

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Potheringham, op. cit., p. 7.
summatory in effect—it aims at no other goal but to entertain of and by itself. The instrumental effect leads to other belief or action by the listeners as the final goal. Thus, in the "Checkers" speech, Richard Nixon aimed at exonerating himself of charges surrounding his fund leading to voter acceptance of him as a credible Vice Presidential candidate.

4. Persuasion involves message impact.—The writer or speaker may, of course, use ethical, logical and/or emotional appeal while communicating his message. But there is always a message and this is a significant aspect of the persuasive process. What we are ruling out here is any type of persuasion which is based overwhelmingly upon the authority status of the speaker, e.g., a drill sergeant or a traffic cop. Potheringham admits that there are many associated components in achieving genuine persuasion but he also states that "the message is only a partner in creating an effect, but in persuasion a major partner." Thus, many factors may contribute to the persuasive influence of Martin Luther King's "Letter from Birmingham Jail." But a major force in the persuasion should be his actual message.

5. Persuasion involves independence.—When an armed robber says, "Your money or your life," the victim scarcely has a free choice. There is an overwhelming disproportion between his two choices and he readily hands over his wallet. When American prisoners of war were brainwashed during the Korean war, this was scarcely persuasion. The prisoners had little choice after the pressures and punishment provided by their

4 Ibid., p. 47.
captors. For genuine persuasion, the audience must freely choose to make a certain decision, e.g., to disregard the matter of a candidate's religion or a magazine article attacking a political candidate. From a reasonable series of options, beliefs, or actions, one is willingly chosen as a result of the persuasive communication.

6. Persuasion involves interpersonal communication.—Lastly, we should observe that persuasion is being considered basically as an interpersonal process as opposed to intra-personal. A legitimate case can be made for including intra-personal messages as a part of the communication process. Others will maintain that such activity is better described by such terms as thinking, reasoning, or reflection. The diversity of opinion is not so much a matter of right or wrong as a question of which is the more convenient concept for purposes of discussion. All the efforts at self-vindication considered here are aimed at an audience other than the speaker himself. John Kennedy is addressing his fellow Americans; Ted Kennedy is particularly interested in his Massachusetts constituents. As Lloyd Bitzer noted in his analysis of rhetorical situation: "Since rhetorical discourse produces change by influencing the decision and action of persons who function as mediators of change, it follows that rhetoric always requires an audience . . . ."5

These are the qualities to be looked for in the complete act of persuasion. The attempts at self-vindication analyzed here will include all these characteristics if genuine persuasion has been achieved by the rhetorical effort.

This dissertation does not propose a preliminary hypothesis but it does ask some initial questions. One of the most basic of these inquiries is this: in making a representative study of men attempting self-vindication, what are the particular strategies and techniques common to the rhetorical genre of self-vindication? More particularly, the question is being asked if there are any rhetorical strategies and techniques peculiar to, or especially appropriate for, this kind of rhetoric.

Aristotle delineated three means of persuasion in a speech which he described as follows:

Of the means of persuasion supplied by the speech itself there are three kinds. The first kind reside in the character [ethos] of the speaker; the second consist in producing a certain [the right] attitude in the hearer; the third appertain to the argument proper, in so far as it actually or seemingly demonstrates.  

This study accepts the Aristotelian analysis of ethos, logos, and pathos as three basic means of persuasion. It is not contended that these are the only means of studying persuasive technique nor are other legitimate approaches to speech analysis being questioned. It is claimed that the Aristotelian trichotomy can provide meaningful insights into all the works which have been chosen here for special analysis. Furthermore, this dissertation will particularly stress Aristotle's high regard for ethical appeal. The next chapter will deal

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exclusively with the concept of ethos or speaker image.

Of course, ethical, logical, and pathetic appeal are often closely interconnected in the speech and cannot be perfectly divided into separate compartments. The speaker will usually intermingle the three means of persuasion either intentionally or instinctively.

Aristotle expressed the interconnection between these three elements when he advised that "the speaker must not merely see to it that his speech [as an argument] shall be convincing and persuasive; but he must [in and by the speech] give the right impression of himself, and get his judge [audience] into the right state of mind." 7 One aspect of a speaker's image is actually his logical appeal, the clarity of the facts and reasonableness of the arguments derived from these facts. Logical proof will be another major factor in studying self-vindication. In particular, the question is asked if any types of logical argument are especially appropriate to, and effective for, the genre of self-vindication. What logical techniques and argumentative strategies are particularly relevant to the speaker responding to a personal attack? Are these the same strategies used in all kinds of persuasive situations or does self-vindication suggest the use of a particular set of strategies?

Aristotle also recognized that a human being is affected not only by appeals to right reason but also by moving his emotions. Thus he stated that "persuasion is effected through the audience, when they are brought by the speech into a state of emotion; for we give very different decisions under the saw of pain or joy, and liking or hatred." 8

7 Ibid., p. 91.
8 Ibid., p. 9.
An over-emotional appeal can hurt an orator and many listeners will reject or laugh at "sentimentalism." Nevertheless, much of the world's great oratory has been distinguished by strongly emotional passages and two of the works studied in this dissertation have come to be identified by an emotionally charged reference in the speech.\(^9\)

Aristotle has defined rhetoric as "the faculty [power] of discovering in the particular case what are the available means of persuasion."\(^10\) Paraphrasing this definition in the context of this study of self-vindication, we are asking in the particular case of self-vindication what are the most appropriate and effective means of persuasion? When logos is used, what techniques and strategies are most common and most helpful to a man seeking to vindicate himself from various accusations? How important is it to establish image during the speech? How much use was made of emotional appeal? Again we should note that while this dissertation is not proffering any hypothesis in advance, many significant questions have been posed initially concerning this genre of self-vindication.

**Scope of the Study**

Attempts at self-vindication are almost as old as recorded oratory since elements of such speeches can be found in the works of the

\(^9\) These are Nixon's "Checkers" speech and MacArthur's "Old Soldiers Never Die" speech.

\(^{10}\) Aristotle, *op. cit.*, p. 7.
Greek bard, Homer. Demosthenes' most famous oration, "On the Crown," is a vindication of his personal and public record as a citizen of Athens. The whole point at issue in that speech was whether or not Demosthenes' character and conduct merited a public award from his fellow Athenians. In the Golden Age of the Roman Republic, Cicero's Catilinian orations also contained elements of self-vindication as Cicero justified to his fellow Romans his conduct in disposing of the plotter and revolutionary, Catiline.

It is not the purpose of this dissertation to examine the entire gamut of rhetorical efforts at self-vindication. Though our analysis is exclusively rhetorical, we might note in passing that the personal duel with pistols or swords was at one time a fairly common method for a man to resort to when he believed his reputation had suffered from the words or conduct of an adversary. In limiting this study to rhetorical efforts at self-vindication, our study includes both the written and spoken word. A man might give a speech or write a book or essay to vindicate himself.

The scope of this work is further narrowed by limiting it to the

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11 See, for example, the Iliad, Book I, where Achilles vindicates his conduct in arguing with Agamemnon. Also Book XXIII of the Odyssey where Penelope explains her caution in accepting Odysseus as truly her husband, returned from Troy.


14 Seven of our ten choices were originally given in oral form. Truman and King used a book format and the Tydings statement, while originally oral, was also distributed in written form.
study of Americans between the years 1950 and 1970. Even within this range of two decades there exists an ample supply of vindication literature, perhaps more than any previous period of equal length. There are several reasons for this. The popularization of the mass media and particularly of television has made it easier not only to attack the integrity of public figures but also for the person under attack to respond to the charges. Although television is an expensive medium of mass communication, we shall see that in at least three of our studies that this method of communication is today a very effective means, if not the best, to reply to a personal attack before a mass audience which is vitally concerned with the facts of the case.

Magazines and newspapers are also a formidable means of personally attacking public figures. In at least four of the cases in this study, the exigency for a reply started originally with an unexpected attack in the newspapers or a magazine. Our massive supply of periodicals lends itself, therefore, both to the launching of these personal attacks and to response. This is another reason why the two most recent decades provide an ample literature of self-vindication.

A longer discussion of the 1950–70 vindication material will be presented in Chapter Three. For clarity's sake, an initial listing will be made here of the ten efforts at self-vindication chosen for close analysis in this study. They are as follows:

1. Richard Nixon's "Checkers" speech
2. Douglas MacArthur's "Old Soldiers Never Die" speech

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15 These are Nixon, Ted Kennedy, and Agnew.
16 These are the efforts of Nixon, King, Tydings, and Dodd.
3. Harry Truman's analysis of the MacArthur removal

4. John F. Kennedy on the religious issue before the Greater Houston Ministerial Association

5. Martin Luther King's "Letter from Birmingham Jail"

6. Lyndon B. Johnson's San Antonio speech on Vietnam

7. Ted Kennedy on the Chappaquiddick tragedy

8. Joseph Tydings' response to the Life article

9. Thomas Dodd's address to the Senate before the vote on his censure

10. Spiro Agnew's discussion with the students on the David Frost Show

Because this dissertation focuses in a special way on the concept of speaker image as part of the persuasive effort, the next chapter will be completely devoted to an analysis of this important idea.
CHAPTER II

 SPEAKER IMAGE

The Speaker as a Person

"What you are speaks so loudly that I cannot hear what you say," is an adage that summarizes the point of view examined in this essay: a man's image, character, personality, is a vital element in successful communication. Indeed, the importance of speaker image was emphasized centuries ago in the classical tradition of rhetoric. my image is meant the character or personality of the speaker as perceived by the audience. Almost twenty-five centuries ago, Aristotle stated that "we might almost affirm that (the speaker's) character [ethos] is the most potent of all means of persuasion." Quintilian was especially concerned with a speaker's character and he defined his ideal orator as "a good man skilled in speaking." So insistent was Quintilian on this point that he further stated: "For I do not merely assert that the ideal orator should be


Quintilian is not coining a new definition but is using that of Marcus Cato.
a good man, but I affirm that no man can be an orator unless he is a good man." In his De oratore, Cicero also stated that "feelings are won over by a man's merit, achievements or reputable life, qualifications easier to embellish, if only they are real, than to fabricate when non-existent."  

Returning to Aristotle's analysis of ethos, it is interesting to note that the Greek author apparently stressed the image created during the speech to the neglect of antecedent ethos:

The character [ethos] of the speaker is a cause of persuasion when the speech is so uttered as to make him worthy of belief; for as a rule we trust men of probity more, and more quickly, about things in general, while on points outside the realm of exact knowledge, where opinion is divided, we trust them absolutely. This trust, however, should be created by the speech itself, and not left to depend upon an antecedent impression that the speaker is this or that kind of man. It is not true, as some writers on the art maintain, that the probity of the speaker contributes nothing to his persuasiveness; on the contrary, we might almost affirm that his character [ethos] is the most potent of all the means of persuasion.

One possible interpretation of Aristotle's statement is that he is not disregarding antecedent ethos but is cautioning the speaker that he must reinforce this image by the excellence he demonstrates during the speech. Such an insight would be of special value for a man attempting self-vindication, a situation in which his character has initially be-

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3Ibid., p. 357.


come somewhat questionable. Of all speakers, this man in particular
cannot rest on his laurels; he must re-establish, he must vindicate, his
color and reputation by means of his rhetorical effort.

As the orator speaks, he reveals himself and what he is. If the
speaker is accepted as a man of character, his words will be heeded,
his appeal for action is more likely to be accepted. Sarett and Foster
explain this self-revelation of the speaker as follows:

... speech is a form of self-expression and there are two
aspects of self-expression: one is the self; the other is the
expression. Consciously, a speaker expresses his ideas; uncon­
sciously, he reveals his self. In short, a speaker cannot ex­
press himself without sooner or later revealing himself. 6

This self-revelation by the speaker is often the critical element
in the listener's response to the speaker. Image and message are so
intimately connected that the success of the latter (message) may hinge
on just how well the audience accepts the speaker as a person.

Granting the importance of speaker personality, the question
which naturally arises from this insight is this: "How can a speaker
present a favorable image to his audience?" We recall again that the
speaker usually presents two images to his audience. The first comes
from his antecedent reputation or, perhaps, from the facts revealed about
him when he is introduced. The second image comes from the impression
the speaker makes during the actual speech. The orator must remember
both of these sources of image in adjusting to a speaking situation.

6 Lew Sarett and William Trufant Foster, Basic Principles of
Each of these aspects will now be considered separately.

Antecedent Ethos

Despite Aristotle's de-emphasis of antecedent ethos, the existence of this factor can be easily established by recalling some of the more famous speakers of our present decade. Spiro Agnew, George Wallace, and Jerry Rubin have all spoken before large audiences during the past few years. At the mere mention of their names, the informed citizen associates Agnew with a rather conservative Republicanism, George Wallace with States' rights, and Jerry Rubin with student dissent and a certain radical approach to social change. Each of these men has his adherents and his opponents. The reputation of these men precedes them wherever they go and provokes a certain response--favorable or unfavorable--in the listener, depending upon his political and social views. This is a clearcut example of antecedent ethos: people respond immediately to these men at the mere mention of their names and before they have begun to speak.

In 1970, this writer witnessed another striking example of antecedent ethos when Dick Gregory came to speak at Ohio State University. People were literally sitting in the aisles at the jammed Hitchcock Auditorium and one could sense the excitement and anticipation of the audience as we waited for the guest speaker to appear. Finally he arrived with a retinue of two or three black students. Gregory moved through the crowd of students--mostly blacks but many whites--who were crowding the seats, aisles, and overflowing onto the stage. Shouts and
cheers went up as he came into view; hands were extended as the guest squeezed by. Any political candidate would have welcomed so warm a reception. Here was an example of a man with an overwhelmingly favorable audience attitude before he had said even one word from the podium.

What was the reason for this very favorable reception? Gregory's reputation had preceded him. Primarily he stood out as a black leader crusading for the rights of black Americans. Here was a speaker whom the audience could trust to "tell it like it is" and to demand for the black man all that has been theoretically granted to all American citizens.

Of course, one's antecedent reputation can be a handicap. Barry Goldwater is closely associated with conservatism in America, as is William Buckley. Such a reputation might be a serious handicap in speaking on some college campuses or before the American Civil Liberties Union. Similarly, Dick Gregory might be unwelcome in Mississippi. In any case, the antecedent reputation of a well-known figure clearly generates some preliminary audience response.

All of the speakers studied in this dissertation were either nationally known personalities or at least had a state-wide constituency. Thus, these men had created a reputation in the eyes of the public. At the heart of the exigency for reply was the fact that their reputations had been either damaged or threatened by some kind of personal attack. It was the threat to the antecedent reputation of these men that created the exigency for the rhetorical response which we are studying.

We should also observe that men of lesser-known reputation can have their images bolstered immediately before the speech by an effec-
tive introduction. Franklyn S. Haiman performed an experiment specifically geared to test the effect of an introduction on the message effectiveness of the speaker. In describing his experiment, Haiman wrote that "we attempted to determine whether a significant difference in the speaker's prestige influences the effectiveness of persuasion as shown by a difference or lack of difference in audience shift of opinion." The author took three groups of students at Northwestern University who all listened to the same speech on compulsory health insurance. Audience X was told that the speaker was Eugene Dennis, Secretary-General of the Communist Party in America. Audience Y was informed that the speech was given by Dr. Thomas Parran, Surgeon General of the United States. Audience Z believed that an anonymous college sophomore was speaking.

Haiman summarizes the results of his experiment as follows:

The specific comparison of one group with another reveals that the shift of opinion obtained by Dr. Parran was significantly higher (about the 1% level of confidence) than that obtained by either Mr. Dennis or the Northwestern sophomore. The mean difference between Mr. Dennis and the sophomore was not significant.

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It is clear from the experiment that under the conditions and assumptions set forth above, the prestige of a speaker, as conveyed to a student audience through previous knowledge of a speaker's reputation and through the chairman's introduction, does influence the effectiveness of his persuasion as shown by a difference in audience shifts of opinion.


8 Ibid., pp. 192-193. However, we should also note that certain other experiments on the importance of ethos conducted by Professor Haiman and described in the article produced rather insignificant results. The whole article must be read to put this meaningful experiment in proper context.
Wayne Minnick commented as follows on this experiment of Haiman:

The implication of such evidence is clear. When before the speech the audience receives favorable information about a speaker's education, attainments and honors, this information disposes them to accept his remarks more readily than when unfavorable or no information is received. A speaker should, therefore, contrive, in so far as possible, to make sure that his audience has prior knowledge of his competence to speak through all available means, but particularly by exercising control over the speech of introduction. 9

In summary of this section, two ideas have been stressed in establishing the antecedent ethos of a speaker:

1. A well-known speaker is preceded by his reputation. Such a speaker would be wise to consider just how the audience will be relating to him, evaluating him, based upon his previous record. This reflection may enable him to adjust to initial hostility or to capitalize upon general popularity.

2. The speech of introduction can enhance the speaker's image. The speaker should consider what points of information he would like the audience to know about himself in advance to establish his credibility and expertness on the subject at hand. To facilitate this preliminary build-up of his ethos, the speaker might provide background material to his host or even discretely suggest that certain information be mentioned in the speech of introduction.

Establishing Ethos during the Talk

As a speaker reveals his message, he also reveals himself. This self-revelation is a necessary corollary of a public speaking situation and is the basis for the ethical appeal or lack of appeal which a speaker establishes while he talks. McBurney and Wrage describe this self-revelation in this way:

Speech is the business of human beings. It is not a disembodied act. A person speaks, and other people react—both to the speaker's words and action, and to the speaker as a person. Don't expect to hide behind words and gestures. Actually, speaking reveals the person you are as clearly as any other act you perform.  

An important point to realize is that this self-revelation may have an effect on the audience without the listeners being clearly aware of their own reaction. Sarett and Foster report that "impressions of the speaker are derived from signs of which the audience is often unaware."  

Explaining this matter of subliminal response at greater length, the authors state:

In some areas we are clearly aware of the signs that build impressions such as the speaker's trembling hands and quavering voice. In other cases, we respond to cues of which we are not aware. We are not aware of some of these cues because they operate in the marginal fields or fringes of attention. They are subliminal signs; that is to say, the cues are big enough

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11 Sarett and Foster, op. cit., p. 30.
to be picked up by the senses, but we do not perceive them clearly because we are not sharply attending to them. When our attention is drawn to them, we can and do perceive them. We are not aware of still other cues because they are subliminal stimuli, so faint or so fleeting that our senses cannot pick them up individually.\(^{12}\)

Granting the fact that a speaker wants to make a favorable personal impression upon his audience, what characteristics should he most desire to possess? In reading various texts on public speaking, one finds a rather formidable list of personality qualities could be prepared.\(^{13}\) The analysis of this essay will be limited to a discussion of three basic qualities of good ethos. They are very close to those qualities spoken of long ago by Aristotle when he wrote: "As for the speakers themselves, the sources of our trust in them are three, for apart from the arguments [in a speech] there are three things that gain our belief, namely intelligence, character, and good will."\(^{14}\) Each of these characteristics will now be analyzed separately.

**Intelligence or Competence**

This term is being interpreted somewhat more widely than in the Aristotelian analysis. It is used here to refer to two skills: (1)


\(^{14}\) Aristotle, *op. cit.*, pp. 91-92.
to be picked up by the senses, but we do not perceive them clearly because we are not sharply attending to them. When our attention is drawn to them, we can and do perceive them. We are not aware of still other cues because they are subliminal stimuli, so faint or so fleeting that our senses cannot pick them up individually.\(^{12}\)

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\(\text{\textsuperscript{13}}\text{Baird and Knower, for example, in their section of "Traits of the Speech Personality," discuss more than twenty characteristics. See A. Craig Baird and Franklin H. Knower, General Speech (New York: McGraw-Hill Book Company, Inc., 1949), pp. 763-77.}\)

\(\text{\textsuperscript{14}}\text{Aristotle, op. cit., pp. 91-92.}\)
knowing one's subject; (2) knowing how to present it well. The word "competence" might better describe this quality; we are now discussing the intelligence and overall competence of a speaker.

McBurney and Wrage say that "by competence we mean ability, intelligence, know how, understanding, knowledge, sense, judgment—anything implying that the speaker knows what he is talking about." However favorable the antecedent ethos a speaker brings to the podium with him, he must now demonstrate that he really is expert or at least knowledgable in his field, that he is deserving of his antecedent reputation. Scarcely anything would hurt a speaker's image more than conveying the impression that he does not know his subject very well.

How could a man defend himself capably if he were not well informed about the accusations as well as about all the facts of the case? How could he hope to achieve self-vindication if his presentation of the facts proved to be inaccurate or if he surrounded himself with an aura of incompetence or confusion? Conversely, the knowledgable orator, speaking with determination and competence, presents, as it were, a demand for justice and fair play in the case at hand.

To a certain extent, competence is more important than popularity. There is an ingrained American tradition that a man should be considered innocent until proven guilty. Thus, when a man competently presents a case for his own innocence, justice demands that he be exonerated regardless of his popularity. Only the biased and prejudiced man could say, "I don't like him; therefore, I must judge him as guilty."

Besides knowledge and intelligence, another vital aspect of the

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15 McBurney and Wrage, op. cit., p. 489.
orator's competence centers on the canon of delivery. How many speakers are truly expert in their fields of interest but cannot communicate effectively, cannot put the message across in an interesting and convincing fashion? Knowledge alone is not enough; a speaker's image will be badly damaged by an ineffective or inappropriate delivery. In an effort at self-vindication, for example, an image could be shattered by an air of boastfulness or the tendency to exaggerate the facts. The wrong style or manner of delivery can create a credibility gap about the speaker's character, which is the very thing he is trying to vindicate.

This emphasis on good delivery has been part of rhetorical theory since classical times. Quintilian's ideal orator is not only a good man, but one "skilled in speaking." In his De oratore, Cicero, through the speaker Crassus, says that "delivery I assert is the dominant factor in oratory; without delivery the best speaker cannot be of any account at all . . . ."

In another work, Orator, Cicero states:

For many poor speakers have often reaped the rewards of eloquence because of a dignified delivery, and many eloquent men have been considered poor speakers because of an awkward delivery. Demosthenes was right, therefore, in considering delivery to be the first, second, and third in importance.

The whole eighteenth century Elocutionary Movement emphasized and

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16 Quintilian, op. cit., p. 355.
was dedicated to the importance of delivery. Richard Whately, who disagreed with the Elocutionist methodology, supported their belief about the importance of good delivery, writing:

Few need to be told that the effect of the most perfect composition may be entirely destroyed, even by a Delivery which does not render it unintelligible;—that one, which is inferior both in matter and style, may produce, if better spoken, a more powerful effect than another which surpasses it in both these points . . . .

To go into the details of effective delivery is far beyond the scope of this essay. One idea is hopefully clear: that the speaker's skill in delivering his speech is a vital factor in establishing his image of personal competence. We should also note that the eighteenth century Elocutionists' stress on delivery may be interpreted as a stress on image formation. The Elocutionists knew that the man with a good delivery would present a favorable image; without a good delivery, the speaker's image could be hurt regardless of the content of his message.

Character-Integrity

In discussing this second characteristic of speaker ethos, we should observe that a man of integrity is a whole man, none of the basic qualities of good character are lacking. He acts upon principle

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and shows good conduct, high ideals, sincerity, and trustworthiness. In describing his ideal orator, Quintilian placed his primary emphasis on the character of the man, stating that "above all he must possess the quality which Cato places first and which is in the very nature of things the greatest and most important, that he must be a good man."  

McBumey and Wrage equate this quality of integrity with honesty and trustworthiness.

Audiences are often somewhat suspicious of outsiders. We may hear the terms "city slicker," "country hick," "big city boy," and "New Yorker" to describe people whose different cultural backgrounds make them somewhat suspect to some people from a different locale. Such a handicap can be overcome by a speaker's strength of character. As the speech proceeds, he will not only show what he knows but what he is. Furthermore, other helpful or undesirable qualities of character--humble- lity, pride, prudence, shortness of temper, forgiveness, perceptiveness--can each be reflected either with or without intent by the speaker's manner of delivery. Let us note that the same qualities can also be reflected in an author's style of writing or by the facts or comments he chooses to include or omit.

Obviously, the best way to demonstrate good character is to possess it in the first place. James A. Winans states that "nothing is so destructive of confidence in a speaker as suspicion of his sincerity . . . . The best way to be believed sincere is to be sincere."  

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20 Quintilian, op. cit., vol. IV, Bk. XII, p. 355.

21 McBumey and Wrage, op. cit., p. 489.

is a cynic or a braggart, these qualities may very well show through
during his presentation. On the other hand, a man of genuine good
character has little to fear in this matter if he avoids the occasional
stumbling block that may come his way, such as the sudden temptation
to display anger or sarcasm.

The point being made here is that few factors could prove more
helpful to the man seeking self-vindication than the demonstration of
strength of character in his rhetorical reply. This very quality
creates a certain doubt about the validity of any personal attack
against him. Recalling again the adage that "what you are speaks so
loudly that I cannot hear what you say," we are reminded that the
establishing or strengthening of a favorable image could well be the
decisive factor in a man's achieving self-vindication. We shall see,
however, that a favorable image can be created in more than one way by
the speaker and that in some of our ten cases, this matter of speaker
image will prove more important than in others.

Good Will

Besides competence and character, an orator must seek to estab-
lish a good rapport with his audience. Although there are many factors
in achieving persuasion, the well-liked speaker probably has a better
chance of moving his audience appropriately. Cicero recognized the
importance of good will and set the establishment of initial rapport
with the audience as one of the earliest objectives of the speaker:
An exordium is a passage which brings the mind of the auditor into a proper condition to receive the rest of the speech. This will be accomplished if (he) becomes well disposed, attentive and receptive.23

This establishment of good will becomes increasingly more difficult as the speaker challenges his listeners with a message to which they are hostile or with which they disagree. But as soon as the orator knows or suspects that his message will be controversial, so much the more should he strive for initial good will.

A classic example of this audience adjustment is found in Patrick Henry's "Liberty or Death" speech. Here was a man who was about to propose revolution to his fellow Virginians over a year before the Declaration of Independence (March 28, 1775). Other delegates at the convention had already expressed a more moderate point of view. Note how Patrick Henry's introductory sentences attempted to conciliate the speaker with his audience, how he appealed for an honest hearing of his message, even though it would be controversial:

Mr. President: no man thinks more highly than I do of the patriotism as well as abilities of the very worthy gentlemen who have just addressed this house. But different men often see the same subject in different lights; and, therefore, I hope that it will not be though disrespectful to those gentlemen, if, entertaining as I do, opinions of a character very opposite to theirs, I shall speak forth my sentiments freely and without reserve. This is no time for ceremony. The question before the house is one of awful moment to this country. For my own part I consider it nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject ought to be the freedom of the debate. It is the only way that we can hope

to arrive at truth . . . .

Many generation gaps today might be narrowed by one or preferably both parties showing a sincere friendliness for the opposite generation. In addition to the article already cited, Franklyn Haiman conducted another experiment in which he found "likableness" to be an important factor in effective persuasion. After examining the opinions of expert judges concerning famous speakers, Haiman reported:

The correlation of .87 found between this factor [likableness] and persuasive success may be regarded as very high. This correlation was much higher than that obtained between persuasive success and any other factor judged in this survey . . . . This would indicate an exceedingly high premium on likableness as a factor of persuasive success in American public life.

Our vindication studies all deal with serious issues and there is little or no occasion in most of them for levity or banter. Nevertheless, the speaker can indeed establish a mood of good will by his style and manner of presentation. For example, he could depict the image of a man so dedicated to his country and the American people that the likelihood or even the possibility of conduct deliberately harmful to people or country is perceived as unlikely to have occurred. The speaker's apparent uprightness and good will to others actually

\[\text{24}^\text{Patrick Henry, "Liberty or Death Speech," in Orations of American Orators, Vol. I, ed. by Dr. Richard Garnett (Revised Edition; New York: fifth Ave. Press, 1900), p. 57. We now know this was not Henry's original speech.}\]

\[\text{25}^\text{Haiman, op. cit., p. 201. Besides likableness, Haiman also checked the qualities of prestige, physical attractiveness, sincerity, and general competence in this survey.}\]
weakens the impact of the attack against him and increases the credibility of his self-vindication. Speaker image has subtly affected the audience.

In summarizing this section on ethical appeal during a speech, we should recall that this essay has stressed three qualities which will enhance the ethos of a speaker. These are: (1) intelligence or competence, (2) character or integrity, and (3) good will. Although these qualities have been discussed separately for the sake of clarity, let us remember that they often overlap and are interrelated in forming one image of the speaker.

The possession of the qualities discussed here is not an automatic assurance of success. Books on persuasion theory cite many other elements in the process of persuasion and rare is the salesman (in the broadest sense of the term) who sells himself or his product every time. What is argued here is that a favorable image increases the speaker's chances of success; a negative image--alone and of itself--can be a decisive factor for failure in communication. Furthermore, we are suggesting that in the case of self-vindication, speaker image during the speech could be especially important because of its close relation to the overall character of the rhetor, which is the very thing he is trying to vindicate. The strength of character or other favorable qualities established during the speech are persuasive arguments in favor of the man's integrity which has been somehow challenged.

McBurney and Wrage state that "in any given situation in which confidence in the speaker is at all important, he is more likely to
accomplish his purpose if his listeners believe him to be capable, trustworthy and well disposed toward them." The same authors offer the following advice concerning ethical appeal:

Strengthen yourself in the personal qualities to which audiences respond favorably. Ask yourself this question: what personal qualities do I usually associate with competence, integrity, and good motives? While they are by no means infallible signs, we suspect that most people take confidence tempered by some modesty as a sign of competence, sincerity as a sign of honesty and integrity, and friendliness as a sign of good motives.

Speaker Image and Contemporary Rhetoric

We have already seen that the Greek and Roman rhetoricians strongly emphasized the importance of speaker image. In considering the emphasis on delivery in the classical and eighteenth century elocutionary periods, we noted that excellent delivery will almost surely assist the speaker in forming a favorable image in the minds of his listeners. The canon of delivery and ethical appeal have a direct relationship.

During the last forty years, there has been a trend identified as the "New Rhetoric." Has the latest rhetorical theory tended to agree or disagree with the classical and traditional doctrine of speaker image? To answer this question, let us first consider the insights of Kenneth Burke. This author is perhaps most famous for his analysis of

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26 McBumey and Wrage, op. cit., p. 488.

27 Ibid., p. 497.
the term "identification." Marie Hochmuth Nichols writes that "in Burke's language, when one identifies himself with some one else, or with something else, he becomes consubstantial with it." Thus he states that "... in acting together, men have common sensations, concepts, images, ideas, attitudes that make them consubstantial." Burke sees this concept of identification as the key to the New Rhetoric and explains this idea as follows:

If I had to sum up in one word the difference between the "old" rhetoric and a "new" ..., I would reduce it to this: The key term for the old rhetoric was "persuasion" and its stress was upon deliberate design. The key term for the "new" rhetoric would be "identification" which can include a partially "unconscious" factor of appeal.

In explaining his identification theory, Burke also notes that "you persuade a man only in so far as you can talk his language by speech, gesture, tonality, order, image, attitude, idea identifying your ways with his." This statement suggests that persuasion comes via identification between speaker and listener. But with whom is the listener most likely to identify? Usually it will be with someone whose image he likes


and respects; someone who has established good ethical appeal. A statement of Wayne Minnick further explains this relationship between identification and ethos:

The nature of ethos can be clearly understood if prestige is conceived as arising from three sources: (1) the tangible attainments or known reputation of the speaker which the audience acquires before the delivery of the speech, (2) the character and personality revealed by the speaker as he utters the speech, and (3) the coincidence of the speaker's proposals with the rigid beliefs and attitudes of the audience.\(^{32}\)

It is the final part of this quotation that is of particular interest to us. Besides the two means of establishing ethos which we have already considered—antecedent reputation and self-revelation during the talk—Minnick notes a third factor: identification of speaker attitudes and beliefs with those of the audience. Thus, we can now see the link connecting Burke's doctrine of identification with ethical appeal: in so far as the speaker can successfully identify his opinions and ideas with those of the audience, he will improve his reputation with the audience. The listener accepts the speaker as a person and is willing to identify with him. On the other hand, Minnck notes that "when a communicator's proposals appear inimical to the rigid ideals and values of the audience, his prestige will be low,\(^{33}\) In other words, if the speaker's views are very divergent with those of his audience, the listeners tend to regard him with less favor. There is a

\(^{32}\) Minnick, op. cit., p. 113.

\(^{33}\) Ibid., p. 125.
direct connection between speaker image and audience ability to identify with that speaker. The image formed by the listener partially depends on the ideas and convictions of the speaker which facilitate or hinder the identification process. This idea also demonstrates the close interconnection between ethical and logical appeal. We can departmentalize these factors for clearer analysis, but, in fact, ethical, logical, and emotional appeal are all vitally connected within a speech.

Conversely, there has been a recent rhetorical trend in which the speaker completely disregards seeking the good will of his audience and rather concentrates upon his message whether the audience likes it or not. In a recent lecture entitled "The Rhetoric of the Open Hand and the Rhetoric of the Closed Fist," Professor Edward P. J. Corbett explains this new style as follows:

The fourth characteristic [of closed fist rhetoric], one that is closely allied to the previous mark and one that lends a particular aptness to my metaphor of the closed fist, is that a good deal of contemporary rhetoric is non-conciliatory. By this I mean that whereas speakers and writers once took special pains to ingratiate themselves with their audience, today many speakers and writers seem actually to go out of their way to antagonize or alienate their audience. Aristotle regarded the ethical appeal, the image of himself that a speaker projected as the most potent means of persuasion. Militants today seem to think that all they need to do is "tell it like it is." It matters not that in the process the audience is shocked or angered or unsettled.

Indeed, the style of a Stokely Carmichael or a Jerry Rubin challenges the traditional and even modern concepts of ethical appeal. The orator prefers shock effect to personal popularity. Two motives may have dictated this course of action. Radical and other controversial speakers may feel that the righteousness of the cause enables them to sacrifice popularity in the interest of shocking the so-called "Establishment." A more genteel approach may be far less successful in achieving any real impact.

Secondly, by a sort of reverse psychology, fame, and even some acclaim, have followed upon the orations of such controversial speakers as Mark Rudd and H. Rap Brown. The lines of society are drawn in evaluating these men. While many reject them, others have cheered them on and admired them for their boldness. This is truly a rhetorical phenomenon whose scope and significance require further serious investigation. It is a sort of rhetorical upheaval whose existence is well established and which challenges the traditional doctrine of ethical appeal. Or should we rather ask if this is a new approach to establishing audience rapport by a plain, bold, outspoken statement of one's grievances, dissatisfactions, and proposed solutions? Professor Corbett suggests this as a possibility when he says of these new-style controversial speakers:

A third possibility is that they are seeking to develop a new technique of ethical appeal. Maybe their thinking is that the way to move people is to speak abrasively. "The squeaking wheel gets the grease." Shouts, threats, obscenities do gain attention.35

However, Corbett is apparently not convinced by this tentative rationale of explanation. A little later in his lecture, he notes that "the open hand has at least the chance of being grasped cordially. The closed fist just prompts another closed fist to be raised."$^{36}$

In any case, this non-conciliatory type of rhetoric certainly challenges the accepted doctrine that a good image is desirable.$^{37}$ Time will tell if this trend sets a permanent pattern in our society. Probably the decisive factor will be the overall effectiveness which speakers achieve by means of this hostile approach to the audience.

The final consideration in this section is the congruity hypothesis originated by Charles Osgood and Percy Tannenbaum.$^{38}$ This theory claims that attitude changes in an audience are very much connected to the relationship between the speaker and the concept. In his book on persuasion, Gary Cronkhite explains this idea as follows:

Now suppose a subject has a favorable attitude toward a person such as Eugene McCarthy and an unfavorable attitude toward a concept such as withdrawing troops from Vietnam. He then comes upon

$^{36}$Ibid.,

$^{37}$This approach, however, is not entirely new. Almost twenty years ago, Eric Hoffer stated that certain world leaders did not seek to present a popular image. Hoffer noted that "exceptional intelligence, noble character, and originality seem neither indispensable nor perhaps desirable." For further discussion of this point, see Eric Hoffer, The True Believer (New York: Harper and Brother, 1951), p. 112.

information causing him to believe that McCarthy favors withdrawing troops. The effect of such an associative bond in most situations is to draw the ratings of the source . . . and the concept . . . closer together, although this is not always true. In this case, one would predict on the basis of the congruity hypothesis that the subject will come to have a somewhat less favorable attitude toward McCarthy and a somewhat more favorable attitude toward withdrawal of troops from Vietnam. If the subject had learned that McCarthy did not favor troop withdrawal, one would say a dissociative bond had been established. The principle of congruity was devised to predict the direction and extent of attitude change in such situations.39

Cronkhite also adds that "the basic principle of congruity is that 'changes in evaluation are always in the direction of increased congruity. . . .'"40 In other words, the theory suggests that listeners basically prefer a state of harmony to exist between their opinion of the man (ethos) and his ideas. To achieve this harmony out of conflict, there is a tendency to merge the two varying factors. In the previously cited example, the listener thinks a little less favorably of McCarthy and a little more favorably about troop withdrawal. This increases the harmony or congruity of the situation. If, however, McCarthy were to oppose troop withdrawal, then his viewpoint would strengthen the listener's originally negative evaluation of withdrawing. We should note that one of the basic factors involved in this theory is speaker image.

To facilitate the evaluation of a person or concept, Osgood and Tannenbaum suggested a simple scale with plus and minus ratings ranging from +3 to -3. According to the congruity hypothesis, "the

39 Cronkhite, op. cit., p. 52.
40 Ibid.
more 'polarized' or extreme the attitude, the more difficult it is to change.41 Thus, if a listener rated McCarthy at +3 and Vietnam troop withdrawal at -1, the personal rating of McCarthy would be the stronger and, therefore, the more influential factor as the merging toward congruity took place.42

The congruity hypothesis is another example of modern rhetorical theory turning to ethos as a major factor in achieving persuasion. It should also be noted that the other factor on the congruity scale is often a logical concept, highlighting once again the practical inter-relationship between ethos and logos.

Practical Relevancy of Image Today

Despite the new and thought-provoking approach to ethos by some of today's more controversial speakers, there is also evidence to indicate that the traditional stress on ethical appeal and image are still highly regarded by the modern orator. The recent incident of Dick Gregory's enthusiastic reception at Ohio State University has already been related. To say that Gregory was disappointed at this highly favorable welcome, would be nonsense. Nor did he attempt to antagonize his listeners—black or white—during the speech.

41Ibid., p. 54.

42Cronkhite does point out an objection to this aspect of the theory. He notes (pp. 54-55) that attitudes can be held with a varying degree of tenacity. A man who is neutral because he is completely uninformed on a topic will probably be easily changed. Another man may have studied a topic at great length before forming his neutrality. Contrary to the Osgood and Tannenbaum analysis, this man might cling very tenaciously to his neutrality.
Another striking example of the continued high regard for speaker image may be found in considering the famed Kennedy-Nixon debates during the presidential election of 1960. Rogge and Ching confirmed this analysis by stating:

An evaluation of the misnomered Great Debates of 1960 between John Kennedy and Richard Nixon led Samuel Lubell to worry that television had, and may continue to have, more impact on the speakers than on viewers. He wrote:

we must expect that future TV debates will continue to put the prime emphasis on the personality of the candidates rather than on parties and issues. Given the nature of TV, the contest between personality and issues is bound to remain an uneven one—as uneven perhaps as matching the crowd appeal of a chorus girl against a she-intellectual with horn-rimmed glasses.43

The authors' point is that today's political candidates are much concerned about projecting a favorable image to the TV audience, since this may be the decisive factor in winning voter approval. In another reference to the 1960 presidential debates, Rogge and Ching state:

The candidates themselves anticipated the possibility of the importance of their 'image.' Douglas Cater, a reporter who covered the debates at the point of origin, wrote, "One thing was quite clear: as they approached this brave new frontier of television, the two candidates were far more concerned about their images than their arguments."44


After the most recent presidential election in 1968, Joe McGinniss wrote a controversial but best-selling book entitled *The Selling of the President, 1968*. It is interesting to approach this book from the point of view of how much stress it places on speaker (candidate) image. McGinniss explains that his whole literary effort is based upon a description and analysis of one political camp's efforts to create a favorable TV image for its candidate:

The American voter, insisting upon his belief in a higher order, clings to his religion, which promises another, better life; and defends passionately the illusion that the men he chooses to lead him are of finer nature than he.

It has been traditional that the successful politician honor this illusion. To succeed today, he must embellish it. Particularly if he wants to be President.

That there is a difference between the individual and his image is human nature. Or American nature at least. That the difference is exaggerated and exploited electronically is the reason for this book.45

One may agree or disagree with the McGinniss analysis of the American voter. Certainly the author presents an interesting analysis of the efforts within a political camp to establish the proper image for their candidate. McGinniss further speaks of a Nixon advisor who was concerned about improvements "not upon Nixon himself but upon the image of him which was received by the voter."46 He also quotes the famed communications theorist Marshall McLuhan as stating that "the


46 Ibid.
shaping of a candidate's integral image has taken the place of discussing conflicting points of view."\textsuperscript{47} It is actually too strong to suggest that issues, e.g., Vietnam, no longer matter in a political campaign. Nevertheless, the candidate's image remains a prime factor in communicating with the American public. McGinniss quotes Raymond K. Price, another TV expert working for Nixon, making the following analysis of a political campaign:

"These \textit{[personal factors]} tend to be more a gut reaction... unarticulated, non-analytical, a product of the particular chemistry between the voter and the \textit{image} of the candidate. We have to be very clear on this point: that the response is to the image, not to the man... It's not what's there that counts, it's what's projected—and carrying it one step further, it's not what he projects but rather what the voter receives. It's not the man we have to change, but rather the received impression.\textsuperscript{48}

\textbf{Conclusion}

We have seen enough of the McGinniss book to realize that today's political strategists are very concerned about the same matter which Aristotle discussed twenty-four centuries ago; ethical appeal. In discussing the relevancy of these ideas for the speaker of today, we should recall that the matter of speaker image is particularly important for a man attempting self-vindication. From the nature of the case, the man's antecedent ethos has been damaged or endangered by personal attack. An important aspect of restoring this damage will be

\textsuperscript{47}\textit{Ibid.}, p. 28.

\textsuperscript{48}\textit{Ibid.}, p. 38.
to re-create, to re-establish, a favorable image *during* the vindication effort. In analyzing the strategies and techniques actually used by ten speakers, one of our considerations will be their effect on the man's image. It is possible for a man to have a poor image and still be vindicated by the true facts of a situation. What is contended here is that the very success in vindication often is closely connected with the projection of a sound image involving such qualities as integrity, trustworthiness, and strength of character. Thus, the act of self-vindication and the improvement of one's image usually go hand in hand—the former can be very much affected by the latter. The consideration of image, therefore, will receive special consideration in this analysis of self-vindication. It is an idea as old as Aristotle and as timely as the next political campaign. While still avoiding preliminary hypotheses, another pertinent question of this study is "How important is the concept of image during a man's effort at self-vindication?"
CHAPTER III

MATERIALS, ORDER, AND PROCEDURE OF THIS STUDY

American Vindication Literature--1950-1970

From the total scope of vindication literature, this study is limiting itself to the consideration of Americans attempting self-vindication during the period 1950-1970. These persuasive works include both oral and written efforts. More than thirty attempts at self-vindication have been collected and from this group, ten were chosen for longer analysis in this study. They were selected based upon historical importance, current interest, and because of their special relevance to a consideration of the rhetorical genre of self-vindication. Before discussing them, a brief listing and resume will be made of more than twenty other examples of self-vindication during this period. This list includes the following selections:

1. Admiral Husband Kimmel, Admiral Kimmel’s Story (Chicago: H. Regnery Co., 1955). One of the most devastating defeats in United States military history came on December 7, 1941, with the surprise attack on Pearl Harbor. The American fleet had been caught off guard and severely damaged by Japanese bombing attacks. Admiral Husband Kimmel took a large part of the initial blame for this disaster resulting from unpreparedness. In this book, the Admiral presented his side of
the story and suggests other explanations for the Pearl Harbor disaster.

2. Owen Lattimore, Ordeal by Slander (Boston: Little, Brown, 1950). In 1950, Owen Lattimore was attacked by Senator Joseph McCarthy and accused of Communist connections. Lattimore pleaded his innocence and testified before a Senate Subcommittee. Lattimore's book is an account of the events subsequent to his being attacked as pro-Communist.

3. Whittaker Chambers, Witness (New York: Random House, 1952), Chapters 11-13. A serious controversy arose between Alger Hiss and Whittaker Chambers on the question of former association with communists by Alger Hiss. Chambers eventually appeared to have been correct when Hiss was convicted of perjury. Chambers related his account of this complex controversy in Witness.

4. Alger Hiss, In the Court of Public Opinion (New York: A.A. Knopf, 1957). Even after he was convicted of perjury, Alger Hiss continued to plead "Not guilty" to accusations of former association with communists and perjury. Some years after his conviction, Hiss continued to argue his case in this book.

5. Adlai Stevenson, "The Hiss Case," in Major Campaign Speeches of Adlai Stevenson, 1952 (New York: Random House, 1953). By late 1952, Alger Hiss had become persona non grata in political circles. During the 1952 campaign, therefore, Stevenson was criticized for his earlier approval of Hiss. He replied in a speech in Cleveland. Stevenson claimed that at the time of his statements in favor of Hiss, allegations against him had not yet been substantiated and that he was not the only political figure at that time to support Alger Hiss. Thus, argued Stevenson, it was both misleading and inaccurate for political opponents to criticize his conduct in this matter.

In the fall of 1954, Senator Joseph McCarthy of Wisconsin was recommended for censure by a Select Committee of the Senate for "contemptuous" and "reprehensible" conduct. On October 3, 1954, McCarthy appeared on "Meet the Press," a television interview program. This was his first public response to the pending censure motion which he frankly discussed with a panel of questioners.

7. Harry S. Truman, Memoirs, Vol. I: Year of Decisions (Garden City, N.Y.: Doubleday, 1955), p. 415. One of the most deadly acts in the history of modern warfare was the American dropping of atomic bombs on the Japanese cities of Hiroshima and Nagasaki in 1945. The matter of using atomic or nuclear weapons remains controversial and dreaded to this day. In the first volume of his Memoirs, former President Harry Truman briefly explained why he decided to employ this devastating means of warfare at the end of World War II.

8. Sherman Adams, "Full Testimony before House Special Subcommittee on Legislative Oversight in Washington," U.S. News & World Report, June 27, 1958, pp. 78-92. Sherman Adams had strong personal influence with President Eisenhower when he served as Presidential Assistant. During his tenure in office, serious questions were raised concerning Adams' relationship with Bernard Goldfine. The matters at issue included the accepting of personal gifts and the question of whether there had been any unethical effort to gain political influence. Adams discussed his relationship with Bernard Goldfine in testimony before a special subcommittee of the House of Representatives.

10. Representative Adam Clayton Powell, quoted in *Congressional Record*, CXIII, 90th Cong., 1st sess., Jan. 10, 1967, 23. As the House of Representatives assembled in January, 1967, there was a proposal to deny Congressman Adam Clayton Powell of New York his seat in the House because of alleged unethical conduct. Shortly before the House membership voted on this proposal, Powell made a brief statement to his peers. Powell noted that his conduct had been no different from the conduct of some other members of the House.

11. Senator George McGovern, "The Higher Patriotism," in *A Time of War—A Time of Peace* (New York: Random House, 1968). During recent years, dissent, particularly on the Vietnam issue, has become very common in the United States. At least initially, the patriotism of such critics was sometimes challenged. Senator McGovern addressed this issue in this speech in an effort to demonstrate that dissent can be not only legitimate but a genuine expression of patriotism.


(New York: Dial Press, 1968), Chapter Six. During the past decade a new slogan has arisen in the black community as a rallying cry. The term, "Black Power," has remained somewhat vague but has also become very popular with many black activists. Some criticized its use as overstating the case or because it had intimations of a resort to violence. In Chapter Six of his book, Lester explained and defended what might be called the "Black Power Mentality."

14. Clement F. Haynsworth, Hearings before the Committee on the Judiciary, United States Senate (Washington: U.S. Government Printing Office, 1969). Clement Haynsworth was nominated by President Nixon for Associate Justice of the Supreme Court. He was a Southerner and his qualifications were considered questionable by many senators. In these hearings before the Senate Judiciary Committee, Haynsworth was examined as a candidate for membership in the highest court in the land.

15. George Harrold Carswell, Hearings before the Committee on the Judiciary, United States Senate (Washington: U.S. Government Printing Office, 1970). After Clement Haynsworth was denied membership on the Supreme Court, Nixon then nominated George Carswell as his second choice. Carswell was also a controversial candidate. Like Haynsworth, he participated in hearings before the Senate Judiciary Committee regarding his nomination to the Supreme Court.

16. Dean Acheson, Present at the Creation (New York: Norton, 1969), pp. 354-370. While serving as Secretary of State under President Truman, Dean Acheson was criticized for his friendliness to Alger Hiss and was also attacked by Senator Joseph McCarthy. In December, 1950, some Republicans asked President Truman to remove Acheson from the cabinet. Acheson discussed these controversial matters and explained
his own position in a section of this book dealing with his experiences as Secretary of State.


19. Lt. William Calley, "Confessions of Lt. Calley," Esquire, November, 1970, p. 113. This was to be the first of several installments about Calley's experiences in Vietnam. It dealt with some earlier events before the My Lai affair, setting the scene for that tragedy which was apparently to be discussed in a later issue. But the message of this initial article already involves self-vindication.

committee noted that Ciardi had supported a group called the National Committee to Abolish the House Un-American Activities Committee. Ciardi explained what he considered to be the nature of a true radical and emphatically denied that he belonged in this category.

21. Commander Lloyd Bucher, Bucher: My Story (Garden City, N.Y.: Doubleday, 1970). One of the pressing questions concerning the "Pueblo" incident was the fact that the captain of a United States naval ship had surrendered to the forces of a foreign power without firing a shot in defense of his vessel. This seemed to challenge the ancient adage of the United States Navy, "Don't Give Up the Ship." Bucher explained the reasoning behind his conduct, appealing basically to the utter hopelessness of any armed resistance.

22. Vice President Spiro Agnew, "Those Agnew Speeches," U.S. News & World Report, August 24, 1970, pp. 34-36. Possibly the most controversial speaker of the Nixon Administration has been Vice President Agnew. In an article which used straight question-and-answer format, the Vice President talked about his controversial style of oratory as well as other issues of the day.

23. Vice President Spiro Agnew, "Vice President Agnew on Agnew," Time, October 26, 1970, p. 25. In another brief article, the Vice President discussed his campaigning and his political role with two Time correspondents during the fall of 1970.

The following would be two examples of books which were excluded from this study because they do not meet the tests of self-vindication as outlined in this study:

1. William F. Buckley, Jr. and L. Brent Bozell, McCarthy and His
The authors present a favorable treatment of Senator Joseph McCarthy.


Neither of these books contains self-vindication.

Selections for Special Study

Having mentioned this relevant background material, we may now turn to the ten works chosen for special study. Eight of these men are national political figures who have served in public office since 1950. The final two represent the military and the clergy. All but two of these selections were originally delivered in oral form. Each of these men faced a personal need to vindicate himself and his conduct in some controversial situation. Each responded to this exigency and it is these attempts at self-vindication which may be considered as a representative sampling of the American literature of self-vindication between 1950 and 1970. A short description of these ten selections will now be provided.

1. Richard Nixon's "Checkers" speech.—As a Vice Presidential candidate in 1952, Nixon was accused of having an unethical California expense fund. He defended himself on national television. The speech generated one of the largest written responses (letters and telegrams) by an audience in the history of American oratory. This is also an
excellent example of a rhetorical situation providing an exigency for
an immediate vindication effort in response to personal attack. Be-
sides logical appeal, Nixon provided a number of examples of emotional
appeal and the speech is now identified by the famous reference to the
family dog.

The text for this speech is taken from Irving J. Rein, The
transcribed the script verbatim from a kinescope of the actual speech
of September 23, 1952.

2. General Douglas MacArthur's "Old Soldiers Never Die" speech.--
MacArthur's address was given before a joint session of Congress soon
after his removal from command in Korea. It is one of the most famous
orations delivered by an American in the twentieth century. The speech
encompassed both vindication of self and vindication of Korean policy.
MacArthur explained not only his objectives in Korea but also his goal
in everything which he did as an American military leader. We see more
than policy in this speech, we see the man himself—what he was and what
he stood for. There is also specific self-vindication when MacArthur
replied to the charge of being a warmonger.

The text of the speech is taken from Vital Speeches XVII (May 1,
1951), 430-433. This text in Vital Speeches—except for very minor
smoothing outs—is identical with the actual recording of the speech on
R.C.A. Camden Records entitled "Douglas MacArthur: Address to the Con-
gress, Washington: April, 1951."

3. Former President Harry Truman's account in his Memoirs of the
MacArthur removal.--This written effort at self-vindication is, in a
sense, a response to the previous effort by MacArthur. Again we are
involved in Korean policy and, in particular, with the act of removing General MacArthur from command. But sometimes a policy becomes so controversial that the man himself becomes an object of criticism and ridicule; his character itself is indicted. Because the rhetorical situation has involved serious criticism of the very character or ability of the man, a vindication of the man's policies involves a vindication of the man himself. No act by Truman during his tenure as President of the United States was more controversial than his decision to remove General MacArthur.

This combined analysis of the MacArthur-Truman controversy has the added advantage of a "two-sides-of-the-story" approach. It suggests the question of whether two men on opposite sides of a serious controversy can each vindicate himself, or must one be right and the other wrong?


4. Senator John F. Kennedy before the Greater Houston Ministerial Association in 1960. During the 1960 presidential campaign, candidate John F. Kennedy reluctantly decided that he must squarely face the religious issue at least once in his campaign. This is clearly an example of personal vindication in that the speaker has been questioned because of his religious convictions (Can a Catholic be a good President?). The most famous member of the Kennedy clan attempted to reassure Protestant ministers—and all Americans—that his religion did not disqualify him in any way from public office.

The text of the Kennedy speech is taken from "Speech of Senator

5. Reverend Martin Luther King, Jr's "Letter from Birmingham Jail." --During civil rights demonstrations in Birmingham, Alabama, King was arrested. While in prison, he wrote a letter of explanation and justification of his involvement at Birmingham. This letter is actually a response to public criticism of King's conduct in the civil rights conflict. It provides an explanation of King's position on violence and civil disobedience as well as other issues. King defended his methods, his principles, his "getting involved."


6. President Lyndon B. Johnson's San Antonio Speech on Vietnam.--This is a representative example of the Johnson Vietnam rhetoric. The whole Vietnam issue is still alive and very controversial although it has already led to Johnson's withdrawal from political life. At San Antonio, the President explained his reasoning in escalating the Vietnam war. That his policy also had an effect on the public's estimation of Johnson's character is well illustrated by that painful anti-war slogan of a few years ago:

"Hey, hey L.B.J.
How many kids have you killed today?"

The text of the San Antonio speech is taken from Lyndon B. Johnson, "Address on Vietnam before the National Legislative Conference, San Antonio, Texas," Public Papers of the Presidents—Lyndon B. Johnson, 1967,
7. Senator Thomas Dodd of Connecticut before the United States Senate.---Senator Dodd was originally accused of misuse of political funds by columnists Drew Pearson and Jack Anderson. There were hearings before the Senate Select Committee on Standards and Conduct, which recommended a two-count censure resolution. Before the vote on censure by the Senate, Dodd made a final plea of self-vindication before his colleagues in the Senate. He responded separately to each of the two charges in the censure resolution.


8. Senator Edward Kennedy of Massachusetts speaks about the Chappaquiddick tragedy.---This automobile accident almost cost the Senator his life and could have cost him his career as a public servant. It was clear that a girl had lost her life in the accident, but an aura of mystery surrounded the event. Senator Kennedy appeared on TV soon after the accident to clarify for his constituents what had happened and to refute some ugly rumors. This is a good example of a completely personal event (auto accident) creating a great exigency for an oratorical response by a public figure.


9. Senator Joseph Tydings of Maryland replies to Life magazine.---The Senator was accused of misuse of political influence in a *Life* magazine article. An oncoming election increased the urgency for prompt
reply. This statement provides an excellent example of point by point refutation. Again and again the Senator quoted from the Life article and then responded to the detailed specifics stated in the attack. More than one political figure has been attacked in recent years in magazine articles and this is one example of an elected official responding to such criticism.

The Tydings camp issued a four-page newspaper-like document entitled "Tydings Answers Life." This paper contained part of his initial response and all of his longer reply to the Life attack. This text is being used in studying the Tydings case.

10. Vice President Spiro Agnew talks with five students on the David Frost Show.--This final selection exemplifies a special type of vindication effort: the vindication of self-competence. Mr. Agnew has become a highly controversial figure and many of his critics have styled him as a man well fitted to replace Mickey Mouse on the face of a watch or the back of a T-shirt. The Vice President dialogued with highly capable student leaders who disagreed with him politically. The meeting could be called a debate or just a discussion. The exigency for reply was not as urgent here as in some other cases in this study. The question at hand is as much of image as of issue. The Vice President surely has received his share of personal and political criticism and the debate on the David Frost Show may well be studied as an effort at reshaping or consolidating one's image. Agnew did not have to carry the day on any of the individual political issues which were discussed. From his point of view, he could vindicate himself, he could refurbish his image in the eyes of his critics by presenting himself as a reasonable and competent government executive who was willing to listen to, and engage in dialogue with, people rep-
resenting one of the groups most critical of him, the college students. This debate, therefore, will be studied as an effort at image formation, of image remolding, in the context of a debate with one's critics on the issues of the day.


Order of the Study

Having discussed the ten efforts at self-vindication chosen for special analysis, we shall next consider the order of this study. These rhetorical efforts have been divided into separate groupings which form the next five chapters of this work. The principal factors used in this division have been chronology and topicality. The following order has been chosen for the main analysis of the rhetoric of self-vindication:

Chapter Four: "The MacArthur-Truman Controversy."—None of the vindication efforts are more closely related than these two. Each man explained his position in the controversy which eventually resulted in Truman's removal of General MacArthur as Supreme Commander during the Korean war. MacArthur's response was less than two weeks after his dismissal and assumed added significance by the fact that he delivered his address before a joint session of the United States Congress. Truman's analysis of the situation came five years later with the publication of the second volume of his Memoirs.
This chapter will pose the interesting question of whether two
men who are arguing opposite positions in a controversy can both
achieve a legitimate self-vindication. We should also note that
chronologically, MacArthur was the first of our ten men to attempt
self-vindication (1951) and Truman (1956) is the third.

Chapter Five: "The Rhetoric of the Candidates."—This chapter
includes the Nixon "Checkers" speech and John Kennedy before the Greater
Houston Ministerial Association. Both men were speaking while can-
didates for a high elective office. Nixon was seeking the office of
Vice President in 1952 while Kennedy sought the Presidency in 1960
(Kennedy's opponent in 1960 was, of course, Richard Nixon). Nixon's
character and integrity had been questioned in connection with his
admitted use of a California fund, while Kennedy argued that his per-
sonal religion in no way disqualified him for the office of Chief Exec-
utive. Both men were responding to the exigency of a situation which
demanded prompt reply. In addition to his candidacy, Nixon's whole
political career had been jeopardized by this fund issue. Kennedy could
have lost the 1960 election had religious bias changed less than one per-
cent of the vote.

Chapter Six: "The Key Issues of the Sixties."—In the field of
foreign policy, no issue proved more controversial or more important to
Americans in the sixties than the prolonged involvement in the Vietnam
war, which has actually continued into the subsequent decade. Of course,
it was Lyndon B. Johnson more than any other man, who escalated this
Vietnam involvement and who received to a pre-eminent degree the criti-
cism and character vilification which resulted from this escalation. At
San Antonio, Johnson explained the reasons which motivated his contro-
versial decision.

On the domestic front, sit ins, freedom rides, riots, and demonstrations highlighted the black man's demand for justice and civil rights during the decade of the 1960's. Many whites sided with their black brothers in this prolonged battle against prejudice and discrimination which also continues to this day. No man better epitomized the non-violent efforts of the blacks to achieve equality than Martin Luther King. His "Letter from Birmingham Jail" was written in the context of a particular civil rights confrontation in Birmingham, Alabama. But King's rationale attempts to justify all his civil rights activities as well as the methods he used in achieving his goals. King and Johnson go together, therefore, in highlighting the two major issues of the previous decade.

Chapter Seven: "Tumour in the Senate."—This chapter studies the attempts at self-vindication by three United States Senators. Dodd was accused of misuse of funds, Tydings of misuse of political influence, while Kennedy had to explain his conduct at the time of the Chappaquiddick tragedy. Tydings and Kennedy were further pressed to reply by impending senatorial elections. Dodd faced an imminent vote on his censure by his colleagues in the Senate. It is interesting to note that these three cases of "tumour in the Senate" all took place within the period of about four years.

Chapter Eight: "The Controversial Mr. Agnew."—This study is unique in several ways. First of all, it has a discussion-debate format. The previous nine selections are basically individual efforts; here the Vice President dialogued with critical students. Secondly, Agnew had only a general exigency to respond in as much as he was a controversial
figure with many Americans, particularly college students. Several events created the desirability, if not the urgency, for response. Agnew had added to his own controversial image by his aggressive style of campaigning in the fall of 1970. The Vietnam and Kent State issues remained sore points among college students and the Vice President could defend himself as well as the Administration of which he was a part by engaging in competent discussion of these issues. This selection is geared more to general image restoration than to response to any one issue. Agnew wishes to vindicate himself as a competent, reasonable, and open-minded national executive.

This, therefore, is the order of our analysis. Having reviewed the general literature on self-vindication between 1950 and 1970 and having explained the choice of ten selections for special study, we may now turn to the procedure of the study.

Procedure of the Study

One of the first questions to be answered concerning the methodology of this dissertation is the matter of verifying the accuracy of the strategies and techniques identified in the analyses. As a guideline to identification accuracy, a series of tests were performed with five other students. The nature of these tests will now be explained.

First, the writer checked an early draft of his own work to recall precisely what strategies had been identified in the first five examples of self-vindication used for the dissertation. This included
the efforts of Nixon, MacArthur, Truman, John Kennedy, and King. Next, the particular passages containing the strategy or technique were located in the vindication statement. These passages were then used as the basis for a multiple choice test. Five by seven cards or typewriter-size paper were used for the multiple choice questions. Five techniques or strategies were listed on each card. An example of a Nixon card would be:

**Nixon - 2**

6. Argument from authority
7. Revealing the true facts of the case
8. Appealing to the records of the opposition
9. Anticipating further objections
10. Refutation

The multiple choice format was used for all the tests. From five possible answers (occasionally four), the subject was to read a particular passage and identify one of the five strategies on the card which was exemplified in the passage. Before further discussion of the actual testing, the following chart is presented explaining the analysis of each example of self-vindication:
In the shortest case, Kennedy, ten strategies or techniques were identified. There were twelve passages exemplifying these techniques. In the longest effort by Truman, there were thirty-three passages exemplifying the ten techniques which had been identified. To be exact, we should note that occasionally one passage would contain several strategies, while on the other hand, one strategy, such as argument from example, might be exemplified in a number of passages from a particular selection.

Let us turn now to the actual testing procedure. The five students who assisted with the project included four graduate students in Speech—Andrew LeCompte, Mary Karezai, Karen Reiner, Susan Raynor—and one undergraduate college student—Robin Wall—who had competed in varsity debating at Ohio State University. Tests were always conducted via a two-person dialogue between this writer and one of the subjects. Each subject was
interviewed two or three times for a total period of approximately two
to three hours. The most significant variable of this project was
mental fatigue of the subject. It is rather difficult to control this
variable because in requesting a graduate student's time and mental
energy, one must naturally accept the hour of the day chosen by the
volunteer. But a vast difference in the facility of response was
observed during these tests. This writer suggests that the prime reason
for this diversity was the relative degree of mental fatigue of the sub-
ject before he began reading the passages. We should also note that
the test itself was challenging and further increased the subject's
weariness.

Several other factors will facilitate a project of this sort.
Tester and subject should, of course, work alone in a quiet room.
Ideally speaking, there should be no interruptions and the tester and
subject should both be seated at a large, well-lit table so as to work
together conveniently. The text of the vindication effort, e.g., Tru-
man's Memoirs, can be readily passed back and forth and the appropriate
passage can be easily indicated. After reading the designated passage,
the subject then consulted a five by seven card with five multiple-choice
responses from which he was to choose one technique exemplified in the
passage previously read. The tester verified the choice against his
own identification of techniques.

In about 67% of the cases (two out of three), the correct strategy
was identified on the first effort without any comment from the tester.
What happened, we might ask, when a subject chose a different answer or
was having trouble making any choice from the five possible answers?
The very silence of the tester after a response could be enough to suggest
a careful re-reading of the passage. At other times, directive hints would be given such as, "Look at the end of the paragraph," or "How did Kennedy's brother get into this?" Another method would be to ask the subject, "Tell me what happened in this passage." Often the subject would quickly wish to change his answer or would show embarrassment at his first choice. Occasionally, a valid case could be made for more than one answer. While not denying the other possibility, confirmation was always sought for the strategy identified by the tester. Only as a last resort—in perhaps 1% of more than 500 short tests—was the strategy identified and an explanation presented of how the passage exemplifies such a technique. The subject would then be asked if he could now see the strategy thus identified in this particular passage. Such an occurrence happened very rarely.

Recalling the chart which listed over 100 passages read for identification by five different students, we see that there were over 500 individual tests taken by the subjects (A test may be defined as one student, reading one passage, to identify one strategy). Although there were some difficulties—often due to mental fatigue—never once in the more than 500 individual tests did a subject say, "I see what you are driving at, but I cannot agree that this strategy is present in the passage." There was one passage which could be more clearly identified, but even here, all five subjects correctly identified the strategy as chosen by the tester.

Furthermore, the difficulty of the identifications was definitely increased by the fact that often the subject had never read the selection previously and was therefore reading short passages out of context (The tester would sometimes set the scene for the passage). Despite this, a
basically 100% agreement was achieved between the strategies identified by the tester as compared with the identifications of the five subjects. This consensus did require comment by the tester in about one third of the cases. Thus, by means of this series of multiple-choice tests, conducted with five other students, the accuracy of this writer's ability to identify rhetorical strategies and techniques properly has been favorably confirmed and demonstrated.

Having discussed the method used to confirm this writer's identification of strategies and techniques, we now turn to the three-part format into which each rhetorical analysis has been divided in this dissertation. The ten efforts at self-vindication will each be considered under the following format:

1. The Exigency;
2. Strategies and Techniques;
3. Results and Conclusion.

Each of these subdivisions will now be examined separately.

The Exigency

By the word "exigency" is meant the need for a reply in this particular situation. A penetrating analysis of this idea is found in Lloyd Bitzer's article entitled "The Rhetorical Situation."1 Bitzer noted that some of our most famous speeches in English are in response to what may be called a "rhetorical situation":

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The presence of rhetorical discourse obviously indicates the presence of a rhetorical situation. The Declaration of Independence, Lincoln's Gettysburg Address, Churchill's Address on Dunkirk, John F. Kennedy's Inaugural Address—each is a clear instance of rhetoric and each indicates the presence of a situation.²

Bitzer also observes that not every rhetorical situation necessarily gains a response. Rather, he notes that "while the existence of a rhetorical address is a reliable sign of the existence of a situation, it does not follow that a situation exists only when the discourse exists."³ In other words, despite the exigency of the situation, it is possible that no orator will rise up to meet this need for reply.

One of the most important insights of the Bitzer article is the idea that a situation can beget the need for a rhetorical response. Thus, he states:

Nor should we assume that a rhetorical address gives existence to the situation; on the contrary, it is the situation which calls the discourse into existence. Clement Attlee once said that Winston Churchill went around looking for "finest hours." The point to observe is that Churchill found them—the crisis situations—and spoke in response to them.⁴

It is the contention of this dissertation that each of the ten efforts at self-vindication chosen for close analysis are responses made in a rhetorical situation. The course of events provides an exigency, a demand, a need, on the part of the speaker (or writer) to defend himself. Not every rhetorical situation is responded to, but in these ten

²Ibid.
³Ibid.
⁴Ibid.
cases, a man chose to come forth and defend himself. Part I of each analysis, therefore, will explain the exigency of the situation, the need for reply.

Bitzer further notes that "we need to understand that a particular discourse comes into existence because of some specific condition or situation which invites utterance." He explains this concept of rhetorical situation as follows:

Let us regard rhetorical situation as a natural context of persons, events, objects, relations, and an exigence which strongly invites utterance; this invited utterance participates naturally in the situation, is in many instances necessary to the completion of the situation activity, and by means of its participation with the situation obtains its meaning and its character.

Let us apply this analysis to the Nixon "Checkers" speech. The events of the time—Nixon's Vice Presidential candidacy, the fact that he was a United States Senator, the newspaper stories challenging Nixon's fund—all these created a rhetorical situation. That is to say, there was an urgency for rhetorical response to the criticisms regarding this fund; in Nixon's case, there was a need for prompt self-vindication because his political career was on the brink of disaster. Thus the facts of the situation created an exigency for reply; in the words of Bitzer, "It is the situation which calls the discourse into existence." Richard Nixon chose to reply to the exigency of the rhetorical situation.

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5 Ibid., p. 4.
6 Ibid., p. 5.
7 Ibid., p. 2.
we shall find similar situations calling for rhetorical response in the other nine cases to be studied.)

we should further observe that Nixon's reply becomes a natural part of the crisis situation surrounding the fund. Whether a success or a failure, the "Checkers" speech can only be fully understood in the context of that situation to which it replies and of which it then becomes a discernible part. The character and meaning of the speech can only be understood as part of a rhetorical situation, the reality of which it tried to alter by explaining the facts surrounding the fund. Thus, it is the very exigence of the situation which controls the type of rhetorical response used by the speaker.8

Continuing his analysis of the term "rhetorical situation," Biter states that "prior to the creation and presentation of discourse, there are three constituents of any rhetorical situation,"9 which are exigence, audience, and constraints.10 Exigence is defined as "an imperfection marked by urgency; it is a defect, an obstacle, something waiting to be done, a thing which is other than it should be."11 However, the Biter analysis is really interested only in what he calls a rhetorical exigence.12 He notes that "an exigence is rhetorical when it is capable of positive modification and when positive modification requires discourse

8 Ibid., p. 6.
9 Ibid.
10 Ibid.
11 Ibid.
12 Ibid., pp. 6-7.
or can be assisted by discourse." 

Perhaps two further examples of rhetorical exigency will help. When Senator Tydings was accused in a magazine article of misuse of political influence, this was an obstacle to his political career and had a damaging effect on his reputation. The situation begot an urgency for prompt reply; rhetorical discourse could modify the situation, could possibly rectify the initial damage to the Senator. Thus, Tydings did make a rhetorical reply to the exigency of the situation. A somewhat similar occasion begot the Dodd speech before the Senate. He had been recommended for censure on two counts by the Senate Ethics Committee and the Senate vote on this resolution was imminent. Dodd arose to defend himself, to plead his innocence before his peers in the Senate. The vote on censure was to follow his address; thus, there was a definite exigency for rhetorical response to the situation.

Bitzer's second constituent of a rhetorical situation is audience. He notes that "since rhetorical discourse produces change by influencing the decision and action of persons who function as mediators of change, it follows that rhetoric always requires an audience. . . ." 14 The speaker is involved in some situation which can be affected by the response of certain people whom the rhetor tries to influence. In the rhetoric of self-vindication, the speaker is basically looking for those people who are the mediators of change to exonerate him, to judge in the midst of some controversial matter that the rhetor has indeed vindicated himself in responding to the exigency of the situation.

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13 Ibid., p. 7.
14 Ibid.
Thirdly, Bitzer affirms that a rhetorical situation has a set of constraints. He explains this term as follows:

Besides exigence and audience, every rhetorical situation contains a set of constraints made up of persons, events, objects, and relations which are parts of the situation because they have the power to constrain decision and action needed to modify the exigence. Standard sources of constraint include beliefs, attitudes, documents, facts, traditions, images, interests, motives, and the like; and when the orator enters the situation, his discourse not only harnesses constraints given by situation but provides additional important constraints—for example, his personal character, his logical proofs, and his style. There are two main classes of constraints: (1) those originated or managed by the rhetor and his method (Aristotle called these "artistic proofs"), and (2) those other constraints, in the situation, which may be operative (Aristotle's "inartistic proofs"). Both classes must be divided so as to separate those constraints that are proper from those which are improper.

This passage refers back to the Aristotelian analysis of persuasion including the importance of ethical and logical proofs. Bitzer concludes this section of his essay by noting that the orator's response really adds two additional elements to the rhetorical situation. For upon entering the speech situation, the speaker adds both himself and his speech to the three constituents already considered, namely, exigence, audience, and constraints.

In summarizing this section, we should note that each of the ten speakers we shall analyze is responding to a certain exigency of the

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15 Ibid., p. 8.
16 Ibid.
17 Ibid.
situation. There is an urgency for response and the speaker's reply also becomes part of the rhetorical situation because it modifies, affects, the overall outcome of the matter. This exigency for reply will be discussed and clarified in the first part of each of the ten self-vindication analyses.

Strategies and Techniques

After recreating the rhetorical situation of which the speaker has become a part, the next step is a careful analysis of his effort at self-vindication. Particular attention will be paid to identifying and studying the rhetorical strategies and techniques which were actually chosen by each speaker or writer. This process seeks to get at the heart of the dissertation project. After examining ten separate rhetorical efforts, a cumulative study will also be made of these efforts.

The initial position of the writer at the start of this project is that of inquiry rather than advocacy. Perhaps certain strategies will emerge as particularly appropriate for self-vindication. On the other hand, it may be that the same rhetorical techniques used in other persuasive endeavors may be also applied to the rhetoric of self-vindication. Special attention will certainly be paid to the idea of image or ethos which will be discussed separately in the next chapter. But again, we are only asking about the importance of speaker image, not making a preliminary hypothesis.

At the end of each analysis of techniques, a summary of the man's methodology will be presented particularly indicating those strategies in his effort which were most important and effective. Perhaps a commu-
nication model will emerge from the total investigation demonstrat-
ing what strategies were indicated by this study to be the most
persuasive for a man seeking self-vindication.

Results and Conclusion

We have already noted earlier in this chapter that the Fother-
ingham definition of persuasion includes the idea of effect. Unless
the persuasive attempt somehow changes the beliefs or actions of the
audience in a manner desired by the speaker, the persuasion never
really "took" just as the attempt to vaccinate a child can fail in
the desired effect. To be fully effective, the speaker must achieve
the self-vindication he has sought. The final step of analysis of
each vindication effort will be to estimate and evaluate the results
achieved by the speaker. Did he succeed in vindicating himself be-
fore the American public or before whomever he was primarily addres-
sing? What was the contemporary response to his address? Who con-
sidered him vindicated? Who felt that this man should still be judged
guilty? How did these results affect the speaker's career as a public
servant? Is the matter still an open question or has it been settled?
These are some of the questions which will be considered in the final
section of each analysis.

Having considered the materials, order, and procedure of our study,
we may now begin our individual studies of the efforts at self-vindication.
CHAPTER IV: THE MACARTHUR-TRUMAN CONTROVERSY

PART I: GENERAL DOUGLAS MACARTHUR: "OLD SOLDIERS NEVER DIE"

1. The Exigency

When North Korean soldiers crossed the 38th parallel and invaded South Korea in June 1950, General Douglas MacArthur was in Japan, where he had directed the American occupation after World War II. Soon he was appointed Commander-in-Chief of all United Nations forces in Korea. After initial setbacks, MacArthur assembled a strong fighting force—mostly Americans and South Koreans—and struck back at the enemy. In September 1950, he made a surprise landing at Inchon far to the rear of the Communist front lines. This cut off the supplies of the North Koreans as well as their retreat route and 130,000 prisoners were taken as the enemy army was cut to pieces. MacArthur drove northward beyond the 38th parallel towards the Yalu River, which is the border between North Korea and Manchuria. In October 1950, the General met at Wake Island with President Truman, who

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2 Ibid., p. 338.
3 Ibid., p. 353.
awarded him his fifth Distinguished Service Medal. Talk was in the air that some of the Yanks would be heading home for Christmas. But at the end of November, about 200,000 Chinese, who had moved into Korea, now struck the United Nations forces. Again the Communist armies swept southward and contingency plans for an evacuation to Japan were drawn up. But MacArthur held and even drove the enemy back again to the 38th parallel.

In the context of this see-sawing military conflict, a serious dispute developed between General MacArthur and President Truman. At issue was the political and military policies to be pursued in the Korean conflict. This disagreement culminated on April 11, 1951 when the President made the most controversial announcement of his political career: he had removed General MacArthur as Commander-in-Chief in Korea. Later the same day, Truman spoke to the nation over the radio explaining his decision to remove the General.

How would a man of MacArthur's caliber and prestige respond to his unexpected dismissal? Indeed, should he even engage in a public criticism or rebuttal of President Truman? Or should he rather stand above it all and let history be the judge of both men?

The answer to these questions was to come with dramatic promptness. On April 19, 1951, only eight days after his removal, General MacArthur returned to Washington and made a speech which was to become an American

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5MacArthur, op. cit., p. 363.
6Ibid., p. 374.
7Ibid., p. 389.
The setting was a momentous one: a joint session of the United States Congress. *Time* magazine described the thrilling moments just before the speech as follows:

A hush fell over the assembled Congress of the United States and the crowded galleries. In the silence, the Doorkeeper's voice came clear: "Mr. Speaker, General of the Army Douglas MacArthur."

In a great wave, the applause and cheers burst upon the erect figure who strode down the aisle. Democrats, Republicans, and the crowds in the galleries rose as one, clapped and shouted on & on. Across 8,700 miles, through cheering crowds clouds of black headlines and storms of angry argument, Douglas MacArthur had come to this podium to make his stand before the nation and to state his case to the world.  

This was MacArthur's day and hour. All of America waited for his address.

II. Strategies and Techniques

We should note from the start that three purposes or objectives can be found in the speech. The vindication effort involved the double function of MacArthur's justifying his policies in the Korean War as well as his personal conduct in the light of his sudden dismissal from duty. The third objective is found towards the end of the speech when MacArthur looked to the future and urged a policy which may be summed up

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10 *Time*, April 30, 1951, p. 20.
in the phrase, "Don't scuttle the Pacific." Primarily, however, this speech may be considered one of vindication.

Image, the ethical appeal of the speaker, will again be a major factor in analyzing the effectiveness of the speech. General MacArthur had tremendous antecedent ethos before he began to speak. For he was, along with Eisenhower, the top American hero of World War II, who had led our fighting men from the tragic defeat of Bataan to unconditional victory at Tokyo Bay in 1945. His prestige had been further enhanced by his successful and diplomatic handling of the Japanese occupation and by his earlier victories in the Korean struggle. This is the background which must be remembered, therefore, in analyzing further elements of ethical appeal in the speech itself.

At the start of his address, MacArthur gave a good indication of his own character by his explanation of what he intended to do. Denying that partisanship or bitterness motivated him in any way, he reiterated the great goal of his soldier's career which was service to country:

I do not stand here as advocate for any partisan cause, for the issues are fundamental and reach quite beyond the realm of partisan considerations. They must be resolved on the highest plain of national interest if our course is to prove sound and our future protected.

I trust, therefore, that you will do me the justice of receiving that which I have to say as solely expressing the considered viewpoint of a fellow American.

I address you with neither rancor nor bitterness in the fading twilight of life, with but one purpose in mind: To serve my country.

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11 General of the Army Douglas MacArthur, "Don't Scuttle the Pacific," Vital Speeches XVII (May 1, 1951), 433. This text in Vital Speeches—except for very minor smoothing outs—is identical with the actual recording of the speech on R.C.A. Camden Records, "Douglas MacArthur: Address to the Congress, Washington, April, 1951."

12 Ibid., p. 430.
Such expression of attitude and objective sets a certain mood from the start for this speech. This was not going to be a divisive speech pitting the civilian against the military, hawks against the doves, or MacArthur against Truman. The General sought to stand above this sort of thing and his words of explanation and vindication were important to him primarily to the extent that they fulfilled his soldierly duty of service to country. In connection with this refusal to engage in partisan causes, we should note that the name "Truman" never appears in the speech though there were several less direct references to the President. MacArthur's denial of any bitterness also eased a certain tension of the moment. Refusing to use this opportunity to engage in any sort of personal vendetta with the President, MacArthur opted for a methodology that might be described as the vindication of silence. Through this strategy, his character, or ethos, was reflected not only by what he discussed but also by what he chose not to say. Although the General disagreed with Administration policy in this speech, these disagreements, as we shall observe, were on a high level and motivated by a single purpose. The compelling antecedent ethos which the General brought to the speech was reinforced by the standard of conduct which he demonstrated during the speech. Scorning bitter complaints about his dismissal and refusing to engage in self-pity, he sought to project the image of a man who most earnestly wished to serve his own country.

These opening remarks of the speech were part of the introduction. Yet it was in these few sentences and in the concluding paragraphs that MacArthur most directly aimed at vindication as a man—by what he said and by what he deliberately chose to exclude.

The General opened the body of his speech by emphasizing the
importance of stemming Communist aggression in Asia as well as in Europe. Some Americans felt that the Korean conflict was draining our military strength and leaving us vulnerable to a Russian offensive from eastern Europe.\footnote{An indication of the continued concern of Americans about Russian aggression in Europe during early 1951 can be found by reading the following speeches which were delivered before MacArthur's removal and while the Korean war was raging:}

\begin{enumerate}
\item General Dwight D. Eisenhower, "The Defense of Western Europe," \textit{Vital Speeches}, XVII (February 1, 1951), 258-262.
\item General Omar Bradley, "Troops to Europe," \textit{Vital Speeches}, XVII (March 15, 1951), 336-337.
\end{enumerate}

Rejecting this analysis, the General stated:

The Communist threat is a global one. Its successful advance in one sector threatens the destruction of every other sector. You cannot appease or otherwise surrender to communism in Asia without simultaneously undermining our efforts to halt its advance in Europe.\footnote{MacArthur, "Don't Scuttle the Pacific," 430.}

This statement was a justification of the Korean intervention and also a starting point for the General's later argument of "Don't scuttle the Pacific." MacArthur's military prestige qualified him in a special way to use argument from his own authority in advocating particular military policies such as continued support for the South Koreans. In 1951, probably only General Eisenhower could rival MacArthur's prestige as an American military leader.

The speaker next proceeded into an economic, historical, political, and military analysis of East Asia noting that after our victory in World War II, the Pacific Ocean has assumed "the friendly aspect of a peaceful
lake."\textsuperscript{15} He was interrupted by loud applause when he reiterated his advice that "under no circumstances must Formosa fall under Communist control."\textsuperscript{16} The General condemned China's aggression, praised the people of post-war Japan, the Phillipines, and Formosa.\textsuperscript{17}

Concluding his resume of East Asian affairs, MacArthur stated: "With this brief insight into the surrounding areas, I now turn to the Korean conflict."\textsuperscript{18} It is interesting to note that the speech was already a little more than half over by the time that the Korean issue came to the forefront. The long analysis of East Asian affairs was to help the listener in understanding the Korean War itself and the General's policies during that war. Briefly, this technique could be called "setting the scene."

MacArthur next stated more explicitly his support for our decision to intervene militarily: "While I was not consulted prior to the President's decision to intervene in support of the Republic of Korea, that decision, from a military standpoint, proved a sound one."\textsuperscript{19} Continuing his analysis, the General stated that the intervention of Red China into the Korean conflict "created a new war and an entirely new situation, . . . a situation which called for new decisions in the diplomatic sphere to

\textsuperscript{15}\textit{Ibid.}, 431.
\textsuperscript{16}\textit{Ibid.}
\textsuperscript{17}\textit{Ibid.}, 431-432.
\textsuperscript{18}\textit{Ibid.}, 432.
\textsuperscript{19}\textit{Ibid.} Two points should be noted:

1. The reference to "the President's Decision" is the closest MacArthur comes in this speech to mentioning President Truman.
2. This statement, along with the passage cited in footnote 14, indicate MacArthur's support for the U.S. military intervention in Korea.
permit the realistic adjustment of military strategy. Such decisions have not been forthcoming."⁰²⁰

At last he had come to the heart of the matter. Where did President Truman and General MacArthur disagree? After the Chinese intervention, MacArthur wanted major changes in our military strategy which Truman was unwilling to approve. The General argued that the new situation [Chinese intervention] required new strategies in conducting the war.

Next MacArthur stated his own specific proposals regarding the war. In addition to attacking enemy sanctuaries north of the Yalu River,⁰²¹ the speaker listed four specific proposals which, as our top military man in Korea, he felt necessary if victory were to be achieved:

2. Naval blockading of the China coast.
4. Use of Formosan troops, with American logistical support, against the mainland of China.⁰²²

These specific proposals—none of which won approval from the President—highlight the major points of disagreement between Truman and the General regarding the military conduct of the war. The rhetorical technique could be called clarification of specific proposals or explicit statement of major points of disagreement. As we shall see later in our analysis of President Truman's position, the controversy involved more than a question of limited war vs. an expanded war against China. But

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²⁰ MacArthur, "Don't Scuttle the Pacific," 432.
²¹ The Yalu River is the northern border of North Korea and separates that country from Manchuria.
²² MacArthur, "Don't Scuttle the Pacific," 432.
this was a major aspect of the controversy and it was at this point in his speech that MacArthur listed his four military proposals, all involving greater effort against Red China, which were not accepted by his superiors.

The General's next statement created a somewhat ironical situation, when all the facts are understood. Using the technique of argument from authority, MacArthur stated that although many laymen criticized him for these four proposals, his belief was that "from a military standpoint the above views have been fully shared in the past by practically every military leader concerned with the Korean campaign, including our Joint Chiefs of Staff."23

The speaker had reinforced his military estimates by recalling the support of his military colleagues for these specific changes in policy. The irony of the situation came from two circumstances:

1. This statement by General MacArthur brought the longest interruption for applause from the joint session of Congress of any point made during the speech. The sustained applause after this passage ran for more than thirty seconds.24

2. While MacArthur's claim of support from other top military leaders produced a thunderous applause which suggested congressional agreement as well, the subsequent study of President Truman's position will reveal that considering all aspects of the situation, the Joint Chiefs of Staff, rather than fully supporting General MacArthur, were in unanimous agreement regard-

23 Ibid.
24 Timed off the record of the actual speech of April 19, 1951.
By no means is it suggested here that the General was trying to deceive his audience. Strictly speaking, the statement may be acceptable if one underlines in his own mind the words, "from a military standpoint." But considering the Korean situation as a whole and the MacArthur controversy with Truman, it was simply untrue that the Joint Chiefs of Staff fully supported General MacArthur.

Basically, the speaker’s analysis up to this point dealt with his proposed military policies concerning the Korean War. Shifting for a few minutes to a more personal consideration, MacArthur answered an accusation against himself. The technique was one of simple refutation. Recalling the charge, the General stated that "it has been said in effect that I was a warmonger. Nothing could be farther from the truth." The long applause—twelve seconds—that greeted this claim indicated that many in the audience immediately accepted this denial which, nevertheless, was followed by the quoting of a statement MacArthur had made in 1945, demonstrating his own deep concern for world peace.

This section, which aimed at refuting the warmonger charge, illustrates another aspect of the speech which could be overlooked. Although President Truman did remove General MacArthur, he maintained the highest respect for the General. When MacArthur replied to the warmonger accusations, he probably answered the charge of men other than the President. Thus, it should be noted that while the speech was basically vindication in the context of dismissal from command, MacArthur also responded to other

25 This important point will be documented in my study of President Truman's position which immediately follows the MacArthur analysis.

26 *MacArthur, "Don't Scuttle the Pacific,"* 432.
critics besides President Truman.

Having stated four major changes in military policy which he advocated, MacArthur then presented the rationale for these proposals. The General had already stated that without the military changes he had outlined "the position of the command from the military standpoint forbade victory."  Having denied he was a warmonger, MacArthur next used the basic strategy of presenting a rationale, a principle of conduct, supporting his proposals:

But once war is forced upon us, there is no other alternative than to apply every available means to bring it to a swift end. War's very object is victory not prolonged indecision. In war there is no substitute for victory.28

This final sentence was an attempt to explain the principle underlying MacArthur's Korean policies.29 His objective was victory and this was the motivation for everything he did and proposed concerning Korea. MacArthur, in short, felt that to win the war was the way he could best serve his country.

Pursuing this basic rationale, the speaker disagreed with those men who supported a policy which he regarded as appeasement. MacArthur recalled the constant lesson of history which was that attempts at such a policy only begot new hostilities. He compared appeasement to blackmail which

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27 Ibid.

28 Ibid.

29 Eleven years later on May 12, 1962, MacArthur gave his "Duty, Honor, Country" speech to the West Point cadets. It is significant to note that over a decade after his speech before Congress, MacArthur would again use the exact phrase, "In war there is no substitute for victory." See R.C.A. Camden recording already listed (footnote 11) which includes on the reverse sides the "Duty, Honor, Country" speech.
would only result in greater demands and eventual war. Concluding the analysis of the folly of concessions, MacArthur effectively threw in a brief but telling personal experience, highlighting his own frustration as military commander in Korea: "Why, my soldiers asked of me, surrender military advantages to an enemy in the field? I could not answer."

The General next stated possible answers to the previous question posed by his fighting men and rejected these responses of his critics. Again we see the technique of refutation:

Some may say to avoid spread of the conflict into an all-out war with China. Others, to avoid Soviet intervention. Neither explanation seems valid, for China is already engaging with the maximum power it can commit, and the Soviet will not necessarily mesh its actions with our moves. Like a cobra, any new enemy will more likely strike whenever it feels that the relativity in military or other potential is in its favor on a world-wide basis.

Besides his four proposals on expansion of the war against Red China, MacArthur was also concerned by the "limited war" policy of President Truman which denied the bombing of enemy sanctuaries just across the North Korean border in Manchuria and also forbade "hot pursuit" of enemy fighter planes fleeing across the border. Possibly no aspect of the

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30 MacArthur, "Don't Scuttle the Pacific," 432.

31 Ibid., p. 432-433.

32 Ibid., p. 433.

33 For a longer account of MacArthur's frustration and heartbreak caused by the limited war policy, see MacArthur, Reminiscences, pp. 365-370. It would be difficult to understand fully the General's frustration in this matter of not carrying the air war north of the Yalu River without having read his own account of how this policy handicapped him.
limited war caused the General greater frustration than his inability to
carry the air war north of the Yalu River. He thus criticized that policy
by noting that Korea, which we were trying to save, endured the full brunt
of devastating warfare, while the enemy operated out of privileged sanctu-
aries.34

MacArthur's address was basically a twofold defense of both his
Korean war policies and his personal conduct. Besides these aspects of
vindication, there was a brief passage which developed a third message in
the speech dealing with future policy. This look to the future was really
a corollary of our policy to defend the Republic of South Korea. As he
nearly the conclusion of his address, MacArthur reflected on the courage
of the Korean people and urged our continued efforts in their behalf:

Of the nations of the world, Korea alone, up to now, is the
sole one which has risked its all against communism. The mag-
nificence of the courage and fortitude of the Korean people
defies description. They have chosen to risk death rather than
slavery. Their last words to me were: "Don't scuttle the Pacific."35

These final words of praise for the Korean people were coupled with
a plea in their behalf. MacArthur urged our national leaders to maintain
a policy of continued support for South Korea against Communist aggression.
The General's unselfish praise of his allies and his plea that we should
not abandon them added to his ethical appeal. For he reflected the image
not only of a firm military leader but also of a man sensitive to the courage
and sufferings of the people he had fought to save.

34MacArthur, "Don't Scuttle the Pacific," p. 433.
35Ibid.
The same may be said of the two subsequent paragraphs in which MacArthur described his American troops in Korea. His high praise of their gallantry, his personal concern for their welfare, reflected back unintentionally upon himself and spoke well of the commander of these troops as well as of the men themselves. MacArthur concluded the body of his speech by referring to the American fighting men in Korea. He praised these soldiers without reservation and mentioned his own efforts to protect them and to achieve an honorable end to the war. The General said he would long remember these men in his thought and in his prayers.36

The final passage of the speech was, indeed, the most famous. The General concluded by bidding farewell to the nation as he retired from military life. For that generation of Americans who can recall the MacArthur of Bataan, his campaigns in the South Pacific, as well as the General's leadership in Korea, it has become one of the most memorable passages in American oratory. The General stated:

I am closing my fifty-two years of military service. When I joined the Army, even before the turn of the century, it was the fulfillment of all my boyish hopes and dreams.

The world has turned over many times since I took the oath on the plain at West Point, and the hopes and dreams have long since vanished, but I still remember the refrain of one of the most popular barrack ballads of that day which proclaimed most proudly that old soldiers never die; they just fade away.

And like the old soldier of that ballad, I now close my military career and just fade away, an old soldier who tried to do his duty as God gave him the light to see that duty. Goodbye.37

Perhaps the MacArthur code of conduct can be best summarized in a

36 Ibid.
37 Ibid.
phrase which he was later to use while addressing a younger generation of military men at West Point: "Duty, Honor, Country." Whatever one's opinion of the MacArthur-Truman controversy, few Americans will deny MacArthur's devotion to duty, his high sense of honor, and his great dedication to serving his country well. The speaker's final words were not only a reiteration of his objective (to serve my country), but also present a striking example of ethical appeal. As the General finished speaking, not a few of those present could forget the issues in admiring the man.

In summarizing the MacArthur speech, several points should be stressed. After his introduction, the General used the first half of his speech to set the scene for the present conflict by an historical, economic, and military analysis of East Asian affairs. This provided a background for understanding the matter of immediate importance, the Korean war.

MacArthur expressed agreement with Truman's initial decision to help Korea. The heart of the MacArthur-Truman conflict in strategy centered around how to combat Red China after that country had entered the war. The MacArthur strategy was epitomized by the principle that "in war there is no substitute for victory." The General felt that he was the victim of a wavering, indecisive policy which forbade military victory. Precisely why Truman adopted these policies will be studied later. But MacArthur believed that the limitations on his military response to

38 See footnote 29.

39 MacArthur, "Don't Scuttle the Pacific," 432.
the enemy was really a form of appeasement and that such concessions to the enemy would only delay the day of final peace.

Consistent with his own conviction which demanded victory as the goal of war were the four specific proposals MacArthur had made aimed at escalating the war against China. The General did not merely call for "new decisions"; he stated precisely those decisions which he had in mind.

MacArthur remains one of the top military leaders of the twentieth century. His military judgments, therefore, deserved serious consideration alone and of themselves. But he supported his proposals by claiming the support of almost all the top military men involved in the Korean conflict, including the Joint Chiefs of Staff. The irony of the situation was that the Joint Chiefs of Staff actually supported Truman in his decision to remove MacArthur.

In the midst of his Korean analysis, the General took time to refute the accusation that he was a warmonger, arguing that few men on earth knew the horrors of war as well as he did.

Besides logical appeal, the rationale analysis of his point of view regarding Korea, the speech contained several fine examples of ethical appeal. Despite the brevity of these sections at the beginning and end of the speech, they set the pervading tone of the address and reinforced the image of a great American military leader which MacArthur had as part of his antecedent ethos. These passages help to vindicate

40 Ibid.
42 MacArthur, "Don't Scuttle the Pacific," 432.
MacArthur as a man—almost regardless of the rights and wrongs of Korean policy.

In his introduction, the General made it clear that his one goal in speaking was "to serve my country." MacArthur's refusal to engage in pettiness or an attack on personalities has been referred to as the vindication of silence and is an aspect of ethos. The final paragraphs of the speech are even more memorable for their ethical appeal. The General's praise of his fighting men and of the people of South Korea reflected well upon himself and his loyalty to a difficult cause. In concluding, the General bade farewell to the nation as he retired from military service. This passage was the most famous in the speech which has come to be identified by the phrase, "Old soldiers never die." If some may feel that this section is touched with exaggerated sentiment and emotional appeal, others could reply that while this may be true, those who had lived through the years of MacArthur's greatest exploits and could personally recall them were never prouder of the man than at this moment. For in the judgment of millions of mindful Americans, he had indeed succeeded in fulfilling his goal of service to country.

III. Results and Conclusion

To understand America's response to MacArthur's speech, we must make a distinction between the man and his Korean policies. MacArthur

43 Ibid., p. 430.
himself received the triumphant welcome of a national hero—and justly so. For the moment, the Korean war and the vital issues connected with it could be placed in the background as the eyes of the nation turned towards the soldier who had become a legend in his own time. In April 1951, World War II had been over for less than six years and Americans had not forgotten the events of that earlier war. MacArthur was the brave veteran of Bataan, the man who said, "I shall return"—and did so—the greatest Allied hero of the Pacific Theatre, the soldier who had later conquered the hearts of the Japanese, even while in command of an occupying army, the brilliant strategist of the Korean conflict, the general who stood out before his fellow Americans as one of the outstanding American military leaders of the twentieth century. It was amid a background such as this that MacArthur presented his moving address to the nation.

While there was a definite exigency for MacArthur to reply, we should not disregard the antecedent ethos which the General carried into the speech situation. Describing the events immediately after his dismissal, Newsweek wrote:

By week's end, Congress received 100,000 telegrams, the White House, 90,000. Telegraph officials said they had never seen anything like it.

The first reaction was stunned amazement. Then there was an angry chorus of protest against the President's action that all but drowned out the relatively few voices raised in his defense. Editorial sentiment was more evenly divided; and, after the editorials had appeared, support for the President grew. The President's nationwide broadcast on Wednesday night also gained adherents for him. Even so, the week end found the nation still overwhelmingly pro-MacArthur.44

44 Newsweek, April 23, 1951, p. 24.
Thus, MacArthur brought much support into the rhetorical situation of his speech before Congress. Based upon the post-speech results, we can judge that MacArthur reinforced his antecedent ethos by his rhetorical effort at self-vindication. The response of MacArthur's immediate audience was all that any orator could hope for. Time magazine described the moments following the speech in this way:

It was a spine-tingling and theatrical climax, audaciously beyond the outer limits of ordinary present-day oratory. In the wild crash of applause, many a legislative eye was wet. So were many other eyes across the land as the nation turned from radio and television screens back to office duties and neglected chores. Douglas MacArthur handed his manuscript to the clerk, waved to his wife in the visitors' gallery, then strode through the cheering rows of Congressman. History would remember this day and this man, and mark him large.45

On the day after his speech, the Washington Post headlined:

"City's Greatest Crowd Acclaims General."46 The article stated:

Gen. Douglas MacArthur yesterday fired a last volley at the Commander-in-Chief who had deposed him and then rode forth in a dramatic fadeout before the greatest crowd in Washington's history.

No old soldier ever put his sword away with such a resounding bang. None ever moved to the sidelines amidst such pageantry.

The crowd that assembled along the historic mile between the Capitol and the Washington Monument was officially estimated at between 500,000 and 550,000.47

In another article headlined "Congress Salutes MacArthur But Divides Sharply on Views," the Washington Post further highlighted the

45 Time, April 30, 1951, p. 23.
47 Ibid.
Members of Congress saluted Gen. Douglas MacArthur's speech yesterday as a masterpiece of eloquence. Then they divided sharply over whether he was right or wrong.

Adjectives like "magnificent," "superb" and "noble" echoed through the Capitol's corridors when MacArthur finished speaking and said goodbye. There was no disputing that the old soldier had made a moving address.

Most Republicans said they felt the general had given the country a bright beacon to follow in its world-wide struggle with communism.

Many Democrats doubted the wisdom of some of his words. They said there were great questions still unanswered.48

Editorial comment around the nation was also divided, depending upon which aspect of the rhetorical situation was discussed. Some of the editorials, quoted in a longer New York Times article, are as follows:

The Providence [R.I.] Journal: General MacArthur's speech to the Congress as a personal achievement was magnificent. Whether he has been right or wrong in his past and present recommendations, he emerges every inch the hero the American people have so long conceived him to be.

New York Herald Tribune: Probably no other living American could have risen as magnificently as did General MacArthur yesterday to the very difficult challenge presented by his appearance before the joint session of Congress. . . . The many pitfalls which personal resentment or partisan passion might have presented to him were soundly avoided.

St. Louis Globe-Democrat: General MacArthur restated his case yesterday, adding scarcely any new facet to the controversy. It was a MacArthur celebration day, replete with theatre, and the general's histrionic ability measured up to expectations. The general did not touch on the reasons for his dismissal; he made his talk in general terms. When the aura of adulation and semi-hysteria abates, we should expect a more reasoned presentation of MacArthur policies and a calmer assessment of military-foreign policy decisions.

Minneapolis Tribune: MacArthur outlined his course, but he did

48 Ibid., p. 1.
not even vaguely indicate the risks involved. He charted an immediate way, but he did not remotely suggest the ultimate consequences. The picture that he drew was badly oversimplified, and heavily steeped in the military point of view.49

The Washington Post's editorial also distinguished between the General's oratorical performance and his military proposals:

There was a classic and gladiator quality in General MacArthur's valedictory to America. It was a noble Roman who took his leave before a intent and watching people. The farewell, even if it had been limited to a ceremonial address, would have been charged with drama. But it was much more than that. General MacArthur, against the background of one of the great dismissals of history, made a spectacular attack upon his Government's strategy. No case could have been stated with more power and with more passion. It was an electric performance which had an entire Nation if not an entire world spellbound.  

No, the course that General MacArthur recommends is a course of all-out intervention, step by inexorable step. It is war. It is war against the wrong foe on the wrong battlefield, fought without allies, with our real enemy husbanding its men and resources while we are wallowing in the Chinese bog. The Japanese could tell General MacArthur something about the size and depth of the morass into which he would commit America.50

Though the MacArthur Korean policies remained very controversial, there could be no doubt that America cheered MacArthur with a heartfelt sincerity and gratitude which has scarcely ever been equalled before or since. On the day after his speech to the Congress, the General was welcomed at New York City. The New York Times headlined: "Millions Give Record Welcome to M'Arthur;—[Police Commissioner] Murphy Puts

Throng at 7,500,000, Half of It From Out of Town." The article stated:

Both in spirit and in numbers New York made history yesterday with the intensity and magnitude of its thunderous welcome to General of the Army Douglas MacArthur on his homecoming from the wars.

For six hours and twenty five minutes the metropolis formed a gigantic cheering section rocketing its shouts of approval for the 71-year-old soldier-statesman. The huge outpouring of humanity broke all records since New Amsterdam was incorporated as a city of 800 in 1653.

In an editorial, the New York Times also expressed the very valid idea that regardless of one’s opinions about Korean policy, MacArthur richly deserved a special hero’s welcome:

This is General MacArthur’s day. We are sure that the people of New York can be counted upon to make it one that will live long in history for the warmth of its welcome. No disagreement over policies in the Far East need intrude upon the enthusiasm of this occasion. Such disagreements exist. They must and will be hammered out on the anvil of public opinion. But they will have no place in the celebration which will take place today. This is MacArthur’s day.

MacArthur himself later recalled the magnificent reception which his countrymen had reserved for him:

My welcome throughout the entire land defies description. America took me to its heart with a roar that will never leave my ears. Everywhere it was the same—New York, Chicago, Boston,

52 Ibid.
Cleveland, Detroit, Houston, San Antonio, Manchester, Fort Worth, Miami, Los Angeles, Little Rock, Seattle, Norfolk, Austin, Dallas, Portland, Murfreesboro, Honolulu, Milwaukee. Men, women, and children, rich and poor, black and white, of as many different origins as there are nations on the earth. With their tears and smiles, their cheers and handclaps, and, most of all, their heart-lifting cries of, "Welcome home, Mac." In New York, where I settled down to live, the crowd was estimated by city officials to be the largest up to that time. I found 20,000 telegrams and 150,000 letters waiting for me. They came from all over the world, . . .

Rhetorical critics were more reserved and varied in their evaluation of the MacArthur speech. But the general public made its feelings clear about MacArthur himself. In one sense, the overwhelmingly favorable public reception of MacArthur upon his return indicated that no oratorical effort at self-vindication was required. He was indeed a great hero even if his Korean policies remained controversial.

Nevertheless, there were several advantages to MacArthur's accepting the opportunity to speak to the Congress and to all Americans. He demonstrated his own strength of character in adversity. He clarified what he felt were the issues and the principles of conduct underlying those issues. He bid a public farewell as he retired from military service.

MacArthur, Reminiscences, pp. 405-406.

A study of the rhetoricians' varied evaluation of the MacArthur speech can be made by consulting the following articles:


Almost any position pro or con in the MacArthur controversy can be supported by quoting from these articles. In other words, there was a wide diversity of opinion.
service. Those who disagreed with the General could hear a clear expression of his position on these matters.

Once again, we must bear in mind that the overwhelming reception which MacArthur received was not based solely on his dramatic speech before Congress. Even MacArthur's critics—such as President Truman—respected the man and were truly grateful for the great contributions which the General had made to his country. Few, if any, wished to humiliate MacArthur, although a good number did disagree with his Korean policies and actions. People could legitimately cheer him while not agreeing with the policies and actions which led to the General's removal. MacArthur was exonerated more by what he was than by what he proposed. For this reason, this study has strongly emphasized the antecedent ethos of the speaker as well as the strong aspects of ethical appeal within the speech itself.

On April 19, 1951, General Douglas MacArthur had his day before the American people. It would be five years later before the retired former President, Harry S. Truman, would publish a detailed explanation of his side of the controversy. This reply is considered in our next study.
I. The Exigency

Few men would deny the awkwardness of President Truman's position in April, 1951. He had removed General Douglas MacArthur from the command of United Nations forces in Korea. The unpopular war still raged and chances of an outright victory seemed minimal. MacArthur had returned home to a thunderous ovation from his fellow Americans. Public opinion lined up in favor of the "old soldier" who had electrified the joint session of Congress with the moving conclusion of his address.¹ The President himself readily acknowledged that MacArthur was a great military leader and did not begrudge him this joyous welcoming from grateful Americans.

Yet in the midst of this drama, it was MacArthur who assumed the role of protagonist, while Truman was the antagonist. He had relieved from command America's most popular war hero. The President had made an immediate response to the exigency of the situation by a nationwide radio

¹ *Newsweek*, April 23, 1951, p. 24 states that even after Truman's radio address to the nation explaining the removal of MacArthur, "the week end found the nation still overwhelming pro-MacArthur."

² *Time*, April 30, 1951, p. 9 states that "letters received as *Time* went to press, were 8 to 1 in favor of General MacArthur."
address on April 11, 1951,\(^2\) explaining the reasons for his actions. While the speech did clarify Truman's position, it was soon overshadowed by MacArthur's oration before Congress which immortalized the phrase, "Old soldiers never die." MacArthur was the "old soldier" and it was Truman who had caused him to "just fade away." A small incident may indicate the mood and tenor of the times. On the day after the MacArthur speech, the President attended the Opening Day baseball game between the Yankees and the Senators. *Time* magazine explained an incident at the game:

> All went well until the beginning of the eighth inning, when the public-address system blared out the routine request for spectators to remain seated until the President had departed. The crowd's disconcerting response: a long and rolling boo. Harry Truman stared straight ahead. It was the first time in his six years of presiding at opening games that he had ever been booed . . . .\(^3\)

In those emotion-packed days following MacArthur's return, the President may well have reflected on the axiom that "Silence is golden." Let America welcome her returning hero; indeed, the General deserved this acclamation for his fifty-two years of duty as a soldier. But with the passage of time, emotion subsided and calmer minds were now more ready to make objective judgments about the Truman-MacArthur controversy. In 1956, Truman, who had not run for re-election in 1952, published the second volume of his *Memoirs*. A large section of volume II was given over to the Korean War and the events leading to the removal of General MacArthur.


\(^3\)*Time*, April 30, 1951, p. 27.
The immediate furor of April, 1951 had long since subsided and Truman was now responding not so much to an immediate demand of events, but to an ultimate demand of history. He was setting the record straight concerning the facts and events surrounding his own Korean policies and that most controversial act of his political career: the removal of General MacArthur. In *Years of Trial and Hope*, the President set forth his side of the controversy and let history be the judge of his conduct.

II. Strategies and Techniques

Truman's discussion of Korea in his *Memoirs* covers eight chapters extending for about 160 pages. It becomes necessary, therefore, to boil down the discussion, examining the material from the point of view of a vindication of his Korean policies. Just as MacArthur had a twofold thrust to his vindication effort, Truman may be said to have a similar approach. The President explained: (1) his primary objective while waging the Korean War; (2) the reasons which he felt made it necessary for him to relieve General MacArthur from command of United Nations' forces. In judging his effort at self-vindication, Truman must be judged by his ability to explain these two matters in a satisfactory manner. We shall see that Truman's rationale centers around three principles of conduct. Each of these will be explained in turn.

The President stated the first principle of conduct guiding his

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Korean War policies as follows:

Every decision I made in connection with the Korean conflict had this one aim in mind: to prevent a third world war and the terrible destruction it would bring to the civilized world.  

This policy may be compared with the MacArthur rationale in this way:

Truman: The Korean conflict must not escalate into World War III.

MacArthur: In war there is no substitute for victory.

In another place the President further explained his caution during what he considered a "limited war":

There was no doubt in my mind that we should not allow the action in Korea to extend into a general war. All-out military action against China had to be avoided, if for no other reason than because it was a gigantic booby trap.

These comments get to the heart of the first aspect of the disagreement. We may recall that in his speech before Congress, MacArthur had called for four specific proposals, all of which were aimed at expanding the war against Red China. The President explained why he rejected such proposals:

If we began to attack Communist China, we had to expect retaliation. Peiping and Moscow were allies, ideologically as well as by treaty. If we began to attack Communist China, we had to anticipate Russian intervention. Of course we wanted no war on any scale. But neither

6 Ibid., p. 345.
7 Ibid., p. 378.
did we nor the world want Communist slavery. And the question now was whether we had actually reached the point where this slavery so threatened us that we had to move to the destruction of cities and the killing of women and children.

I can only assume that General MacArthur thought so and that those who wanted his plans carried out thought so too. It was not improbable that Communist China would have moved into full-scale war after we bombed Manchurian bases. I believed Russia would have also.

MacArthur felt that China was already fully committed to the war and that Russia was unlikely to plunge into the conflict. Truman held that China was capable of even greater involvement and that the bombing of Manchuria would have triggered a full-scale war with China, and possibly with Russia as well. Truman also explained what he believed would have been the logical consequences of two other MacArthur proposals: unleashing Chiang Kai-shek's Formosan troops against mainland China, or of bombing Chinese cities. He felt that the use of Formosan troops would have been an act of war with the subsequent consequences. Secondly, the bombing of Chinese cities would have brought the same reaction in China that the bombing of Pearl Harbor had brought in the United States. Finally, Truman noted that if we were consistent in our policy, we should further expand the bombing to the Trans-Siberian railroad in Russia.

The final sentence of this analysis may best sum up why Truman rejected proposals of expanding the war against Red China: "MacArthur was ready to risk general war. I was not."  

Our discussion now moves to the second basic principle upon which

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8Ibid., pp. 382-383.
9Ibid., p. 416.
Truman based his vindication effort. The President stated his firm belief in the fundamental American principle of civilian control of military commanders. Then he observed MacArthur's unwillingness to accept the administration policies. In developing this point, Truman stated:

I have always believed that civilian control of the military is one of the strongest foundations of our system of free government. Many of our people are descended from men and women who fled their native countries to escape the oppression of militarism. We in America have sometimes failed to give the soldier and the sailor their due, and it has hurt us. But we have always jealously guarded the constitutional provision that prevents the military from taking over the government from authorities, elected by the people, in whom the power resides.¹⁰

Truman appealed to a principle most Americans would accept: civilian control of the military. But, he argued, General MacArthur challenged this principle; therefore, it was his duty to act. Truman discussed this principle of civilian control plus his own feelings on MacArthur's conduct at some length.¹¹ The argument from principle may be summed up with this brief statement:

That is why our Constitution embodies the principle of civilian control of the military. This was the principle that General MacArthur threatened. I do not believe that he purposefully decided to challenge civilian control of the military, but the result of his behavior was that this fundamental principle of free government was in danger. It was my duty to act.¹²

¹⁰Ibid., p. 444.
¹¹Ibid., pp. 444-445.
¹²Ibid., p. 445.
Thus far, we may paraphrase Truman's case as follows: "My policy was to prevent the Korean conflict from exploding into a third world war. As President of the United States, it was my duty to set this policy and it was the duty of all military men to accept, obey, and implement these decisions. Because General MacArthur did not do this, I was forced to remove him from command."

The case as it stood was logical enough. But one important element was still missing, a matter so significant that it might almost be said that Truman's case would rise or fall on how well he handled this point. The President had the obligation to document his claim that MacArthur seriously challenged the basic principle of civilian control of the military.

In examining Truman's documentation of this point, we must first grasp a final principle, vital to the President's case, and which may be stated in the following way: while private disagreements were satisfactory and to be expected, a commander's repeated public criticisms of administration policy were simply unacceptable.

This pivotal point in the Truman case requires close analysis. If the President were demanding "yes-men" who acceded to his every suggestion, he would indeed be endangering the welfare of the nation and the outcome of the Korean War. Therefore, Truman carefully acknowledged MacArthur's right to speak frankly to his superiors (the Joint Chiefs of Staff and the President) and to express to them any disagreement he might have. To establish this important point, four different Truman texts will be quoted:

1. Every military commander and every civilian in the government is, of course, entitled to his views. Indeed, we would have a poor government if we expected all our public servants to be of
one mind and one mind alone. I valued the expression of MacArthur's opinions, and so did the Joint Chiefs. There was never any question about my high regard for MacArthur's military judgment.\footnote{Ibid., p. 377.}

2. Of course, I would never deny General MacArthur or anyone else the right to differ with me in opinions. The official position of the United States, however, is defined by decisions and declarations of the President.\footnote{Ibid., p. 355.}

3. Certainly his arguments and his proposals had always received full consideration by me and by the Joint Chiefs of Staff. If anything, they—and I—had leaned over backward in our respect for the man's military reputation.\footnote{Ibid., p. 443.}

4. I was disturbed to find General MacArthur's views and mine so far apart. But of course it is always proper and appropriate for him to advance his opinion to his Commander in Chief. If he had gone no farther than that, I would never have felt compelled to relieve him.\footnote{Ibid., p. 416.}

One of the main points in these four quotations is that President Truman welcomed the sincere opinions of his Korean commander. Truman defended the General's right to disagree, to express confidentially to his superiors any military or even political opinion that he had, even if it disagreed with administration policy. But instead of merely doing this—and this is the crux of the matter—MacArthur's criticisms were made repeatedly in public.

The President documented this matter carefully as it is truly vital to his self-defense. We shall now examine this documentation, as seen in Truman's Memoirs, of MacArthur's public disagreements with administration policy:
1. In August 1950, General MacArthur publicly disagreed with the administration's Formosan policy. His statements were carried in both the press and in a weekly magazine. This was eight months before matters came to a head, but even then, the President seriously considered replacing MacArthur with General Omar Bradley.

2. In November 1950, MacArthur opened an offensive which was to end the war. Such plans were ruined by massive Chinese intervention which forced U.N. forces to retreat southward. Truman explicitly stated that he did not blame MacArthur for the failure of the November offensive. However, the President added:

But there was no excuse for the statements he began to make to certain people as soon as the offensive had failed. Within a matter of four days he had found time to publicize in four different ways his view that the only reason for his troubles was the order from Washington to limit the hostilities to Korea. He talked about "extraordinary inhibitions . . . without precedent in military history" and made it quite plain that no blame whatsoever attached to him or his staff.

3. Continuing his analysis and documentation of MacArthur's repeated public dissent, Truman commented further on the events surrounding the offensive of November, 1950:

General MacArthur was a more serious offender with his press interviews and communiques in which he sometimes hinted and some-

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17 Ibid., p. 354.
18 Ibid., p. 355.
19 Ibid., p. 381.
20 Ibid., p. 382.
times said that if only his advice had been followed all would have been well in Korea.

In the first place, of course, he was wrong. If his advice had been taken, and if we had gone ahead and bombed the Manchurian bases, we would have been openly at war with Red China and, not improbably, with Russia. World War III might very well have been on.

In the second place, General MacArthur himself had been the one who had said there was no danger of Chinese intervention . . . .

I should have relieved MacArthur there and then. The reason I did not was that I did not wish to have it appear as if he were being relieved because the offensive failed.21

The previous quotation also reiterates Truman's concern that the Korean War might escalate into a world conflict. He further indicated that while he respected the military views of General MacArthur, those views were not infallible. In December 1950, Truman considered for the second time removing MacArthur. Again he decided against such drastic action. Instead, Truman resorted to a different course of action which he thought might achieve his objective of curtailing criticisms of the administration by the military. On December 5, Truman ordered that speeches and public statements about foreign policy by government officials should first obtain clearance from the State Department. He also urged military commanders and overseas personnel to use extreme caution in dealing with the news media and in making public statements.22

4. Despite this action, many of MacArthur's comments were now in the public domain and caused serious repercussions abroad. Speaking of the embarrassment caused him by the foreign press, Truman stated:

21 Ibid., pp. 383-384.

22 Ibid., p. 383.
The massive counterblow by which the Chinese halted MacArthur's offensive was perhaps even more of a shock abroad than it was for us at home. Foreign newspapers speculated openly about the American reaction, quoting some of our more saber-rattling senators and talking about MacArthur's ill-concealed disapproval of the American government's policies.  

5. On the domestic front, MacArthur's criticisms were used by the opponents of Secretary of State Dean Acheson, a strong Truman supporter, to mount an attack against him. The President listed this as another cause of trouble and concern to himself.  

6. We must remember that there were political as well as military aspects to the Korean War. Many U.N. members had given us support in the conflict and Truman could not simply disregard their wishes in deciding upon military policy. A good example of this is the question of "hot pursuit" of enemy planes into Manchurian air space. We have already noted in our previous analysis of General MacArthur that this was one of the most exasperating limitations for the General in his fighting of the war. Truman defended his restrictions in this matter by explaining how strongly our allies wanted him to maintain this policy:

Of course he [MacArthur] had been denied authority to bomb bases in Manchuria and to engage in "hot pursuit" of enemy planes fleeing from Korea to Manchuria. The State Department and the Joint Chiefs of Staff were in agreement that it would be desirable to have U.N. approval for such a policy and therefore, with my approval, inquiries were made of all United Nations countries that had forces in Korea. Without exception, they indicated

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23 Ibid., pp. 394-395.
24 Ibid., p. 430.
25 See page 90 of this chapter.
strong opposition. 26

The previous example does not illustrate MacArthur's public criticisms, but it sets the scene for another major incident of such dissent. We have seen that Truman was obliged to keep our allies informed of our policies and to consider the wishes of these nations in formulating these policies. Of course, this was not an easy task, but in March 1951, the President had carefully prepared a policy statement about Korea and State Department officials had checked with representatives of our united Nations allies to get their approval first. The statement was never released and Truman explained what happened:

Unfortunately, the careful preparations were all in vain. The many hours spent to secure the approval of the other government, the detailed discussions among diplomats and defense leaders became useless when on March 24 General MacArthur released a statement that was so entirely at cross-purposes with the one I was to have delivered that it would only have confused the world if my carefully prepared statement had been made. 27

MacArthur's statement was more belligerent and threatening than Truman's appeal for peace. The President summed up the damage done by MacArthur's statement as follows:

There was more involved than the fate of a prepared statement that the President of the United States had intended to make, or even than the diplomatic furor created by this "pronunciamento," as the Norwegian Ambassador called it when he inquired at the State Department what it meant. What was much more important

26 Truman, Years of Trial and Hope, p. 382.

27 Ibid., p. 440.
was that once again General MacArthur had openly defied the policy of his Commander in Chief, the President of the United States.28

What further added to Truman's concern was that his order of December 6 had required the advanced clearing of this kind of public statement. MacArthur had not done this and the President continued:

I was aware of the fact that in an earlier statement the same month General MacArthur had already issued a challenge to the policy of the President. On March 7 he had dictated a statement to reporters to the effect that unless I accepted his policy there would be "savage slaughter." However, he had then at least admitted that it was not his to make the decision. But now, by this statement he had in a very real sense influenced the course of policy, and further statements like this could only do untold harm.29

7. Two final incidents conclude the Truman indictment. Matters were brought to a head when, on April 5, 1951, Representative Joseph Martin read in the House of Representatives a letter which he had received from MacArthur. The letter was critical of United States' Formosan policy and had other disagreements with the Administration. Truman summed up his response to Martin's reading of the MacArthur letter in this way:

The time had come to draw the line. MacArthur's letter to Congressman Martin showed that the General was not only in disagreement with the policy of the government but was challenging this policy in open insubordination to his Commander in Chief.30

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28 Ibid., p. 442.
29 Ibid.
30 Ibid., p. 447.
In justice to General MacArthur, it should be stated that Congressman Martin did not consult with him before reading this letter in the House. MacArthur could legitimately claim that he had sent a private letter which was made public without his knowledge. However, many of MacArthur's criticisms had been expressed publicly and the fact that the General's letter to Martin did, in fact, become public certainly added to Truman's disenchantment with the situation. He confirmed this by stating that "the time had come to draw the line." The President now decided to remove MacArthur and to place General Matthew Ridgway in command of allied forces in Korea.

8. Just as the removal announcement was about to be made, a new public disagreement by MacArthur came to light. Truman concluded his documented description of MacArthur's repeated public dissent with this incident:

A periodical that had always been critical of administration policy had sent a series of questions to MacArthur. One of them had been aimed at the arming of South Koreans. The magazine said it had heard that South Koreans were eager to defend themselves but that "Washington" had refused them arms.

The principal reason, of course, that the Republic of Korea's request for additional arms had been denied was that General MacArthur had recommended against it in his message of January 6. But he told this periodical that the matter was one that involved issues beyond his authority—implying that if it had been up to him the ROK's would have received the additional arms!

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32 Truman, Years of Trial and Hope, p. 447.

33 Ibid., p. 448. Lt. Gen. Matthew Ridgway was at that time the commanding general of the Eighth Army in Korea.

34 Ibid., p. 450.
In his official statement announcing MacArthur's removal, Truman again appealed to the principle of civilian control of the military:

Full and vigorous debate on matters of national policy is a vital element in the constitutional system of our free democracy. It is fundamental, however, that military commanders must be governed by the policies and directives issued to them in the manner provided by our laws and Constitution. In time of crisis, the consideration is particularly compelling.35

In summary of the Truman vindication effort thus far, we should particularly note his threefold argument from principle. These principles may be stated as follows:

(1) In every action regarding Korea, Truman aimed at avoiding an escalation into World War III; (2) The President reiterated the long-standing American principle of civilian control of the military; (3) Truman respected the right of private disagreement by the military with administration policies. He condemned repeated public criticisms of these policies by a military commander. Arguing from this important principle of military discipline, Truman carefully documented MacArthur's public criticisms and explained the embarrassment at home and the confusion abroad created by these statements.

These three principles, plus the documentation of MacArthur's public criticism, are at the heart of the President's attempt at self-vindication. There remain, however, several other strategies and techniques which merit our careful consideration.

Argument from Authority.—The question might very well be asked

of President Truman, "Whom did you consult when considering such a serious step as removing General MacArthur from command?" Truman carefully explained in his Memoirs\(^{36}\) that he sought the opinion of top advisers before acting in the MacArthur crisis. He listed the following civilian and military leaders, who were consulted and agreed with his decision, before the final step was taken:

1. Averell Harriman, whom Truman had sent to Japan to discuss United States policies with MacArthur in August, 1950;\(^{37}\)

2. Secretary of State Dean Acheson;

3. General George C. Marshall;

4. All the Joint Chiefs of Staff who included:
   a. General Omar M. Bradley;
   b. Army Chief General Collins;
   c. Air Force Chief General Vandenberg;
   d. Chief of Naval Operations Admiral Sherman.\(^{38}\)

We should observe that five of these seven men come from the military services and would probably be more likely, therefore, to support MacArthur. Secondly, while MacArthur had received a huge applause for his statement that "from a military standpoint" the Joint Chiefs of Staff had supported his views,\(^{39}\) the fact is that, all things considered, they were unanimous in approving Truman's decision to remove him.

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\(^{36}\) Ibid., pp. 447-448.

\(^{37}\) Ibid., p. 349.

\(^{38}\) Ibid., p. 333.

\(^{39}\) See page 77 of this chapter.
Because of the formidable list of men supporting the President, some might consider this to be Truman's most convincing argument. In no sense, it would appear, did he act alone in a moment of annoyance.

Respect for MacArthur.--We have already acknowledged MacArthur's refusal to play partisan politics or to express any bitterness in his address to the Congress. By the same token, Truman deserves credit for his repeated efforts to praise MacArthur's ability as a military leader and to affirm that while he and the General disagreed on policy, the President respected the views of his commander and his viewpoint undoubtedly enhanced Truman's image. A number of quotations will document this point, which is important in the case of both men to demonstrate that neither was acting as if he felt he were involved in some personal vendetta:

I have always had, and I have to this day, the greatest respect for General MacArthur, the soldier. Nothing I could do, I knew, could change his stature as one of the outstanding military figures of our time--and I had no desire to diminish his stature.

General MacArthur had, as he had in previous wars, displayed splendid leadership.

I valued the expression of MacArthur's opinions, and so did the Joint Chiefs. There was never any question about my high regard for MacArthur's military judgment.

Even in his official statement announcing MacArthur's removal, Truman expressed the highest respect for the General:

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40 See page 72 of this chapter.
41 Truman, Years of Trial and Hope, p. 444.
42 Ibid., p. 436.
43 Ibid., p. 377.
General MacArthur's place in history as one of our greatest commanders is fully established. The Nation owes him a debt of gratitude for the distinguished and exceptional service which he has rendered his country in posts of great responsibility. For that reason I repeat my regret at the necessity of the action I feel compelled to take in his case. 44

Nevertheless, while expressing respect, Truman could also be critical of MacArthur. Note the distinction he made in the following statement:

Certainly his [MacArthur's] arguments and his proposals had always received full consideration by me and by the Joint Chiefs of Staff. If anything, they—and I—had leaned over backward in our respect for the man's military reputation. But all his statements since November—ever since the Chinese entry into Korea—had the earmarks of a man who performs for the galleries. 45

Therefore, while Truman was critical in certain matters, it is also clear that he maintained a high respect for MacArthur.

Argument from Example.—Truman used three examples to support his case in removing a general from command. These arguments from example may be further divided into either argument from comparison or argument from contrast. Truman first compared his own difficulties with those of Abraham Lincoln during the early days of the Civil War:

Lincoln had had great and continuous trouble with McClellan, though the policy differences in those days were the opposite of mine: Lincoln wanted McClellan to attack, and McClellan would not budge. The general had his own ideas on how the war, and even the country, should be run. The President would issue direct orders

44 Ibid., p. 449.
to McClellan, and the general would ignore them. Half the country knew that McClellan had political ambitions, which men in opposition to Lincoln sought to use. Lincoln was patient, for that was his nature, but at long last he was compelled to relieve the Union Army’s principal commander. And though I gave this difficulty with MacArthur much wearisome thought, I realized that I would have no other choice myself than to relieve the nation’s top field commander.\(^6\)

Truman also used argument from contrast comparing MacArthur with two other contemporary military leaders:

\[\text{Now, no one is blaming General MacArthur, and certainly I never did, for the failure of the November offensive. He is no more to be blamed for the fact that he was outnumbered than General Eisenhower could be charged with the heavy losses of the Battle of the Bulge. But—and herein lies the difference between the Eisenhower of 1944 and the MacArthur of 1950—\(\text{I do blame General MacArthur for the manner in which he tried to excuse his failure.}\(^7\)

Truman commented as follows on the period after MacArthur had been replaced by General Matthew Ridgway:

\[\text{While some of the senators were busy trying to prove that I had kept General MacArthur from scoring major successes on the battlefield, his successor in Korea was doing a fine job of carrying out the administration's policy. General Ridgway did not always agree with policy or with the Joint Chiefs of Staff, but he was meticulous in carrying out directives.}\(^8\)

One final quotation should be given. It is an attempt to analyze

\(^{46}\text{Ibid., pp. 443-444.}\)
\(^{47}\text{Ibid., pp. 381-382.}\)
\(^{48}\text{Ibid., p. 454.}\)
why the President and the General disagreed. We have already partially answered this question by noting Truman's concern at the risk of expanding the conflict vs. MacArthur's goal of victory in war. But the President offered another explanation of the serious differences of opinion between himself and MacArthur:

... I also know that a President has to work to keep himself from being encircled by yes-men, while a military leader has far less reason to make that effort. But if he does not, his picture of the situation can gradually become more and more slanted. Because of the practice of rotation of assignments this does not usually happen, but MacArthur had not followed this practice: He had been surrounded by virtually the same group of friends and ardent admirers for years. No wonder he could not understand why the former non-coms were not flocking to return to the colors or what the United Nations had come to mean in the life of the Western nations; and no wonder he believed that America was willing to plunge into an Asiatic war! He had lost contact with his own people.49

These, therefore, were the major techniques and strategies of self-vindication used by Truman. Besides stressing argument from principle, the President also employed documentation of the facts about public disagreement, argument from authority, and argument from example. He further made careful effort to speak respectfully of MacArthur and to explain that MacArthur's opinions were valued by himself and the Joint Chiefs of Staff. At one point, Truman also suggested as a source of the trouble the fact that MacArthur had apparently lost touch with the views of his American countrymen back at home.

49 Ibid., p. 416.
III. Results and Conclusion

The second volume of Truman's Memoirs, entitled Years of Trial and Hope, was published in 1956, almost five years after MacArthur's speech to the Congress. On February 9, 1956, the New York Times published the text of MacArthur's rebuttal to the Truman analysis of Korea. In another front-page article in the same issue, the New York Times discussed MacArthur's reply:

In a 5,000 word commentary General MacArthur described the former President's account as "a labyrinth of fancy and fiction" and said his "narration does such violence to the truth that to remain silent would be a disservice to the nation. The general charged Mr. Truman with "twisting the facts to serve his own ends."

General MacArthur rejected all the complaints against his actions and judgments related by Mr. Truman in his memoirs.

Citing Mr. Truman's fears that use of Chiang's Chiang-Kai-shek forces would have caused all-out war with Communist China, General MacArthur maintained this would not have mattered since the Chinese Communists were already "strained to the breaking point" and "incapable of anything more."

General MacArthur replied to the former President's reference to the general's belief that Communist China would not enter the Korean war, expressed a few days before the Communist Chinese actually intervened. He said his estimate had been made without the knowledge that he would not be permitted to bomb Chinese bases. He asserted this was known to Peiping, thus motivating the Chinese attack.

The general denied Mr. Truman's charge that he was guilty of insubordination. Referring to the concurrence of Generals of the Army George C. Marshall and Omar N. Bradley and of Dean Acheson and Averell Harriman in his removal, General MacArthur indicated all four were personally hostile to him.

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51 Ibid., p. 1 and p. 25.
In a book review for the *American Historical Review*, Professor Dexter Perkins of Cornell made the following comments on the Truman Korean analysis:

Mr. Truman's narrative is particularly full and well documented on the events surrounding the dismissal of General MacArthur. He points out that the decisions which he made were unanimously approved by the chiefs of staff, that there was exactly one division uncommitted in 1951, which could have been used in the Far East; that the attitude of the hero of Bataan was seriously compromising our relations with our allies . . . . Nor does he fail to point out the extremely mercurial character of MacArthur himself, at one time opposed to use of the Chinese Nationalists in Korea, at another time pleading for them; at one time confident of victory, at another time predicting disaster . . . . It would be easy to set some of this down to partisanship, for Mr. Truman is by nature a partisan; his interpretation need not be accepted as final, but it is persuasive.52

Another review of this matter was made in the *New York Times* book review section by Professor Allan Nevins of Columbia:

The time came when the war had to be kept within limits. Had MacArthur had his way, American strength might have been so embogged in a desperate Asiatic struggle that we would have been powerless to keep Europe. (Obviously, General MacArthur thinks differently and has said so more than once;) A deep resentment runs through Mr. Truman's story of how the general tried to force his hand, and how, by relieving the general of his commands on April 11, 1951, he replied with a smashing vindication of the supremacy of the civil power over the military arm. "Who does he think he is? - the President?" was the caption a sympathetic cartoonist used. That was precisely what Mr. Truman thought.53

Another norm for judging the Truman vindication effort is to ask

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the question, "How does Truman rank in history as a President of the United States?" While such a judgment must necessarily be based upon many decisions beyond the scope of the Korean War, nevertheless, history's evaluation cannot ignore that most controversial of Truman's acts as President, his removal of General MacArthur.54

Historians have awarded Truman a high ranking when compared with the other Presidents of the United States. In 1962, Arthur Schlesinger, Sr. asked panels of historians and political scientists to rate the Presidents on a five category basis.55 The categories were: 1) Great; 2) Near Great; 3) Average; 4) Below Average; 5) Failure. Truman was ranked in the Near Great category. The ratings of the seventy-five historians and political scientists ranked Lincoln, Washington, F. D. Roosevelt, Wilson, and Jefferson as great Presidents; Jackson and T. Roosevelt led the Near Great category followed in the eighth position by Truman, who was tied with Polk.56

In a subsequent poll begun in 1968, 571 historians eventually contributed to the final revised ratings.57 This new poll was more complex and rated each President in seven categories. Again Truman did very well, 

54 Some might argue that the dropping of the two atomic bombs was the most controversial decision by Truman. A case could be made for this, but the American public in 1945 generally supported these acts in an effort to end World War II promptly and without having to invade the Japanese home islands.


Schlesinger's first poll of this type was in 1948 but Truman, who was President at the time, was not included in the rankings.

56 Ibid.

57 Ibid., p. 106.
rating seventh among all the Presidents in General Prestige,\textsuperscript{58} and sixth among the Presidents in the category of "Accomplishments of Their Administrations."\textsuperscript{59}

While such polls have definite limitations, it is clear, nevertheless, that historians have thought highly of Truman as a President. Although many events must be considered in evaluating the Truman Administration, we can say, at the least, that the MacArthur incident did not cause him to be reckoned a sub-par President by the leading historians of our own day.

It is unfortunate that these men had to come to such a serious parting of the ways. Each presented a careful rationale to explain why he had acted as he did. The reader who is eager for further information about the complex series of events surrounding this incident should read MacArthur's book Reminiscences as well as the full account by Truman in his Memoirs. Whatever one's opinion on the Korean War controversy, both Truman and MacArthur showed a dedication to serving their country well and will probably receive high ratings from subsequent generations of Americans.

\textsuperscript{58}Ibid., p. 107.
\textsuperscript{59}Ibid., p. 111.
CHAPTER V: THE RHETORIC OF THE CANDIDATES

RICHARD NIXON'S "CHECKERS" SPEECH

1. The Exigency

On September 14, 1952 Vice Presidential candidate Richard Nixon appeared on the TV program "Meet the Press." After the program, he was questioned by Washington columnist Peter Edson concerning a $20,000 fund raised by his California constituents. Senator Nixon felt no alarm about this question and referred Edson to Dana Smith, who was the trustee of the fund.

Dana Smith explained this fund, which had originated in 1950, as follows:

... if Republican Party supporters contributed to the election of Senator Nixon, why wouldn't they want to contribute funds between elections which would allow him to travel back to California more often to see his constituents, keep in touch with party workers by regular mailings, and carry on other political activities? The fund had been carefully established limiting contributions to individuals, not corporations, and to a maximum of $500, so that no one could be accused of trying to buy special favors. The money was solicited from regular party contributors and it was administered by Smith as trustee. The funds were kept in a Pasadena bank and subject to regular audits. It was to be used for transportation, mailing, and office expenses connected with political activities, as distinguished from official government business.1

In the middle of September, just as the election campaign had begun, the New York Post ran a front page headline: SECRET NIXON FUND.\textsuperscript{3} The call to alarm was further stressed in a sub-headline: "Secret Rich Men’s Trust Fund Keeps Nixon in Style Far Beyond His Salary."\textsuperscript{4} In a short time the concern and accusations revolving around the so-called "secret fund" had assumed national proportions. The Democratic National Chairman suggested Nixon’s withdrawal from the campaign.\textsuperscript{5} Both the Washington Post and the New York Herald Tribune issued editorials asking the candidate to offer his resignation to Dwight Eisenhower.\textsuperscript{6} Heckling increased along the campaign trail.\textsuperscript{7} Even some Republican advisers to General Eisenhower were becoming dubious about retaining Richard Nixon as a running mate.\textsuperscript{8} Senator Robert Taft of Ohio, "Mister Republican," spoke up in favor of Mr. Nixon\textsuperscript{9} as the controversy continued both within the Republican camp and throughout the nation. Dana Smith publicly revealed the names of the donors to the fund which amounted to $18,235 over two years.\textsuperscript{10} Presidential candidate Eisenhower expressed belief in Nixon’s

\textsuperscript{2}The Republican ticket for 1952 was Eisenhower-Nixon. Their Democratic opponents were Stevenson and Sparkman.

\textsuperscript{3}Nixon, \textit{op. cit.}, p. 81.

\textsuperscript{4}\textit{Ibid.}

\textsuperscript{5}\textit{Ibid.}, p. 82.

\textsuperscript{6}\textit{Ibid.}, p. 85.

\textsuperscript{7}\textit{Ibid.}, p. 88.

\textsuperscript{8}\textit{Ibid.}

\textsuperscript{9}\textit{Ibid.}, p. 89.

\textsuperscript{10}\textit{Ibid.}, p. 90.
honesty but added that it was essential for Republican candidates to be "clean as a hound's tooth."\textsuperscript{11} Richard Mixon, although convinced that he had done nothing wrong, considered resigning from the ticket for the good of the Republican Party.\textsuperscript{12}

Mixon's close advisers, who included the later Secretary of State William Rogers, urged the candidate to keep fighting. A Mixon resignation would greatly jeopardize Republican chances in the November election. At a strategy conference, it was agreed to examine the possibility of a national broadcast in which the vice presidential candidate would present his side of the story concerning "the fund."\textsuperscript{13} "Meet the Press" was willing to interview Mr. Mixon,\textsuperscript{14} but this format was judged unsatisfactory for a full disclosure of the facts.

Governor Dewey of New York phoned Mixon with advice which was to be very influential in shaping the format of the actual broadcast. Dewey told the candidate:

\begin{quote}
I think you ought to go on television . . . . I don't think Eisenhower should make this decision. Make the American people do it. At the conclusion of the program, ask people to wire their verdict in to you in Los Angeles. You will probably get over a million replies, and that will give you three or four days to think it over. At the end of that time, if it is 60 per cent for you and 40 per cent against you, say you are getting out as that is not enough of a majority. If it is 90 to 10, stay on. If you stay on,
\end{quote}

\textsuperscript{11} Ibid., pp. 92-93.
\textsuperscript{12} Ibid., p. 94.
\textsuperscript{13} Mixon's four chief advisers during this critical period were William Rogers, Murray Chotiner, Jim Basset, and Pat Hillings.
\textsuperscript{14} Mixon, op. cit., p. 96.
it isn't blamed on Ike, and if you get off it isn't blamed on Ike. All the fellows here in New York agree with me.\textsuperscript{15}

General Eisenhower agreed with the proposed TV-radio broadcast.\textsuperscript{16} The Republican National Committee and the Senatorial Congressional Campaign Committee pledged the $75,000 needed to buy a half hour of prime time. Candidate Nixon would take his case to the public, having decided in advance:

\textbf{If I considered the broadcast a success, I would stay on the ticket.} 
\textbf{If I thought it was a failure, I would get off.}\textsuperscript{17}

The combined television and radio broadcast was arranged to originate from Los Angeles at 6:30 pm on September 23, 1952. On the day before the speech, the Chicago Tribune published a story stating that Adlai Stevenson also had some sort of fund.\textsuperscript{18} This provided some initial material for the counterattack Richard Nixon intended to launch in his speech. With deliberate intent, the candidate carefully guarded the content of his speech, particularly about the question of remaining on the ticket.

Two hours before the broadcast, Governor Dewey phoned from New York to say that, contrary to his own opinion, many of Eisenhower's top advisers

\textsuperscript{15}Ibid., pp. 98-99. 
\textsuperscript{16}Ibid., p. 100. 
\textsuperscript{17}Ibid., p. 101. 
\textsuperscript{18}Ibid., p. 106.
felt that Nixon should use the broadcast to resign from the ticket. ¹⁹
Thus, in addition to the criticism of the press and political opponents,
some in the Republican camp itself had wavered in their support for can-
didate Nixon. The exigency for reply was now complete.

II. Strategies and Techniques

Initially, Richard Nixon sets the scene for his effort at self-
vindication. Noting that his integrity has been questioned, he accepted
the challenge to reply to this situation by stating:

I have a theory, too, that the best and only answer to a smear or
to an honest misunderstanding of the facts is to tell the truth.
And that's why I am here tonight. I want to tell you my side of
the case.²⁰

In appealing to the truth of the matter Nixon, of course, never
denied that he had a fund. Granting that this was true, the candidate
defined the issue surrounding this case; he explained what he felt would
be the basis of a legitimate attack concerning the fund:

... because it isn't a question of whether it [the fund] was
legal or illegal, that isn't enough. The question is, "Was it
morally wrong?" I say that it was morally wrong if any of that
$18,000 went to Senator Nixon for my personal use. I say that

¹⁹Ibid., p. 110.
of this speech was transcribed verbatim from a kinescope of the original
program.
it was morally wrong if it was secretly given and secretly handled. And I say that it was morally wrong if any of the contributors got special favors for the contributions that they made.  

Having set three norms by which to judge not only the legality but also the morality of his fund, the candidate proceeded to refute what was, in essence, the most serious charge against him in the matter of the fund. A three-point rebuttal was used responding to each item of his previous analysis. Nixon affirmed that (1) none of the fund money went to his personal use; (2) that the fund was not secret; and (3) that no special favors were ever given to fund contributors.

As an additional argument that he did not seek to conceal this fund, Nixon related the incident which took place at the time of his appearance on "Meet the Press." He noted that he was ready and willing to explain the facts of the fund to columnist Peter Edson--and this was before the whole issue became the subject of a major controversy.

As a final proof of his integrity, Nixon, as it were, challenged the agencies of the Democratic Administration to reveal any efforts on his part to gain favors for fund contributors. Confident that no such evidence could be found against him, Nixon appealed to these records to exonerate him on this moment:

I just don't believe in that and I can say that never, while I have been in the Senate of the United States, as far as the people that contributed to this fund are concerned, have I made a telephone

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21 Ibid., pp. 191-192.
22 Ibid., p. 192.
23 Ibid.
call for them to an agency, or have I gone down to an agency in their behalf. And the records will show that, the records which are in the hands of the Administration.

Nixon went on to explain why it was necessary for him to have this fund. After relating some of the many expenses a Senator has in connection with his position, the candidate used the rhetorical question as a technique to justify the funds:

Do you think that when I or any other Senator makes a political speech, has it printed, should charge the printing of that speech and the mailing of that speech to the taxpayers? Do you think, for example, when I or any other Senator makes a trip to his home state to make a purely political speech that the cost of that trip should be charged to the taxpayers? Do you think when a Senator makes political broadcasts, radio or television, that the expense of those broadcasts should be charged to the taxpayers? Why, I know what your answer is. . . . The answer is, No, . . . ." 

Since Nixon had argued that the public should not have to pay certain political expenses of elected officials, the question remained, therefore, concerning where this money was to come from. In presenting his own answer to the question, Nixon used the method of residues, the argument from only one alternative. Noting that he was not rich enough to pay these expenses from his own private fortune, Nixon also

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24Ibid.
26"The method of residues consists of dividing a matter into two or more parts that include all the possible parts of the matter, then all but one of these parts is demonstrated to be unsatisfactory and that one remaining part is demonstrated to be satisfactory." Austin J. Freely, Argumentation and Debate, Second Edition (Belmont, California: Wadsworth Publishing Co., 1966), p. 235.
ruled out putting his wife on the payroll, which was legal, or continuing to practice law in distant California. Thus, he concluded that "the only way that I could do that [spread my message] was to accept the aid which people in my home state of California, . . . , were glad to make." 28

The candidate proceeded to bolster his case by argument from authority. Mixon had had an independent audit made of his fund by the firm of Price, Waterhouse and Company. 29 He then had this report examined by legal experts from the Los Angeles law firm of Gibson, Dunn and Crutcher. 30 Mixon then read from the legal opinion of this firm which stated as follows:

It is our conclusion that Senator Mixon did not obtain any financial gain from the collection and disbursement of the fund by Dana Smith; that Senator Mixon did not violate any Federal or state law by reason of the operation of the fund, and that neither the portion paid to Senator Mixon to reimburse him for designated office expenses constituted income to the Senator which was either reportable or taxable as income under applicable tax laws. (Signed) Gibson, Dunn and Crutcher by Elmo H. Conway. 31

Realizing that this expert independent judgment was a strong reinforcement of his own claim to integrity, the candidate stressed that this was a competent independent authority vindicating his conduct and that he

28 Ibid., p. 194.
29 Ibid., p. 195.
30 Ibid.
31 Ibid.
was eager for the American people to know the facts of the case in this way.  

There is a saying that "where there's smoke, there's fire." Nixon reflected that even if he logically refuted the accusations against his fund, a certain aura of suspicion might continue to hover around himself. To eradicate any lingering ill-effects of this sort, the candidate went a step further than merely discussing the fund issue. He anticipated a broader objection by stating thoughts which he suspected might still be in the minds of some of his listeners who could say:

"Well, maybe you were able, Senator, to fake this thing. How can we believe what you say? After all, there is a possibility that maybe you got some sums in cash? Is there a possibility that you may have feathered your own nest?"

In response to these anticipated objections by some of the electorate, Nixon now proceeded to present a long, detailed report of "everything I've earned; everything I've spent; everything I owe." In other words, he made a complete financial accounting to the public to demonstrate how false was any accusation that he had "feathered his own nest."

It was at the end of this lengthy narration that Nixon spoke of the family dog, "Checkers," who had indeed been a gift. This is an excellent example of Nixon's use of emotional appeal and the speech had come to be identified by the name of the dog, "Checkers," whom Nixon

32 Ibid.
33 Ibid., pp. 195-196.
34 Ibid., p. 196.
referred to as follows:

One other thing I probably should tell you because if I don't they'll probably be saying this about me too. We did get something—a gift—after the election (nomination). A man down in Texas heard Pat on the radio mention the fact that our two young- 

sters would like to have a dog. And believe it or not, the day before we left on this campaign trip, we got a message from the Union Station in Baltimore saying they had a package for us. We went down to get it. You know what it was? It was a little cocker spaniel dog, . . . and our little girl, Tricia, the six-year-old, named it Checkers. And, you know, the kids, like all kids, love the dog, and I just want to say this, right now, that regardless of what they say about it, we're going to keep it. 35

While this is Nixon's most famous use of emotional appeal, there are a number of other examples of that technique in the speech. Two of them, surprisingly, are in the paragraphs immediately preceding and following the "Checkers" reference. In the first example, Nixon made a guarded reference to a Democratic scandal in connection with his wife's "Republican cloth coat." Having completed his financial accounting, the candidate added that his wife looked fine to him, even without a mink coat, and also observed that he and Pat had the satisfaction of knowing that every dime they possessed had come to them honestly. 36

Immediately after the "Checkers" reference, Nixon challenged the suggestion of the Democratic National Chairman that if a man can't afford


36 *Ibid.*. In his book *Six crises*, p. 88, Nixon explained this mink coat reference as follows: "A $9,000 mink coat accepted by a white house secretary had become a symbol of all the corruption of the Truman administration." Nixon had used the "Republican cloth coat" phrase previously in the campaign in Eugene, Oregon.
to be a public official, he should not run for office.\textsuperscript{37} The candidate contrasted his own financial situation with that of Adlai Stevenson and in a third rapid use of emotional appeal, quoted Abraham Lincoln to support his own point of view:

I believe that it's fine that a man like Governor Stevenson, who inherited a fortune from his father, can run for President. But I also feel that it is essential in this country of ours that a man of modest means can also run for President, because, you know,--remember Abraham Lincoln--you remember what he said--"God must have loved the common people, he made so many of them."\textsuperscript{38}

Thus we see that Nixon, besides his resort to logical reasoning and clarification of the facts, could also draw upon the emotional appeal connected with a personal incident or historical figure.

The Nixon rhetorical effort may easily be divided into two parts which may be called the self-defense and the counterattack. By this time, the candidate had basically completed his explanation and justification of the fund. He felt that nothing was illegal or unethical and that the basic facts of the case--and of his whole financial record--exonerated him of any wrongdoing. In order to justify himself and the fund, Nixon had initially used the basic technique of an appeal to the truth. He also defined the issue by naming three circumstances which would make such a fund immoral in his own eyes:

1. If the money went for his own personal use.

2. If the fund were secret or deliberately concealed.

\textsuperscript{37}Ibid.

\textsuperscript{38}Ibid., pp. 198-199.
3. If contributors received special favors.

Denying that these were true, Nixon challenged the agencies of the Democratic Administration to reveal the facts if he sought any special favors. He further argued that this fund was the only satisfactory choice among several alternatives so that he could render his constituents the costly services incumbent upon a public official. Expert legal opinion, argument from authority, also vouched for Nixon in the matter of the fund.

Going a step further, Nixon refuted any lingering doubts that he might have somehow profited personally from political contributions. This was done by a complete financial accounting of his whole life. Here he argued that his very modest financial status demonstrated that he had not been the recipient of big payoffs for political favors. After relating two or three emotionally appealing incidents or stories—including the reference to "Checkers"—Nixon was now ready for the second part of his speech, the counterattack.

Refusing to spend all his time on the defensive, the candidate decided to apply some pressure to the Democratic opposition. Initially, Nixon resorted to the technique of turning the tables. It had been known already that Senator Sparkman, the Democratic candidate for Vice President, had had his wife on the government payroll. Shortly before Nixon's TV appearance, the newspapers carried stories about a Stevenson fund or two. Nixon argued, quite appropriately, therefore, that since, in a similar situation, he had made a complete revelation of the facts surrounding his own fund, his Democratic opponents should now be equally candid in explaining

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39 Ibid., p. 199.
40 Ibid.
the relevant facts of their situations. This was indeed a telling argument, a reversal of positions. But Nixon did not want to make unfounded accusations nor any a priori judgment in these matters. He could have easily made the same sort of accusations about his opponents that he had felt were unfairly made about himself in reference to the California fund. Thus, Nixon turned the tables with a note of moderation:

Mr. Stevenson apparently had a couple of funds... I don't condemn Mr. Stevenson for what he did, but until the facts are in there is a doubt that will be raised. And as far as Mr. Sparkman is concerned, I would suggest the same thing.41

Recalling his previous experiences during the Alger Hiss case, Nixon affirmed his ability to withstand criticisms and stated that "I intend to continue the fight."42 Broadening the scope of his own attack, the candidate vigorously criticized the record of the current Democratic Administration of President Harry Truman. In 1952, the Korean war was still being waged and Nixon declared that "a war which costs us 117,000 American casualties isn't good enough for America."43 He argued that Stevenson would be no better than Truman because he had committed himself to defending the Truman policies.44 He attacked the Democratic Administration on corruption and said of his running mate Eisenhower that "he is the man that can clean up the mess in Washington."45 In one of the most con-

41 Ibid.
42 Ibid., p. 200.
43 Ibid.
44 Ibid.
troversial statements of his address, Nixon claimed that both Truman and
Stevenson were unqualified for the office of President of the United States
because of the soft position they had taken on Communism, particularly con-
cerning Communist infiltration of government offices. 46 Again he returned
to the theme that Eisenhower was the man who could cure the country's ills. 47

Such matters as the Korean War and corruption were legitimate cam-
paign issues and in discussing them, Nixon managed—temporarily, at least--
to shift the burden of reply. It is as if Nixon were saying, "Now that I
have clarified the facts about the fund and my personal conduct, let us
go back to the real issues of the 1952 campaign."

The corollary of this political attack on the Democrat was an ap-
peal for the public to vote for Eisenhower, who will improve the situation.
In connection with his public praise of his running mate, Nixon once again
used emotional appeal and the personal incident. He read a letter from
the wife of a marine fighting in Korea which expressed support for the
Eisenhower-Nixon ticket, particularly their intention to bring back the
GIs from Korea. 48 After reading the letter, Nixon referred to the enclosed
campaign contribution, a $10 check which he never intended to cash. He
then launched the final stage of his anti-Democratic, pro-Eisenhower
counterattack. Returning once more to the issues of peace and honest
government, Nixon repeated his conviction that Eisenhower was the man who
could achieve these goals. 49

46 Ibid.
47 Ibid.
48 Ibid., pp. 201-202.
Nixon had moved to the attack after first defending himself concerning the fund. The fund issue, however, still remained at the heart of Nixon's vindication effort. The decisive question still to be answered was whether or not Nixon would remain on the Republican ticket. In another passage clearly marked by its emotional appeal, the candidate expressed his own reluctance to quit:

And now, finally, I know that you wonder whether or not I am going to stay on the Republican ticket or resign. Let me say this: I don't believe that I ought to quit, because I am not a quitter. And, incidentally, Pat's not a quitter. After all, her name was Patricia Ryan, and she was born on St. Patrick's Day, and you know the Irish never quit. But the decision, my friends, is not mine.  

Nixon took a calculated risk at the end of the talk. He summoned the public to participate in deciding his case. Noting that the decision about his future remained ultimately with the Republican National Committee, the candidate urged his listeners to "wire and write the Republican National Committee whether you think I should stay on or whether I should get off. And whatever their decision is, I will abide by it."  

The broadcast was now almost over and Nixon actually ran short of time. Ironically, he was unable to announce the address of the Republican National Committee over the air. The speaker himself later said, "I should have timed it better."  

In the final minute, Nixon did affirm that "regardless of what

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50 Ibid.
51 Ibid.
52 Nixon, Six Crises, p. 117.
happens, I'm going to continue this fight."\textsuperscript{53} As time ran out, the
candidate was paying a final tribute to his presidential running mate:

And remember, folks, Eisenhower is a great man. Believe me, he's a great man. [Announcer in background, simultaneously:
This program has been sponsored by the Republican Senatorial Com-
mittee and the Republican Congressional Committee] and a vote
for Eisenhower is a vote for what's good for America.\textsuperscript{54}

In the second half of his "Checkers" speech, Nixon relied par-
ticularly upon two rhetorical techniques. First, he took to the offen-
sive and counterattacked both the present administration under Truman
and the current Democratic candidate, Adlai Stevenson. Nixon was par-
ticularly critical of their stand against Communism. Perhaps his attack
became too strong when he declared them unqualified to hold the highest
office in the land. In any case, Nixon refused merely to defend himself
about the fund; he also attacked the opposition.

However, the fund was the basic point at issue, the reason for his
speaking to the nation. The second vitally important technique for Nixon
was his appeal to the public for judgment. Although he realized that his
future would be decided by the Republican National Committee and General
Eisenhower, Nixon made the judgment that his declaration of integrity and
his explanation of the fund would be accepted by the public. Therefore,
he urged his listeners to help the Committee with its decision by infor-
m ing it of their own feelings on this matter. Nothing in the speech was
more pivotal than this move by Nixon. A strong show of popular support


\textsuperscript{54} Ibid.
would almost surely exonerate Nixon while on the other hand, a popular condemnation—or even a lukewarm response—could ruin Nixon.

It is also important to note the candidate's repeated support of his running mate, General Eisenhower. What was the solution to the prolonged Korean War and the corruption in Washington? Eisenhower! Whatever the outcome of his speech, Nixon pledged to continue the fight and reminded all in the final statement of his speech that "a vote for Eisenhower is a vote for what's good for America." Such loyalty to the Republican cause and the Republican presidential candidate could not but have helped Nixon's prestige among party leaders as well as the rank and file. He was not so preoccupied with his own affairs as to forget the Party and its new leader, Dwight D. Eisenhower. Having concluded his fund speech, Nixon could only await the results of his effort which scattered around the judgments of the press, the public, the Republican National Committee, and of presidential candidate Dwight D. Eisenhower.

III. Results and Conclusion

It is no surprise that Richard Nixon remained on the Republican ticket. The television-radio listening audience for the "Checkers" speech, estimated at sixty million people, included the largest audience in TV history which would not be exceeded until the first Kennedy-Nixon debate in 1960.55 The candidate himself described the events following the speech as follows:

55Nixon, Six Crises, p. 118.
The response had been immediate. Thousands of people went out of their homes that night and lined up at Western Union offices. It was recorded as the greatest immediate response to any radio or television speech in history. The letters flowed in after the telegrams, and enough small contributions came in by letter and wire to more than cover the $75,000 cost of the telecast. The unofficial count was something between one and two million telegrams and letters containing more than three million names. The response overwhelmingly was "keep Nixon on the ticket." The effect was to lift my name to national prominence and to give me a national political following which helped in the years ahead to give new stature to the office of Vice President.56

On Thursday September 25, 1952, the New York Times headlined:

"Eisenhower Calls Nixon Vindicated; Committee Votes to Retain Nominee."57

The article, dated from Wheeling, West Virginia, stated:

Gen. Dwight D. Eisenhower said tonight that his Vice-Presidential running mate, Senator Richard M. Nixon of California, had been "completely vindicated" of charges in connection with a privately raised expense fund.

Speaking before a cheering and enthusiastic crowd here, the Republican Presidential nominee announced that the 107 members of the Republican National Committee who could be reached had all voted for retaining Mr. Nixon on the ticket. There are 138 members on the full committee.

General Eisenhower declared he believed Senator Nixon "had been subjected to an unfair and vicious attack."

"He is not only completely vindicated as a man of honor but, as far as I am concerned, he stands higher than ever before," said the general.58


56 Ibid., p. 119.
58 Ibid.
Thus Nixon had clearly exonerated himself in the eyes of General Eisenhower and the Republican National Committee which had voted so strongly to retain him on the 1952 ticket. The several million people who had taken the time to "vote" on the fund issue had overwhelmingly sided with Nixon. It was only in the press, therefore, that the candidate received mixed reviews on his speech. In an article headlined "Press Reaction Split on Nixon," the Washington Post presented excerpts from the views of various newspapers around the nation:

THE NEW YORK JOURNAL AMERICAN, backing the Republican ticket, declared:
He was, in our opinion, simply magnificent. We know of no other way to say it.
"He fought like a man. . . .
Who among the millions listening and looking could hate failed to be moved? Democrat or Republican? It makes little difference."

THE NEW YORK POST, which broke the original story about the Nixon fund, said:
"The great question stirred by the revelation that a California millionaires' club has been paying a lot of his bills remains unanswered.
"That question is whether it is ethical, defensible or desirable for a member of the United States Senate to accept an 'expense fund' from members of wealthy special-interest groups that have a direct stake in the legislative business in the Senate . . . .

THE CHICAGO DAILY NEWS, supporting Eisenhower, said, "He must have convinced nearly all the millions of people who saw and heard him that he is a man who sincerely believes he had done no wrong. . . . With Sen. Nixon's example before him, Gov. Stevenson should hesitate no longer to tell the full truth about his own fund.

THE ST. LOUIS POST-DISPATCH, uncommitted to either national ticket, said Nixon's television performance "had many of the elements of a carefully contrived soap opera."60

The Washington Post's editorial was also dissatisfied with Nixon's

60 Ibid., p. 4.
The central issue, as we view it, remains unanswered by the Senator's talk. It is whether any such private fund can be squared with our American ideals of representative government. In our opinion, it cannot. The theory of our system is that men in public office should be as free as possible of private obligations. Campaign contributions are a recognized necessity, and they are regulated by law because of a desire to prevent them from coloring official judgments. There are no similar laws governing funds like Senator Nixon's because they are not an accepted part of our system.

Despite the mixed reviews in the nation's press, Nixon had received, as we have seen, strong support from Eisenhower, the Republican National Committee, and the public. Soon after the "Checkers" speech, Nixon met Ike at Wheeling, West Virginia where together they faced a cheering crowd at the Wheeling Stadium. The matter of "the fund" had been settled and Nixon prudently decided to make no further use of it.

In Six Crises, Nixon mentions four other attacks which were printed or rumored about him in the month and a half after the "Checkers" speech and before the 1952 election. But the interesting thing to note is that while there were subsequent accusations, the furor over the original fund issue had subsided. The criticisms dispersed themselves among other issues which were not substantiated and which never "caught on." Although it did not die an instant death, "the fund" issue had been decisively settled by the "Checkers" speech.

There is one final aspect of this speech which needs emphasis.

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62 St. Louis Post-Dispatch, September 25, 1952, p. 1A.
63 Nixon, Six Crises, pp. 126-127.
This is the importance of Nixon's image or ethical appeal in his effort at self-vindication. We have seen that Nixon relied heavily upon facts and reasoning (logical appeal) in his detailed explanation of his fund. He used emotional appeal at least five times and the reference to the dog "Checkers" became part of American political folklore. But when all is said and done, perhaps the most important factor in Nixon's success was his conveying the image of a basically honest man, of modest means, who sincerely intended to do nothing unethical by the use of this money. The fund itself was a somewhat questionable idea; at least today we are wary of such arrangements. But by that unique discretion which renders democratic voting so successful as a form of government, the public, the people, judged Nixon to be basically honest, believed and accepted his explanation of the matter so that the whole turmoil about the fund quickly subsided.

It is hard to argue with the practical success of the speech, yet it also received mixed reviews rhetorically. Irving J. Rein states in his recent analysis that "in terms of public response, the speech stands as a phenomenal success—possibly the greatest of the century." But Mr. Rein remains highly critical of the speech in general and calls it "a triumph of style over content." Referring to Nixon's use of the "Checkers" dog-story, rhetorician James Golden states that "his appeal, while effective, was contrived and maudlin."

64Rein, The Relevant Rhetoric, p. 190.
65Ibid., p. 207.
Admittedly, Richard Nixon did not have eloquence of style in his speech. Rather, it has a simple conversational style which is not above telling the heart-tugging story or addressing his listeners as "Folks." But in the light of the highly favorable response which Nixon received, the question could be seriously asked, "Would it have been advisable for Nixon to try some more eloquent approach to the matter?"

Could it be the case that the very simplicity of Nixon's style was a major factor in his presenting the image of an honest man who had done no deliberate wrong? If this is true, then Nixon's plain-spoken, down-to-earth style of expression was an important factor in achieving his self-vindication in the matter of the fund. For though the dog "Checkers" is remembered, Nixon's demonstration of basic honesty and integrity was the key to his success.
JOHN F. KENNEDY: SPEECH BEFORE THE GREATER HOUSTON MINISTERIAL ASSOCIATION,
HOUSTON, TEXAS--SEPTEMBER 12, 1960

I. The Exigency

Freedom of religion has always been a cherished right of every American. Yet despite our manifestations that "race, color or creed" should not handicap a man's advancement, religious prejudice has often marred our national scene. Before 1960, Al Smith of New York had been the only Catholic nominated by a major political party for the office of President of the United States. He was soundly defeated by Herbert Hoover and a certain undercurrent flowed through American politics that a Catholic could not win a presidential election but might do well as the vice-presidential candidate.

Senator John F. Kennedy of Massachusetts reacted strongly against such an analysis. Theodore Sorensen describes Kennedy's feelings in this way:

"I find that suggestion highly distasteful," he said. "It assumes that Catholics are pawns on the political chessboard, moved hither and yon." It also assumed that the top spot had been permanently closed to all Catholics by the overwhelming defeat of Catholic Al

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1 Some might consider this a blessing. Hoover took much of the blame for the stock market crash of 1929 and the Great Depression which followed.
Smith in 1928, Kennedy set out to challenge that assumption—and to challenge it early in the hope that the issue would lose some of its mystery and heat by 1960.2

When Senator Kennedy threw his hat into the ring to seek the 1960 Democratic nomination for President, many a hard-nosed politician again reflected on the question, "Can a Catholic win?" Kennedy had hoped to settle this question in the West Virginia Democratic primary where his chief opponent was Hubert Humphrey. Theodore White describes the people of West Virginia and the religious atmosphere of the state as follows:

Of these good people, two last dominant facts remain to be noted; that they are white, and they are Protestant. Negroes in West Virginia come to about 4 per cent of the population; Catholics in West Virginia come to 5 per cent of the population; almost all the rest are seed of the frontiersmen, of the men who bore their Bibles with their rifles across the mountains; and who still take their bootleg liquor, strong and neat. As the two candidates prepared to campaign in West Virginia, the discovery of West Virginia's poverty would attract only secondary national attention. It was to be West Virginians' religion that engaged the chief attention of American politics.3

Kennedy won the West Virginia primary, apparently shattering the myth that Catholics could not win the vote in the Bible Belt. Pierre Salinger writes that "if Kennedy had not had a Humphrey campaign in West Virginia, he might never have been able to demonstrate that he could overcome the Catholic issue."4

When Kennedy won the Democratic nomination, his opponent in the 1960 presidential election was Vice-President Richard Nixon. Both candidates were content to ignore the question of religion and to deal with what they considered to be the real issues of the election. But as the campaign entered early September, the religious issue, which Kennedy had hoped was settled in the West Virginia primary, raised its head again. Theodore White describes what happened:

In Washington, a gathering of some of the most respected Protestant churchmen of the nation gathered under the leadership of the Reverend Norman Vincent Peale, the most widely read Protestant minister in the nation, to question the loyalty of any Catholic candidate for the Presidency and the wisdom of choosing any man of that faith for the high office. In the South, in the border states, in the farm states the issue was not the future but the past—could a Catholic give true soul and full faith to the doctrines of the Constitution? To this Kennedy must address himself before the first round [of the campaign] closed.\(^5\)

To counteract the feeling of concern about the qualifications of a Catholic for the office of President, Kennedy decided that, for once at least, he must meet this issue head on. One clear public statement of his position might clarify the matter and relieve the concern which still continued to exist in the minds of many of the electorates. Therefore, the Senator accepted an invitation to address the Greater Houston Ministerial Association on September 12, 1960.\(^6\) The format of the meeting would include a rather short opening statement followed by a question and answer period in which the assembled clergymen could become as specific


\(^6\)Ibid., p. 260.
as they wished in challenging the guest speaker and in clarifying in their own minds the attitudes and qualifications of the Catholic candidate for the Presidency.

The meeting, held in the Rice Hotel in Houston, included 300 clergymen in the audience as well as 300 other spectators. The candidate's speech was to be televised throughout the state of Texas. Because Kennedy's position would be a liberal one, he took the precaution beforehand of carefully checking the validity of his own position as a practicing Catholic. Ted Sorenson reports that "I read the speech over the telephone to the Rev. John Courtney Murray, S.J., a leading and liberal exponent of the Catholic position on church and state." The scene in the Rice Hotel on the evening of September 12, 1960 might recall the biblical story of Daniel entering the lions' den. Theodore White says that the speaker faced "a sullen, almost hostile audience when he began." Sorenson describes the pre-speech tension as follows:

The Senator . . . flanked by the two ministers who presided, sat somewhat nervously behind the lectern. Glaring at him from the other side were the Protestant ministers of Houston. "They're tired of being called bigots for opposing a Catholic," Pierre Salinger had earlier reported to the Senator as he dressed. Also

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7 Ibid.
8 Sorenson, op. cit., p. 190.
9 Ibid. Fr. Murray, S.J. was then on the faculty of Woodstock College, a Jesuit seminary near Baltimore, Md. A few years later, he played an important role in the General Council of the Catholic Church known as Vatican II.
10 White, op. cit., p. 262.
on hand was a large number of national press pundits who had flown in for the great confrontation. A sense of tension and hostility hung in the air.

The stage was set for the confrontation between the Catholic candidate and a rather hostile audience, uncertain of the legitimacy of the speaker's credentials as a presidential candidate. The doubts centered around one issue: religion.

II. Strategies and Techniques

After a short sentence of introduction, Kennedy immediately set the mood of his short speech. Granting that he himself would speak tonight on the "so-called religious issue," he denied that this should be a factor in the campaign:

While the so-called religious issue is necessarily and properly the chief topic here tonight, I want to emphasize from the outset that we have far more critical issues in the 1960 election; the spread of Communist influence, until it now festers only ninety miles off the coast of Florida—the humiliating treatment of our President and Vice-President by those who no longer respect our power—the hungry children I saw in West Virginia, the old people who cannot pay their doctor bills, the families forced to give up their farms—an America with too many slums, with too few schools, and too late to the moon and outer space.

Those are the real issues which should decide this campaign.

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11 Sorenson, op. cit., p. 199.
If religion was not a bona fide issue of the 1960 campaign, why did Kennedy come to speak on this topic? The candidate clarified this paradox by stating:

But because I am a Catholic, and no Catholic has ever been elected President, the real issues in this campaign have been obscured—perhaps deliberately, in some quarters less responsible than this. So it is apparently necessary for me to state once again—not what kind of church I believe in, for that should be important only to me—but what kind of America I believe in.

This paragraph is important for two reasons. First, Kennedy reminded the assembled clerics that because no Catholic had ever been elected President, the real issues had become obscured by a false issue: personal religion. The candidate, therefore, was speaking on this topic not because he considered a man's religion as a determining factor in merits election to public office but because, de facto, many other citizens did consider this an important issue. It was because a significant part of the electorate—Kennedy prudently remained somewhat vague—considered religion—specifically the Catholic religion— as a negative element in a candidate's credentials, Kennedy said he felt compelled to discuss this matter.

Secondly, the final words of this paragraph introduce a theme which the speaker would develop throughout the first half of his speech. The theme is "what kind of an America I believe in." It is interesting to note that this phrase would be repeated seven times in quick succes-

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Ibid.
sion. Thus, the speaker had shifted the discussion from religion to country, from Catholicism to America, from theology to national ideals.

Basically, Kennedy's analysis was based on the long accepted American principle of separation of church and state. It is because these two institutions remain separate, he argued, that they do not conflict; it is because religion is a personal matter that it should not jeopardize any man's chances to win election to American public office.

The candidate spent seven paragraphs in developing a detailed picture of an America which truly maintains religious freedom for all but imposes religion upon no one:

I believe in an America where the separation of church and state is absolute. . . . 14

I believe in an America that is officially neither Catholic, Protestant nor Jewish. . . . 15

. . . I believe in an America where religious intolerance will someday end—where all men and all churches are treated as equal. . . . 16

Having described the ideal of religious freedom and tolerance which he visualized for our country, Kennedy quickly shifted from the general consideration of our whole nation to the specific office of President:

That is the kind of America in which I believe. And it rep-

14 Ibid.
15 Ibid.
16 Ibid., p. 209.
represents the kind of Presidency in which I believe . . . . I believe in a President whose views on religion are his own private affair, . . .
I would not look with favor upon a President working to subvert the first amendment's guarantees of religious liberty. . . .
I want a Chief Executive whose public acts are responsible to all and obligated to none . . . .
This is the kind of America I believe in . . . .

In concluding this first section, the speaker twice used argument from example. He appealed to two wartime situations in which no religious qualifications were asked of those who fought for the cause:

. . . this is the kind of America I fought for in the South Pacific, and the kind my brother died for in Europe. No one suggested then that we might have a "divided loyalty," . . .

And in fact this is the kind of America for which our forefathers died . . . . when they fought at the shrine I visited today, the Alamo. For side by side with Bowie and Crockett died McCafferty and Bailey and Carey—but no one knows whether they were Catholics or not. For there were no religious tests at the Alamo.

The appropriateness and telling effect of the Alamo reference in Texas before a Texan audience is clear. And the point of the two examples is also evident: if we Catholics can fight for our country, are we not also qualified to serve her in elected office? Upholding the negative would prove a difficult task.

The Kennedy analysis was often very close-knit, so tight in

17 Ibid.

18 Ibid.

19 Ibid.
thought development that it becomes difficult to synthesize the ideas further. Nevertheless, the first half of the Kennedy speech may be described as follows: The speaker affirmed that he did not consider religion to be a legitimate issue in the campaign. But because some were concerned about his Catholicism, the candidate felt compelled to discuss the matter. Moreover, the discussion utilized a theme (the kind of America I believe in) and was based on a fundamental American principle of government (separation of church and state). In developing his general theme on America, Kennedy included a short section on the kind of presidency he believed in. A Chief Executive, he suggested, is a man "whose fulfillment of his Presidential oath is not limited or conditioned by any religious oath, ritual, or obligation." The speaker concluded with argument from example: the Kennedy war record and the Alamo.

Not to be overlooked in our analysis of this first half of the speech is another clever technique which Kennedy used during his discussion of the America he believed in. The candidate considered the logical consequences of disqualifying, of discriminating against, a Catholic for his religious convictions:

For while this year it may be a Catholic against whom the finger of suspicion is pointed, in other years it has been, and may some-
day be again, a Jew— or a Quaker— or a Unitarian— or a Baptist. It was Virginia's harassment of Baptist preachers, for example, that helped lead to Jefferson's statute of religious freedom. 21 Today, I may be the victim—but tomorrow it may be you . . . .

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20 Ibid.
21 Ibid., pp. 208-209.
Kennedy next moved into Part II of his speech. As he did so, he conveyed the basic message that he was "truly his own man." Adhering to an ideal for America which excludes discriminating against any person because of his personal religion, the Senator proceeded in the second half to speak of his own personal code of conduct which, despite his commitment to Catholicism, permitted him to act freely and without interference in all matters pertaining to the office of Chief Executive. First Kennedy expressed the hope to be judged by his voting record during fourteen years in Congress and not by the remarks of any foreign clergymen, often quoted out of context:

I ask you tonight to follow in that tradition—to judge me on the basis of my record of 14 years in Congress—on my declared stands against an Ambassador to the Vatican, against unconstitutional aid to parochial schools, and against any boycott of the public schools (which I have attended myself)—instead of judging me on the basis of these pamphlets and publications we all have seen that carefully select quotations out of context from the statements of Catholic church leaders, usually in other countries, frequently in other centuries, and always omitting, of course, that statement of the American bishops in 1948 which strongly endorsed church-state separation, and which more nearly reflects the views of almost every American Catholic.

I do not consider these other quotations binding upon my public acts—why should you?\(^\text{22}\)

Again the Kennedy line of reasoning was very tight-knit. The previous quotation introduced two additional arguments in a matter of just a few lines: (1) In 1948, the American Catholic hierarchy strongly affirmed the very principle which the speaker himself had already used—the separation of church and state; and (2) Kennedy did not consider

\(^{22}\)Ibid., pp. 209-210.
certain controversial statements—spoken, perhaps, long ago or in a
distant land—as binding upon himself so why should his listeners?
Both ideas reinforced the second basic idea of the Kennedy rationale:
"I am my own man."

The candidate assured his audience that he desired religious free-
dom, not only for Catholics, but for men of all faiths: "And I hope that
you and I condemn with equal fervor those nations which deny their Presi-
dency to Protestants and those which deny it to Catholics."23 In the
next sentence, the speaker again used argument from example to assure the
audience that Catholicism did not necessarily mean political abuses or
religious intolerance. Kennedy first cited the record for tolerance of
the Catholic Church in two countries with large Catholic populations,
France and Ireland; secondly, he recalled the excellent political leader-
ship shown by two other Catholics: Charles deGaulle in France and Konrad
Adenauer in Germany. The argument was that since deGaulle and Adenauer
had been successful Catholic politicians, why could not the same thing
happen here in the United States?

Kennedy next resorted to a verbal distinction which put the relig-
rious issue in the background—where it should be—and properly emphasized
the political aspects of the 1960 elections

But let me stress again that these are my views—for, contrary
to common newspaper usage, I am not the Catholic candidate for
President. I am the Democratic Party's candidate for President

who happens also to be a Catholic.24

The heart of the Kennedy message in the second half of his speech was his emphasis on his own freedom of choice and freedom of conduct in administering the affairs of the nation. The strongest affirmation of this position came in the following statement:

I do not speak for my Church on public matters—and the Church does not speak for me. Whatever issue may come before me as President—on birth control, divorce, censorship, gambling, or any other subject—I will make my decision in accordance with these views, in accordance with what my conscience tells me to be in the national interest, and without regard to outside religious pressure or dictates. And no power or threat of punishment could cause me to decide otherwise.25

The previous passage could conceivably raise an eyebrow or two among conservative Catholics.26 Lest anyone think that Kennedy was repudiating his religious convictions in an all-out effort to escape any sanction for his Catholicism, the speaker added the following note of caution:

But if the time should ever come—and I do not concede any conflict to be even remotely possible—when my office would require me to either violate my conscience or violate the national interest, then I would resign the office; and I hope any other conscientious public servant would do the same.

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24 Ibid.
25 Ibid.
26 We should recall again that Kennedy did check his speech in advance with a noted Jesuit theologian. See footnote 9.
But I do not intend to apologize for these views to my critics of either Catholic or Protestant faith—nor do I intend to disavow either my views or my church in order to win this election. 27

Kennedy affirmed that (1) he would rather resign from office than violate his conscience, and (2) that he would not disavow his Catholic faith to win the election. Rather than hurting the image which the speaker had created of "being his own man," these statements perhaps reinforced his reputation as a man of principle and conviction who would not surrender his sincere beliefs under pressure from any direction.

The Kennedy logic moved swiftly from one line of reasoning to another. The Senator made a final analysis of the situation based on the logical consequences inherent in a voter's discriminating against him simply because he was a Catholic:

If I should lose on the real issues, I shall return to my seat in the Senate, satisfied that I had tried my best and was fairly judged. But if this election is decided on the basis that 40 million Americans lost their chance of being President on the day they were baptized, then it is the whole Nation that will be the loser, in the eyes of Catholics and non-Catholics around the world, in the eyes of history, and in the eyes of our own people. 28

27 Kennedy, op. cit., p. 210. Even Kennedy's earlier statement that he stood "against unconstitutional aid to parochial schools" could be favorably interpreted by pro-Kennedy conservative Catholics. The argument would go: "No patriotic Catholic is suggesting unconstitutional aid to parochial schools. We are only arguing for that aid which is already within constitutional limits, or, if necessary, a constitutional amendment to legalize some aid of this type."

28 Ibid.
Thus, the Senator noted that if such religious discrimination were to actually occur, the greatest loser would be our own American nation.

Kennedy ended his speech by quoting the presidential oath of office. This was a brief but forceful statement concluding with an appeal for divine help. Before reciting the oath of office, the candidate recalled two important points: (1) He had already taken a very similar oath for fourteen years in the Congress; (2) He could make this pledge without any reservation whatsoever.

In sum, the Kennedy attempt at self-vindication was characterized by a tightly structured thought development. One strategy, one line of reasoning, followed quickly upon another in quick succession. Basically the speech was divided into two parts. In the first half, Kennedy developed the theme of "the kind of America I believe in." The underlying principle of this section of his analysis was rooted in the long accepted aspect of American political philosophy: the separation of church and state. The Senator also argued from logical consequences to show that discrimination against one could lead to further discrimination against others. Adjusting to his audience of Texans, Kennedy noted that there were no religious tests at the battle of the Alamo.

In the second half of the speech, Kennedy developed the theme, "I am my own man"—though this phrase was never used. He would neither be ruled by outside forces in serving as Chief Executive nor on the other hand, did he intend to reject his personal commitment to Catholicism. But, Kennedy reminded his audience, if millions of Catholics lost any

29 Ibid.
chance of holding the highest office in our land when they were bap-
tized as Catholics, then our country had indeed suffered a serious loss.
On the other hand, concluded the candidate, if he were duly elected as
President of the United States, he would fulfill without reservatio
the presidential oath of office which, in his final sentence, Kennedy
quoted verbatim.

III. Results and Conclusion

The immediate effect of the Kennedy presentation was favorable.
Commenting on the actual speech situation, Sorenson stated with enthusi-
asm that "at last the Senator was introduced, and the atmosphere eased
almost at once. It was the best speech of his campaign and one of the
most important of his life."

30 We should also recall that a question and
answer period followed the speech and although there was still a certain
doubt or, perhaps, even unfriendliness in the air, Sorenson felt that
this subsequent exchange of ideas was handled successfully by the candi-
date.

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Theodore White spoke with approval of Kennedy's performance at
Houston. But he had definite reservations in evaluating the overall
effect:

30 Sorenson, op. cit., p. 190.

31 Ibid., pp. 191-192.
How much effect he had that evening no one could tell. He had addressed a sullen, almost hostile audience when he began. He had won the applause of many and the personal sympathies of more; the meeting had closed in respect and friendship. But how far the victory in this hall would extend its glow no one could measure.  

On the day after the Houston speech, the New York Times commented that "the speech represented a major effort by Senator Kennedy to meet the religious issue head on. In it, he also continued to try to draw back into the Democratic party a segment of its membership, particularly in the South and the Midwest, that had made known its unwillingness to vote for a Catholic."  

The St. Louis Post-Dispatch felt that Kennedy had disintegrated the religious issue by his Houston speech. Its editorial stated:  

Henceforward, the "issue" of Senator Kennedy's religious faith can be kept alive only by the assumption that, whatever they may say, all Roman Catholics are bound by an iron political discipline which is irresistible.  

Appearing before the Greater Houston Ministerial Association, the Democratic candidate made a complete and unreserved avowal of political independence from any dictates of his church. It was as sweeping and unconditional a declaration as any candidate could make. It can be rejected only by an absolutism which assumes that all Roman Catholics hold the same views and all are controlled by the hierarchy.  

We do not believe it.  

The Chicago Daily Tribune took a somewhat opposite view. In an
editorial entitled "Who Keeps Religion in the Campaign?", the Tribune suggested that Kennedy was actually sustaining this issue:

The time has come to ask who is keeping the religious issue alive in the Presidential campaign and why.
It isn't Mr. Nixon. . . .
Mr. Kennedy's record is not so good. . . .

. . . . Mr. Kennedy's managers must have come to the conclusion that he has more to gain by keeping the issue alive than by agreeing with Mr. Nixon to drop it. . . .
These calculations of the Kennedy managers may be correct but it is no credit to Mr. Kennedy that he is accepting this advice. In doing so he is promoting exactly the kind of voting that he professes to deplore and which men of good will, regardless of religious affiliations, genuinely do deplore.35

The New York Times believed that religion had remained a significant issue and that Kennedy made a legitimate effort to eliminate it once and for all:

The issue of Senator John F. Kennedy's Roman Catholic religion threatens to dominate the Presidential campaign; and if it does, the harm will be irreparable to this country at home and abroad.
The discussion has been rising in crescendo ever since last fall, when Mr. Kennedy's nomination became increasingly likely. The more that has been published about the question, the more it has been discussed. It has, we trust, now reached its climax; and in view of Mr. Kennedy's frank and forthright answers it will, we hope, now fade away.36

The primary goal of Kennedy's appearance was to repudiate the

religious issue. Kennedy wanted to demonstrate in clear and logical terms that reasonable men should not penalize him in the election because of his Catholic faith. Let the election be decided upon real issues rather than upon any candidate's personal religion. Certainly Kennedy's religion was a negative factor for him in some areas of the country. Therefore, to nullify that issue, to redirect attention to more legitimate matters, would enhance Kennedy's chances for victory. Sorenson believed that the candidate responded so well to the religious question in his Houston speech that he no longer had to concern himself about further publicly clarifying his position on this issue:

The Houston confrontation did not end the religious controversy or silence the Senator's critics, but it was widely and enthusiastically applauded, not only in the Rice Hotel ballroom but all across Texas and the nation. It made unnecessary any further full-scale answer from the candidate, and Kennedy, while continuing to answer questions, never raised the subject again. It offered in one document all the answers to all the questions any reasonable man could ask.37

Arthur Schlesinger, Jr. similarly held that Kennedy presented a preeminently reasonable refutation of the religious issue but also noted that religious prejudice would continue to overshadow the campaign to some degree:

On September 12, before the Greater Houston Ministerial Association, he [Kennedy] knocked religion out of the campaign as an intellectually respectable issue; it would persist, of course, as a stream

37 Sorenson, op. cit., p. 193.
To say that "Kennedy must have settled the religious issue because, after all, he did win the election," would be, of course, a gross oversimplification. The more penetrating question remains: "Did Kennedy win because he neutralized the religious issue or in spite of religious prejudice which did hurt him?" Further complicating an in-depth analysis is this legitimate consideration: did Kennedy perhaps gain more pro-Catholic votes—particularly from fellow Catholics—than he lost because of religious discrimination?

Even while limiting our analysis to the state of Texas, the task remains difficult. In the 1960 election, Kennedy did carry Texas by 46,000 votes, receiving 50.5% of the vote to Nixon's 48.5%. But before affirming that, therefore, Kennedy had nullified the religious issue by his Houston speech, we should consider:

1. Kennedy achieved only a bare majority of the vote.

2. We would expect the Democrats to win in Texas. The shocking thing would have been if Kennedy's running mate, Senate Majority Leader Lyndon B. Johnson could not carry the ticket in his own state. A number of post-election analyses have been made on the question of whether Kennedy's Catholic religion helped or hindered him in 1960. All things considered, Sorenson argued that the religious issue was probably more

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39 White, op. cit., p. 385.
Most of the more superficial analyses completed immediately after the election concluded that Kennedy's religion had on balance helped him. But subsequent studies in depth concluded that it was, other than Republican Party loyalty, the strongest factor against him.

More than three out of five Catholics who voted for Eisenhower in 1956 switched to Kennedy in 1960. Hardly any of them, however, were regular Republicans. Most analysts agree that their return to the Democratic column in 1960 was likely anyway for any candidate, Protestant or Catholic, with the probable exception of Stevenson. But to what extent these Catholic Democrats were also moved by pride in Kennedy's religion, by resentment of the attacks upon it, or foreign policy, economics or a dozen other reasons, cannot ever be measured.

A little later, Sorenson wrote:

Kennedy's over-all loss nationally from Protestant Democrats, reported the University of Michigan survey, was at least 4.5 million votes, far more than any Catholic vote gains could offset. In terms of electoral votes, the five states in which the return of Catholic votes helped supply his winning margin outweighed those states which can clearly be identified as lost because of religion. But the Michigan survey analysts, convinced that most of the Catholics voting for Kennedy would have returned to the Democratic fold anyway, concluded that Kennedy's religion prevented him from winning by a comfortable popular majority. And Professor V.O. Key, Jr., summed up the results of the later surveys with the judgment "that Kennedy was in spite of rather than because of the fact that he was a Catholic."

After his election victory, the President-elect himself felt that the religious issue was a negative factor in his narrow victory.
Schlesinger observed that "he [Kennedy] attributed the margin [of his election victory] to the prevailing sense of prosperity and peace . . . and to anti-Catholic sentiment."^2

Now that we have examined the religious issue in the over-all campaign, what can be said more specifically about Kennedy's success at self-vindication in his Houston speech? Although it did not terminate the religious issue, Kennedy's Houston performance did have some beneficial results. In the eyes of numerous observers the candidate showed courage both in accepting the offer to speak and in willingly responding to any questions from the audience. The speech did win the generous applause of a previously unfriendly audience.\(^3\) The candidate no longer had to address audiences on this issue; he could merely refer doubters to his public statements before the Greater Houston Ministerial Association. If Kennedy only diminished the fires of religious prejudice, without extinguishing them, this was still a gain for his candidacy. TV networks broadcast segments of Kennedy's speech across the country while films of his message were shown at many subsequent political meetings around the nation.\(^4\) The candidate could scarcely state his position any more clearly. Reasonable men, sincerely concerned on this issue, could feel reassured by the Kennedy declaration that he was "his own man." Deeply prejudiced men, on the other hand, were probably beyond the scope of human persuasion in this matter.

^2 Schlesinger, op. cit., p. 118.
^3 Sorenson, op. cit., p. 193.
^4 White, op. cit., p. 262.
CHAPTER VI: THE KEY ISSUES OF THE SIXTIES

ADDRESS ON VIETNAM BEFORE THE NATIONAL LEGISLATIVE CONFERENCE,
SAN ANTONIO, TEXAS—SEPTEMBER 29, 1967
by President Lyndon B. Johnson

I. The Exigency

No issue was more controversial during the administration of President Lyndon B. Johnson than the war in Vietnam. Although the United States was already committed to helping South Vietnam by previous administrations, it was Johnson who had ordered a major buildup of U.S. troops and the bombing of North Vietnam. As the war dragged on, American public opinion became less and less favorable to our involvement. Johnson spoke often on this topic, trying to explain and justify his decision to stand firm in Southeast Asia and to escalate the war.\(^1\) Any individual Vietnam speech by Johnson may be considered as part of a prolonged campaign on

\(^1\)Some other examples of President Johnson speaking on the Vietnam war are:


his part to inform the public on the issues and facts of the war. The President's San Antonio speech is an excellent example of his war rhetoric. Although the speech is basically an explanation and defense of policy, there is also an aspect of self-vindication here. As the war continued, some dissenters were to belittle the very character of the President as a warmonger and murderer. Thus, masses of demonstrators chanted such cries as:

"Hey, hey, L.B.J.
How many kids have you killed today?"

and

"One, two, three, four,
We don't want your lousy war."

The first of these couplets not only has a definite air of personal accusation but may well be one of the cruelest taunts in all of political history. Any man of character would feel an inherent urge to repudiate such accusations and to inform the American people of what, in his opinion, this war was all about.

Actually, it was not until after the San Antonio speech that the dissent and peace demonstrations gained their strongest momentum. In 1967, the war was still fairly acceptable to most Americans. A Louis Harris poll conducted for *Newsweek* magazine and published in the July 10, 1967 issue, reported that "three out of four Americans generally support the war." According to the same Harris poll, American public opinion had grown stronger in favor of the war between 1966 and 1967:

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*Newsweek, July 10, 1967, p. 20.*
Support for the Conduct of the War.3

Do you agree with the present policy?  

<table>
<thead>
<tr>
<th>May 1966</th>
<th>June 1967</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agree but want increased military pressure:</td>
<td>32%</td>
</tr>
<tr>
<td>Agree but want more effort at negotiation:</td>
<td>37%</td>
</tr>
<tr>
<td>Disagree and want all-out war:</td>
<td>14%</td>
</tr>
<tr>
<td>Disagree and want withdrawal:</td>
<td>17%</td>
</tr>
</tbody>
</table>

This poll also stated that 72% of Americans favored the bombing of North Vietnam, 15% opposed it, and 13% were not sure.4

Johnson's more serious trouble began in February, 1968 when the enemy began its now-famous Têt offensive. In a single week of February, 543 Americans were killed in action, the highest total of the war up until that time.5 The simultaneous siege of Khe Sanh in the northwest corner of South Vietnam added to the grim war news.6 In early March, columnist Walter Lippmann wrote of the Vietnam situation as a blow to U.S. prestige and suggested a phased troop withdrawal:

To be sure, it [U.S. Vietnam involvement] will have been a mistake, and it is painful to think of the human and material costs. American prestige in terms of regard for our wisdom

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3Ibid

4Ibid., p. 21. A halt to the bombing of North Vietnam was to become an increasingly more important issue for the doves. In the fall of 1968, this writer heard Democratic Vice-Presidential candidate Edmund Muskie interrupted repeatedly in a campaign talk at the University of Dayton by student cries of "Stop the bombing!"

5Newsweek, March 4, 1968, p. 28.

and respect for our power will suffer a blow. Indeed, it has already suffered one.

How big a blow depends upon how soon and how clearly we realize that the yardstick by which the failure will be measured is how grandiose are the sins we choose to proclaim. If we are the global policemen, then we have suffered a disaster. If we are in fact a great power among other powers, without any illusions of omnipotence, then we will have made a costly but not an irreparable mistake.7

At the end of March, 1968 the dovish Senator Eugene McCarthy won a moral victory of major proportions by almost winning the New Hampshire primary over the incumbent Democratic President.8 By this time, Newsweek summed up Johnson's troubles as follows:

"... George Gallup's newest soundings places LBJ's job rating at a record low 36 per cent. Ominously, popular support for the Vietnam war had slipped by Harris' reckoning to 54 per cent, a drop of 20 points since the Tet offensive."

Many of the events which we have just considered took place after the President's San Antonio speech. But they place Johnson's Vietnam rhetoric in its proper context. Although the war was basically accepted by the American people in September 1967, the situation would change drastically within six months time. The President would continue to defend his Vietnam policies as the exigency for justifying this costly war became greater and greater. The San Antonio speech is one of a

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7 *Newsweek*, March 11, 1968, p. 22.
8 *Newsweek*, March 25, 1968, p. 22. McCarthy won 42% of the vote to Johnson's 48%.
9 *Newsweek*, April 8, 1968, p. 36.
series of addresses in which the President discusses the controversial Vietnam war with the American people. The rationale presented in 1967 would remain as a justification of the Johnson position in the more serious crises of 1968 and even up to today.

The President spoke at the Villita Assembly Hall in San Antonio, Texas on the evening of September 29, 1967. In the immediate audience were 2,000 delegates to the National Legislative Conference, which was being conducted by the Council of State Governments. The President's Vietnam speech was also broadcast to the nation. During a war which was to become progressively more unpopular with the American people, Johnson explained to the public why he felt it necessary to escalate this war and to stand firm against Communist aggression in the distant country of South Vietnam. He also discussed our objectives, commented on the progress of the war, and urged united support of our fighting men and their cause.

II. Strategies and Techniques

After a brief greeting, the President quickly came to the point by stating, "This evening I came here to speak to you about Vietnam."  

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11Ibid.

12Ibid.

13Ibid., p. 876.
Johnson first acknowledged his awareness of the concern and dissent which this issue has created around the nation. This technique might be called setting the scene or noting the seriousness of the problem. Thus, the President stated:

I do not have to tell you that our people are profoundly concerned about that struggle.

There are passionate convictions about the wisest course for our Nation to follow. There are many sincere and patriotic Americans who harbor doubts about sustaining the commitment that three Presidents and a half a million of our young men have made.

Further setting the scene for his analysis, Johnson next portrayed a scene of Communist aggression and atrocity in Vietnam. While these matters could have been used as major issues, they are touched upon only lightly in this opening part of the speech to prepare the audience for what is to come. Johnson initially referred to Communist aggression in this way:

Vietnam is also the scene of a powerful aggression that is spurred by an appetite for conquest.

It is the arena where Communist expansion is most aggressively at work in the world today—where it is crossing international frontiers in violation of international agreements; where it is killing and kidnapping; where it is ruthlessly attempting to bend free people to its will.

One step remains rhetorically for the President. To introduce

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\(^{14}\)Ibid.

\(^{15}\)Ibid. The international frontiers Johnson is referring to are probably those of Laos and Cambodia. In Geneva Accords of both 1954 and 1962, North Vietnam had agreed to respect their boundaries. The Ho Chi Minh Trail runs through both Laos and Cambodia. The Sihanouk Trail operated in Cambodia until 1970.
the first major section of his speech, Johnson asked a pointed question to which he himself will soon respond:

Into this mixture of subversion and war, of terror and hope, America has entered—with its material power and with its moral commitment.

Why?

Why should three Presidents and the elected representatives of our people have chosen to defend this Asian nation more than 10,000 miles from American shores?16

The first half of this speech will respond to why the United States became involved in a distant war. In his answer, Johnson developed at length two reasons for our helping the people of South Vietnam. The two reasons which Johnson gave for our Vietnam involvement may be briefly stated in this way:

1. The United States opposes military aggression and supports the principle of political self-determination for all.
2. Our own security is ultimately involved with the Vietnam issue.17

Having stated two lines of reasoning, the President connects these two issues by again posing a question to his audience which he himself intends to answer:

At times of crisis—before asking Americans to fight and die to resist aggression in a foreign land—every American President has finally had to answer this question:

Is the aggression a threat—not only to the immediate victim—but to the United States of America and to the peace and security

16 Ibid.
of the entire world of which we in America are a very vital part.\(^{18}\)

Johnson has questioned his audience as to just how serious a threat is posed by Communist aggression in Southeast Asia. In responding, the President relied heavily upon argument from authority. He cited the opinion of the Congress, of the two Presidents preceding himself and of seven leaders of foreign nations in eastern Asia and the South Pacific. The argument is that if these American and international leaders all feel that the Vietnam situation is of vital importance to their security and our own, then indeed it was wise for the United States to commit itself in this area.\(^{19}\)

In referring to the Congress, Johnson cited both the SEATO treaty of 1955 and the Gulf of Tonkin resolution of 1964. Both the treaty and the resolution were approved by nearly unanimous votes, the former by the Senate and the latter by both Houses of Congress.\(^{20}\) Both documents expressed the intent of our legislative branch to uphold the security of friendly nations of Southeast Asia.

Before continuing his argument from authority, the President injected another line of reasoning. Again he resorted to a technique of asking questions which, in this case, are not so obvious in their answer but which cause the listener to pause for a moment and consider both the scope of the problems concerning Vietnam and the possible consequences of

\(^{18}\)Ibid.

\(^{19}\)Ibid., p. 877.

\(^{20}\)The Senate approved the SEATO Treaty by an 82-1 vote; both Houses of Congress approved the 1964 Gulf of Tonkin Resolution by a 504-2 vote. See Washington Post, September 30, 1967, p. A8.
making a wrong decision about this matter. Thus, Johnson posed the following question for his critics to ponder:

Those who tell us now that we should abandon our commitment—that securing South Vietnam from armed domination is not worth the price we are paying—must also answer this question [How great a threat is Communist aggression?]. And the test they must meet is this: What would be the consequences of letting armed aggression against South Vietnam succeed?

The President, in explaining his own response to these momentous questions, resorted back again to argument from authority. He argued that his course of action in committing the United States to the defense of South Vietnam is a logical consequence of the publicly expressed opinions of the two Presidents who preceded him in coping with this problem. Johnson quoted both Eisenhower and Kennedy to support his decision to take a firm military stand in the defense of South Vietnam:

President Dwight Eisenhower said in 1959:
"Strategically, South Vietnam's capture by the Communists would bring their power several hundred miles into a hitherto free region. The remaining countries in Southeast Asia would be menaced by a great flanking movement. The freedom of 12 million people would be lost immediately, and that of 150 million in adjacent lands would be seriously endangered. . . ."

And President John F. Kennedy said in 1962:
". . . withdrawal in the case of Vietnam and the case of Thailand might mean a collapse of the entire area."

A year later, he reaffirmed that:
"We are not going to withdraw from that effort. In my opinion, for us to withdraw from that effort would mean a collapse not only of South Vietnam, but Southeast Asia. So we are going to stay there," said President Kennedy. 22

21 Johnson, op. cit., p. 877.
22 Ibid.
Immediately after his argument from the authority of two previous Presidents, Johnson followed up on the same line of reasoning by quoting international authorities. All the leaders whom the President cited came from nations from the Pacific and East Asia area; therefore, they represent the opinions of those nations most directly concerned with and most likely to be affected by the outcome of the war in Vietnam. Seven national leaders were quoted and Johnson argued that since all these men felt that the Vietnam situation was crucial to the security of that whole area of the world, was it not expedient and necessary that the United States take a firm stand in Vietnam? Part of Johnson's long argument from authority was as follows:

The President of the Philippines [Ferdinand Marcos] had this to say:
"... For you to renounce your position of leadership in Asia is to allow the Red Chinese to gobble up all of Asia."

The Foreign Minister of Thailand [Thanat Khoman] said:
"(The American) decision will go down in history as the move that prevented the world from having to face another major conflagration."

The Prime Minister of Australia [Harold Holt] said:
"We are there because while Communist aggression persists the whole of Southeast Asia is threatened."

The Prime Minister of Singapore [Lee Kuan Yew] said:
"I feel the fate of Asia—South and Southeast Asia—will be decided in the next few years by what happens in Vietnam."

The Prime Minister of Malaysia [Tunku Abdul Rahman] warned his people that if the United States pulled out of South Vietnam, it would go to the Communists, ...23

23Ibid., pp. 877-878. All these leaders are identified by name in the Washington Post, September 30, 1967, p. A8.
The President's long critique from authority was indeed a strong use of this technique. Despite the reasonableness of this argument, the President admitted that he had no blueprint for the future, but he could only evaluate the possibilities and potential dangers of the present in making as prudent a decision as possible concerning the future. Johnson described the present dangers which led to his decision of making a strong U.S. military commitment to South Vietnam. He then stated:

So your President cannot tell you—with certainty—that a Southeast Asia dominated by Communist power would bring a third world war much closer to terrible reality. One could hope that this would not be so.

But all that we have learned in this tragic century strongly suggests to me that it would be so.24

The President next used his strongest argument in favor of his own decision. While a country should keep its pledge to help another nation, this duty becomes even more incumbent when its own security is at stake. The President argued that over the long haul, paying the heavy price of defending Vietnam would prove to be in our own national interest and would lessen the likelihood of an eventual nuclear war. Thus, by standing firm now, future generations would have a much greater chance for lasting peace.25

Johnson had now finished the first half of his speech. The issue he had analyzed was why should the United States become involved in a

24Ibid., p. 878.
25Ibid.
Vietnam war. The President argued that such a commitment was vital to the present security of friendly nations in Southeast Asia and to the eventual security of the United States. To confirm his judgment, Johnson primarily used argument from authority. He indicated those expert sources which he relied upon in making his own decision about Vietnam. The SEATO treaty of 1955 and the Gulf of Tonkin resolution by Congress in 1964 are used to demonstrate the commitment of our own legislative branch to the security of Southeast Asia. The two preceding Presidents—Eisenhower and Kennedy—were quoted affirming the importance of supporting South Vietnam. Lastly, the opinions of seven leaders of nations close to Vietnam were used to confirm the vital significance of the present war and the impending dangers should South Vietnam fall to Communist aggression.

Concluding the first section of his speech, Johnson argued that though he cannot positively foresee the future, the opinions of all these authorities admonished him not to gamble on a far greater war in the future by abandoning Vietnam to gain a temporary peace. For the good of our own nation and of future generations of Americans, the President decided to take a firm stand here and now in Vietnam.

Having discussed at length the question of why he had committed us to this war, Johnson moved to the second half of his speech by stating that "I want to turn now to the struggle in Vietnam itself."26

Once again Johnson used the technique of posing questions which he himself will answer for the audience:

26 Ibid.
There are questions about this difficult war that must trouble every really thoughtful person. I am going to put some of these questions. And I am going to give you the very best answers that I can give you.

First, are the Vietnamese—with our help, and that of our other allies—really making any progress? Is there a forward movement?27

In answering these questions, the President first spoke of political stability. The free elections of late 1967 would result in new government officials taking office in November. Speaking of this political situation, the President said:

On November 1, subject to the action, of course, of the Constituent Assembly, an elected government will be inaugurated and an elected Senate and Legislature will be installed. Their responsibility is clear: To answer the desires of the South Vietnamese people for self-determination and for peace, for an attack on corruption, for economic development, and for social justice.28

This political analysis was important because it demonstrated that, with our help, self-determination was being achieved by the people of South Vietnam. The President then moved into an analysis of the military situation. His evaluation was optimistic, but he also acknowledged the mounting American casualties:

Since our commitment of major forces in July 1965 the proportion of the population living under Communist control has been reduced to well under 20 percent. Tonight the secure proportion

27 Ibid.
28 Ibid.
of the population has grown from about 45 percent to 65 percent—and in the congested areas, the tide continues to run with us.

But the struggle remains hard. The South Vietnamese have suffered severely, as we have—particularly in the First Corps area in the north, where the enemy has mounted his heaviest attacks, and where his lines of communication to North Vietnam are shortest. Our casualties in the war have reached about 13,500 killed in action, and about 85,000 wounded, we thank God that 79,000 of the 85,000 have returned, or will return to duty shortly. Thanks to our great American medical science and the helicopter.29

Having discussed the political and military situation in Vietnam, both of which he considered favorable, the President posed another question which many troubled Americans had actually asked him: "Why not negotiate now [for peace]?"30 Johnson again answered the question by noting that both the United States and South Vietnam were ready for immediate negotiation and that despite Hanoi's refusal to settle this matter in the United Nations, we had repeatedly informed Hanoi of our willingness to settle the conflict by means of peaceful negotiation.31

This passage starts the final section of the body of the speech which will concern itself with the theme of peace. This issue—peace—will be considered from many aspects. The President had first stated his persistent efforts to negotiate with Hanoi. One of the major questions about Vietnam policy was the matter of the cessation of American bombing of North Vietnam. Johnson wanted to use this cessation as a


30 Ibid.

31 Ibid.
trump card in the maneuvers for negotiation. His policy was, "We are willing to stop the bombing if it will bring meaningful negotiations with the enemy." The North Vietnamese took the position that when the United States first stopped all bombing of their country, then and only then would they discuss the question of peace negotiations. The President explained this impasse as follows:

As we have told Hanoi time and time again, the heart of the matter is really this: The United States is willing to stop all aerial and naval bombardment of North Vietnam when this will lead promptly to productive discussions. We, of course, assume that while discussions proceed, North Vietnam would not take advantage of the bombing cessation or limitation.

But Hanoi has not accepted any of these proposals. So it is by Hanoi's choice—and not ours, and not the rest of the world's—that the war continues.32

Again proceeding with his rhetorical pattern of question and answer, Johnson shifted to a new point of analysis and asked his listeners why the enemy remained so persistent in continuing the war.33 In response to his latest question, the President presented an analysis of the Hanoi psychology in conducting this war. In the light of later events, this explanation of the Communist rationale would appear to be quite an accurate one, although Johnson's affirmation that they had misjudged our determination is debatable. His explanation of Hanoi's persistence in their attack upon South Vietnam included the following analyses:

32 Ibid.
33 Ibid.
A visitor from a Communist capital had this to say: "They expect the war to be long, and that the Americans in the end will be defeated by a breakdown in morale, fatigue, and psychological factors." The Premier of North Vietnam said as far back as 1962: "Americans do not like long, inconclusive war. . . . Thus we are sure to win in the end."

Are the North Vietnamese right about us? I think not. I think they are wrong.

Thus the President has offered a certain challenge to his fellow Americans not to be outlasted in the conflict. It is important to remember that Johnson was speaking before the Communist Tet offensive of February 1968. This and subsequent events were greatly to increase popular dissent against the war throughout America. Indeed, Johnson's self-vindication may ultimately stand or fall on the accuracy of his analysis in this section of his speech. For if Americans see the war through to a satisfactory conclusion, that is to say, until Vietnamization allows United States forces to withdraw while a strong South Vietnamese army overcomes Communist aggression, history may well look favorably upon the decision of Lyndon B. Johnson to take a firm stand in Vietnam. On the other hand, if, because of dissent, fatigue, national policy, or any other motive, Americans decide to withdraw from Vietnam in such a way that a Communist takeover soon follows, then no man will take greater blame for the disaster and debacle than the President who escalated our involvement in that war, Lyndon B. Johnson.

These statements are made in the light of years of events subsequent to the Johnson San Antonio speech. At that time, the President
vigorously affirmed that America would see a difficult war through to a satisfactory conclusion, a statement which still may prove accurate. He stated that totalitarian regimes misunderstood what democracy was all about:

- They mistake dissent for disloyalty.
- They mistake restlessness for a rejection of policy.
- They mistake a few committees for a country.
- They misjudge individual speeches for public policy.\(^{35}\)

Johnson added that like the Nazi and Stalinist propagandists, the enemy will finally learn the true qualities and perseverance of Americans. He cited previous examples—in Greece, Turkey, Berlin, Korea and Cuba—of the American people's determination to resist Communism.\(^{36}\) The President then praised the bravery of the American fighting men and estimated that far more serious consequences might have resulted had we not met this Communist challenge.\(^{37}\)

The conclusion of the speech highlighted the theme of peace. Johnson had done a certain amount of saber rattling in affirming the American determination to see the war through to an end. He took pains in his ending to reaffirm America's desire for peace. The President used argument from authority to confirm the point that the lasting peace we desire cannot be achieved by either appeasement or by war-

\(^{35}\)Ibid., p. 880.

\(^{36}\)Ibid.

\(^{37}\)Ibid.
And peace cannot be secured by wishes; peace cannot be preserved by noble words and pure intentions. "Enduring peace," Franklin D. Roosevelt said, "cannot be bought at the cost of other people's freedom."

The late President Kennedy put it precisely in November, 1961, when he said: "We are neither warmongers nor appeasers, neither hard nor soft. We are Americans determined to defend the frontiers of freedom by an honorable peace if peace is possible but by arms if arms are used against us."38

The President set in contrast those who would achieve the peace by a quick withdrawal and those whom he considered the real keepers of the peace, the brave men confronting the enemy in South Vietnam to preserve the freedom of that nation.39

The conclusion has an interesting blend of two ideas which seem to be in conflict: determination in the war vs. eagerness for peace. Johnson's point was that the real peacemaker is the man who will stand firm and confront aggression, not with appeasement, but with determination. Indeed, this was the code of conduct Johnson had chosen for himself. A major aspect of his vindication depends upon one accepting the argument that resisting Communist aggression now will be the best assurance of a true and lasting peace later. In conclusion, Johnson stressed two goals:

Two things we must do. Two things we shall do.
First, we must not mislead the enemy. Let him not think that

38 Ibid.
39 Ibid.
debate and dissent will produce wavering and withdrawal. For I can assure you that they won't. Let him not think that protests will produce surrender. Because they won't. Let him not think that he will wait us out. For he won't.
Second, we will provide all that our brave men require to do the job that must be done. And that job is going to be done.

This passage—very close to the end—clearly exemplifies Johnson's determination on the Vietnam issue. It is important to realize that the President has done more than inform in his speech. He has also tried to rally Americans to the cause of the Vietnam war. He confronted the rationale of the dissenters with a rationale of his own and a plea, not for withdrawal, but for a determination to see things through. Johnson himself certainly wanted peace in the world, but he viewed those trudging through the jungles and hillsides of Vietnam as the real peacemakers, for their courage would be the decisive deterrence to Communist aggression and provide the basis for a lasting peace:

These gallant men have our prayers—have our thanks—have our heart-felt praise—and our deepest gratitude.
Let the world know that the keepers of peace will endure through every trial—and that with the full backing of their countrymen, they are going to prevail.

In summary of the Johnson techniques and strategies, we should note two which are outstanding:

1. Seven times the President stated a question or questions which set the stage for the ideas which he wished to develop concerning Viet-

\[\text{Ibid., pp. 880-881.}\]
\[\text{Ibid., pp. 880-881.}\]
This is not exactly a use of rhetorical question for the answers were not so obvious. The President posed difficult and penetrating questions about the Vietnam war and then answered them himself.

2. Argument from authority is relied upon heavily in the first half of the speech. Johnson presented a battery of eleven authorities to establish the importance of Vietnam and to justify our involvement there. He cited two acts of Congress, statements of the two previous Presidents, and leaders of seven nations in the Vietnam and Pacific area. This passage will prove to be one of the clearest and most sustained uses of argument from authority cited in this dissertation.

Much of Johnson's vindication depended upon a successful explanation of why the United States became involved in a war so far from home. In responding to this vital question, the President appealed to the principle of the political self-determination of peoples as the proper method of deciding a nation's leaders and method of government. Secondly, Johnson tried to demonstrate that Vietnam was an issue which ultimately was of concern to the security of the United States and the rest of the free world. He expressed his conviction that by taking a stand there, the chances of a far greater war were diminished.\footnote{Ibid., p. 878.}

The second half of the speech dealt with two other important issues: progress in the war and prospects for peace. Johnson noted that a democratically elected government would soon take office and again mentioned the important term "self-determination" in the political
sphere. Militarily speaking, the President also cited progress while acknowledging the harsh fact that thus far 13,500 Americans had been killed in action.  

No Vietnam issue was of more interest and hope to Americans than the prospects for negotiated peace. Responding to his own question, the President assured his audience that the United States and South Vietnam were ready for immediate negotiation. This willingness to negotiate helped the Johnson image, but a vital aspect of such prospects for peace centered around the cessation of aerial bombardment of North Vietnam. Johnson affirmed that he was ready to "Stop the Bombing!" as soon as meaningful negotiations would result from this. He attributed the delay in negotiations to the intransigency of the enemy. The President stated his own conviction that, despite dissent, the country as a whole would see things through in a successful conclusion. This, of course, came to grips with one of Johnson's biggest problems: the apparent endlessness of the war and the consequent lowering of American morale. Johnson's approach in this section could be considered a call for fortitude amid his own sincere efforts for honorable negotiations.

Towards the end of his speech, the President developed the theme of peace. The very concept of peace, with its illusiveness in the practical order of things, contained a certain magic for war-weary Americans. Johnson linked the achievement of this peace with the efforts of the brave men fighting Communist aggression in South Vietnam. Repeating his

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43 Ibid.
44 Ibid., p. 879.
45 Ibid.
intention to stand firm and praising the efforts of the American fighting man, the President ended his speech.

III. Results and Conclusion

The President received a favorable reception from his immediate audience which interrupted him six times for applause. The strongest show of approval came after his statement that he would rather take a firm stand now than risk a greater war later. A small group of demonstrators were on hand as the President drove away from the hall.

Editorial content was not so favorable to the President as his immediate audience. The editorial in the Washington Post saw little hope for prompt negotiation and seemed to find some of the issues in the speech to be irrelevant:

The situation is so gloomy that the President, if he spoke in complete candor, might well have acknowledged that there are no grounds at all on which to anticipate negotiations. The President's claims of progress, although modest enough, were being gainsaid, as he spoke, at Con Thien where the latest battle rages and in Saigon where political events are alarming.

Much of the President's address reworked the old debate and disagreement over how we got committed to South Vietnam. It had little bearing on the crisis that now confronts us. The President and his critics alike might well put this stale controversy to rest and address themselves wholly to future policy.
The Washington Post seems to be suggesting that "whatever the cause of the war, let us end it by negotiation." The President might well respond that in rallying support for his policies, it was essential to inform the people of why we had become involved in Vietnam at all and why the war itself was of great concern to the United States and other friendly nations.

Certainly there was great national interest in a negotiated peace. One of the key issues was whether Hanoi should first promise to negotiate before we stopped the bombing. The New York Times found in Johnson's speech a greater willingness to stop the bombing without antecedent concessions from Hanoi. It urged an immediate halt of the bombing in an editorial entitled "A Risk Worth Taking":

In his San Antonio speech this weekend President Johnson has come to the very edge of a declaration of United States willingness to halt the bombing of North Vietnam without any specific advanced commitments by Hanoi. We believe that the logic of all the military, diplomatic and domestic considerations that have brought the President to this point should impel him to go the rest of the way toward ordering a cessation of the bombing now.

The risks involved in taking the necessary first step of a bombing pause are less than those that attend continued escalation. The greater danger of the global war of which Mr. Johnson warned so graphically lies in the steady expansion of the Vietnamese fighting. A bombing pause offers most hope of movement on both sides to cut down the scale of conflict and of casualties.  

The St. Louis Post-Dispatch had the following negative comments, concluding with a slight note of optimism:

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50 Editorial, New York Times, October 1, 1967, sec. 4, p. 1ZE.
President Johnson's defense of his Vietnam war policy, undertaken in an effort to stem a rising tide of opposition throughout the country, was in its entirety a restatement of a position already defined many times, one in which the Administration seems frozen solid. There was a dismaying lack of new ideas, and at any attempt at a statesmanlike appraisal that could lead to an end of hostilities.

In the broadcast talk from San Antonio, the Chief Executive seemed tense and a little shrill. He marshalled all the arguments he could assemble to bolster his position, even to resurrecting Gen. Eisenhower's discredited theory of the fallen dominoes. He reached the conclusion that the security of the United States may well depend on what happens in Vietnam.

We strongly doubt whether many Americans will be persuaded, when the situation is viewed in perspective, that a tiny backward country 10,000 miles away is in reality quite so crucial to the safety of the world's greatest military power as the President stated.

Nevertheless, one may properly look for hopeful signs. The fact that Mr. Johnson deemed it necessary to speak to the country indicates those who insist on genuine attempts to negotiate a settlement are gaining ground. And there is the possibility that the attitude of the Administration is not really so harsh, rigid and sterile as Mr. Johnson made it seem; we can only hope this is the case.

The Eisenhower domino theory, referred to in the editorial, stated that like dominoes standing in a line, neighboring countries in Southeast Asia would also topple if South Vietnam—the first domino—were to fall to Communist aggression. Although the editorial calls this a "discredited theory," a re-examination of the President's direct quotations from Messrs. Marcos of the Philippines, Holt of Australia, and Lee of Singapore, all express the opinion that the analogy of the domino theory is quite legitimate indeed when applied to Southeast Asia.

51 Editorial, St. Louis Post-Dispatch, October 1, 1967, p. 2C.

52 As recently as the summer of 1970, President Nixon reaffirmed his own belief that the domino theory was a legitimate analogy concerning Southeast Asia. He refuted the critics of the theory by stating that "They haven't talked to the dominoes." See U.S. News & World Report, July 13, 1970, p. 47.
Nevertheless, the previously quoted editorials are a good indication of the increasing feeling of national dissent against the Vietnam war. The Washington Post noted that "Mr. Johnson chose to speak out on his Vietnam policies here at a time when they have come under sharp political attack at home and at a time of increasingly strong international pressure for a settlement of the conflict." With the Tet offensive of February 1968, dissent with administration policy would become even greater.

We must realize that President Johnson's conduct and decisions regarding Vietnam cannot be vindicated or repudiated on the basis of one speech alone. The San Antonio effort was one part of a long campaign. Even today, Americans differ greatly on the justice of the Vietnam war and on Johnson's wisdom in escalating the United States' involvement in that war. Just as the eventual result of the Vietnam war is shrouded in uncertainty, so too is history's judgment of Lyndon B. Johnson regarding the most controversial decision of his presidency: to stand firm in Vietnam.

"LETTER FROM BIRMINGHAM JAIL"

by

Reverend Martin Luther King, Jr.

I. The Exigency

It was in December, 1955 that Reverend Martin Luther King began his first nonviolent, direct-action civil rights campaign in Montgomery, Alabama. The following year, Montgomery's law on segregated buses was declared unconstitutional. Later, King would lend his support to Freedom Rides aimed at further bus desegregation and to a civil rights campaign in Albany, Georgia. The next target of the fight against segregation was Birmingham, Alabama where, in 1962, the Reverend Fred Shuttlesworth had already begun the battle for black civil rights. The start of the all-out campaign was postponed by black leaders until after a runoff election for Mayor of Birmingham. The delay proved wise when the more

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2 Ibid., p. 132.

3 For a summary of King's pre-Birmingham civil rights activities, see Coretta Scott King, My Life with Martin Luther King, Jr. (New York: Holt, Rinehart and Winston, 1969), pp. 185-217.


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moderate candidate, Albert Boutwell, defeated Eugene (Bull) Connor and was elected mayor on April 2, 1963. On the following day, Rev. King and other black leaders commenced their direct-action civil rights campaign in Birmingham. The project was not as well received as some previous civil rights actions, partially because it had begun without giving the new administration in Birmingham any time to prove its good intentions. King described the immediate reaction to the start of the campaign as follows:

Another consideration had also affected the thinking of some of the Negro leaders in Birmingham. This was the widespread feeling that our action was ill-timed, and that we should have given the new Boutwell government a chance. Attorney General Robert Kennedy had been one of the first to voice this criticism. The Washington Post, which covered Birmingham from the first day of our demonstrations, had editorially attacked our "timing." In fact, virtually all the coverage in the national press at first had been negative, picturing us as irresponsible hotheads who had plunged into a situation just when Birmingham was getting ready to change overnight into Paradise. The sudden emergence of our protest seemed to give the lie to this vision.

Thus, King was facing some opposition even within the local black community. The Reverend's wife, Coretta Scott King, further described this situation:

In Birmingham, Martin found some resistance to SCLC's program in the black community itself. Under the system of complete segregation, this attitude was not uncommon. There were several reasons. One was that the black masses had been brainwashed into accepting the idea that it was impossible to fight the system. The second

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5 Ibid., pp. 49-53.
6 Ibid., p. 63.
was that a few of the Birmingham Negro leaders felt the timing was poor—that the new Boutwell government should be given a chance. Also there was slight resentment among local leaders of "outsiders" running the show. Martin spoke to meeting after meeting to counter these objections.

To terminate the black movement, city leaders obtained a court injunction against further demonstrations. After deep soul-searching, King decided that he himself, with his loyal assistant Reverend Ralph Abernathy, would lead the civil disobedience against the injunctions and willingly go to jail if arrested by the police force led by Safety Commissioner Bull Connor. The date decided upon for the march, April 12, 1963, was also Good Friday. The anticipated climax to events was soon to follow:

Leaving the church, where we were joined by the rest of our group of fifty, we started down the forbidden streets that lead to the downtown sector. It was a beautiful march. We were allowed to walk farther than the police had ever permitted before. We walked for seven or eight blocks. All along the way Negroes lined the streets. We were singing, and they were joining in. Occasionally the singing from the sidewalks was interspersed with bursts of applause.

As we neared the downtown area, Bull Connor ordered his men to arrest us. Ralph and I were hauled off by two muscular policemen, clutching the backs of our shirts in handfuls. All the others were promptly arrested. In jail Ralph and I were separated from everyone else, and later from each other.

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7Coretta Scott King, op. cit., p. 221.
8Ibid., p. 222.
9Ibid., p. 223.
10King, Why We Can't Wait, pp. 69-70.
11Ibid., p. 72.
This imprisonment set the scene for King's "Letter from Birmingham Jail." While in prison, King was to endure not only the loneliness of isolation but also doubts concerning the effectiveness of his efforts. He remained in solitary confinement for more than twenty-four hours.\(^{12}\) Besides his own isolation and frustration, King was greatly concerned about the welfare of his companions in the demonstrations and the morale of the whole black community.

Mrs. King, uncertain of the fate of her husband, had tried to contact President John F. Kennedy.\(^{13}\) Conditions did improve for King, but he still sat in jail where he remained for eight days until released on bond.\(^{14}\) During this period, a group of eight white Alabama clergymen had released a statement criticizing King's actions as "untimely" and reviving the charge that he was an "outsider."\(^{15}\) They also showed concern about a quite legitimate issue: King's apparent willingness to

\(^{12}\)Ibid., pp. 72-73.

\(^{13}\)Despite the criticism mentioned above (footnote 6), the Kings and the Kennedys were already friendly. In Why We Can't Wait, p. 74, King writes:

On the day following our jailing in Birmingham, she [Mrs. King] decided she must do something. Remembering the call that John Kennedy had made to her in the 1960 election campaign, she placed a call to the President. Within a few minutes, his brother, Attorney General Robert Kennedy, phoned back. She told him that she had learned I was in solitary confinement and was afraid for my safety. The Attorney General promised to do everything he could to have my situation eased.

The contact between these three men--King and the two Kennedy brothers--during these Birmingham events has historical irony. Within six years, all three would be assassinated.

\(^{14}\)King, Why We Can't Wait, p. 1011

\(^{15}\)Coretta Scott King, op. cit., p. 228.
break the law when it suited his purposes. The eight clergymen were not the only ones expressing criticisms of this sort about King's involvement in the Birmingham situation and the tactics of his campaign. In responding from his prison cell to their statement, King wrote an open letter. Though he directly addressed the clergymen throughout the letter, this message was actually meant for all Americans. It was an attempt by King to vindicate both his involvement in the Birmingham civil rights movement and the tactics he used in his fight for black civil rights. The clergymen had formally expressed doubts and criticisms of many citizens, not all of whom could be called bigots or segregationists. From a cell in Birmingham Jail, King attempted to explain and justify his actions to his fellow clergymen and to all Americans.

II. Strategies and Techniques

King's letter was dated April 16, 1963 and the salutation was "My Dear Fellow Clergymen." Admitting that he was usually too busy to reply to all his critics, the writer said that in the case of this public criticism by fellow clerics, "I want to try to answer your state-

16 King, Why We Can't Wait, p. 84. On pp. 77-78, King identifies clergymen as Bishop C.C. Carpenter, Bishop Joseph A. Durick, Rabbi Hilton L. Graffman, Bishop Paul Hardin, Bishop Holan B. Harmon, the Reverend George M. Murray, the Reverend Edward V. Ramage and the Reverend Earl Stallings. This list included representatives of the Catholic, Protestant and Jewish faiths. See New York Times, April 14, 1963, p. 46.

17 King, Why We Can't Wait, p. 77. King's letter covers Chapter 5, pp. 77-100.
The phrase "patient and reasonable terms" was, actually, a key to the rhetorical effectiveness of the long letter which followed. Much of King's persuasiveness depended upon his ethical appeal. This ethos was combined and interrelated with logos, i.e., an appeal to right reason. Not only did King present a reasoned explanation of his conduct and the principles underlying his actions, but he utilized a compelling manner which proved to be vital to his gaining a fair hearing. His was not the rhetoric of bitterness, of threat, of incessant complaining, or hatred for the oppressor. Indeed, had King utilized this type of approach, however devastating his rebuttal, he might have engendered similar feelings in at least a part of the white community to whom he addressed his message. Instead of this, he chose to reveal a prevailing mood of patience and charity which set a certain atmosphere in which King could attempt a frank dialogue. Even in expressing disappointment, the writer never lost his dream of a better future, his insistence on a nonviolent approach, his sincere willingness to forgive his opponents whatever their prejudices or acts of injustice. This readiness of King for reconciliation was the key to the effectiveness of his appeal to right reason. For in presenting a pre-eminently reasonable explanation of the black civil rights movement and his own participation in these activities, he managed to assume the image of a conciliator rather than an embittered agitator.

An important part of the rhetorical situation facing King was

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18 Ibid.
the fact that eight Alabamian clergymen had criticized him as an "outsider," who should not involve himself in the affairs of Birmingham. After his introductory paragraph, King directly confronted this issue by stating that "I think I should indicate why I am here in Birmingham, . . ." This is an important point to which King responded at length. He first noted that he was the president of the Southern Christian Leadership Conference and in this capacity he had been invited to Birmingham. But his involvement was rooted in something far more basic. Comparing himself with the Old Testament prophets and the Apostle Paul, King stated that he was compelled to spread the message of freedom and to aid his brothers in need. Thirdly, the writer noted that there is an interrelationship between communities and that an American should not be considered an "outside agitator" when he moves about anywhere in the United States to help fellow Americans.

With these three reasons, King justified his presence in Birmingham. An additional point should be noted here. For the first time, King used a technique which would be frequently repeated in his letter: argument from example. He compared himself to the prophets of the Old Testament and to Paul of Tarsus. In making this rather daring comparison with Paul, the pre-eminent Christian missionary, King sought to avoid any appearance of arrogance or braggadocio. Such techniques of argument, based upon example and analogy, were repeated often by the

19 Ibid., p. 78.
20 Ibid., p. 77.
21 Ibid., pp. 78-79.
Finally, we should note King's use of the phrase "nonviolent direct-action" to describe his methods. Though violence had often erupted in the black struggle for civil rights, King himself always remained firmly committed to the method of nonviolence. Direct-action, as he viewed it, might include sit-ins, marches, or demonstrations, but under no circumstances should violence be condoned.

The writer's next major concern was placing events in proper perspective. Because the clergymen had deplored the recent racial demonstrations, King responded that "it is unfortunate that demonstrations are taking place in Birmingham, but it is even more unfortunate that the city's white power structure left the Negro community with no alternative."  

First the writer set the scene for the current state of affairs. In explaining why the members of the black community have resorted to demonstrations to gain correction of the injustices perpetrated against them, King wrote:

There can be no gainsaying the fact that racial injustice engulfs this community. Birmingham is probably the most thoroughly segregated city in the United States. Its ugly record of brutality is widely known. Negroes have experienced grossly unjust treatment in

22 Ibid., p. 78. To fully understand the importance of a nonviolent method to Martin Luther King, one must read more than merely his "Letter from Birmingham Jail." The following books by Rev. King would better clarify his position on this vital issue:
1. Why We Can't Wait;
2. Stride Toward Freedom: The Montgomery Story;

23 King, Why We Can't Wait, p. 79.
the courts. There have been more unsolved bombings of Negro homes and churches in Birmingham than in any other city in the nation. These are the hard, brutal facts of the case. On the basis of these conditions, Negro leaders sought to negotiate with the city fathers. But the latter consistently refused to engage in good-faith negotiation.

Without apology, King charged that serious injustice did exist in Birmingham and that the leaders of the white community had refused to negotiate. The blacks, he noted, had actually dialogued with white leaders the previous year, but found themselves the victims of false promises which then required further direct-action by the black community.

The clergymen who had criticized King had proposed negotiation as a better means than direct-action. The writer then agreed with his critics that negotiation was desirable but explained why a direct-action program by the blacks constituted a necessary means to that end:

You may well ask: "Why direct action? Why sit-ins, marches and so forth? Isn't negotiation a better path?" You are quite right in calling for negotiation. Indeed, this is the very purpose of direct action. Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. My citing the creation of tension as part of the work of the nonviolent-resister may sound rather shocking. But I must confess that I am not afraid of the word "tension." I have earnestly opposed violent tension but there is a type of constructive, nonviolent tension which is necessary for growth.

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24 Ibid., pp. 79-80.
25 Ibid., p. 80.
26 Ibid., p. 81.
In developing a logic, a rationale, for his own tactics in the civil rights movement, King first summarized existing injustices to the black community. After attempts at negotiation failed, he explained, the blacks only then resorted to a direct-action program, not as an end in itself, but as a means to force meaningful negotiation with the white community. Thus, King could use the strategy of agreeing with the very suggestion of his critics: that meaningful negotiation between the leaders of the black and white communities was the best way to solve Birmingham's problems.

Another major objection to King's campaign was the belief that he pushed too hard, too fast. His direct-action program had begun immediately after the election of Albert Boutwell as Mayor of Birmingham. King's actions thus were called untimely and it was said that he should have given the new administration a chance. The writer responded by noting that although he did consider Mr. Boutwell more gentle than Mr. Connor, both were segregationists. Therefore, King observed, continued nonviolent pressure had to be exerted by the black community:

We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have yet to engage in a direct-action campaign that was "well timed" in the view of those who have not suffered unduly from the disease of segregation. For years now I have heard the word "Wait!" It rings in the ear of every Negro with piercing familiarity. This "Wait" has almost meant "Never." We must come to see, with one of our distinguished jurists, that "justice too long delayed is justice denied."27

27Ibid., pp. 82-83.
In responding to the charge that his actions were untimely and precipitous, King pointed out that all his policies have been criticized by those who accept the racial injustices of the status quo. As for the newly elected mayor, the writer felt that nonviolent pressure was essential before Mr. Boutwell would accept real desegregation for Birmingham.

King had a further response to those who urged him to "Wait, wait, wait." In a vivid series of word pictures—argument from example—King attempted to capture the frustration, humiliation, anger, and despair of black people who could no longer accept the philosophy of "Wait" amid the injustices they experienced daily in the United States. He recalled lynch mobs, policemen resorting to violence, ghetto poverty, segregated amusement parks, and the pain of seeing a sense of inferiority first enter a black child's mind after perceiving discrimination.

Recalling these and a series of other examples of blacks being treated as inferiors, King concluded his description of prolonged racial injustice by stating:

There comes a time when the cup of endurance runs over, and men are no longer willing to be plunged into the abyss of despair. I hope, sir, you can understand our legitimate and unavoidable impatience.

No section of "Letter from Birmingham Jail" contains a more moving indictment of the status quo. King's words are a fascinating combination of emotional and logical appeal. The richness of his word choice by stating:
pictures create a scene which is emotionally moving and upsetting. But he relied on logos, as well as pathos, to make a fair-minded reader reflect that "This is wrong!" The logical foundation he sought to establish buttressed King's emotional appeal by creating a rationale which appealed to justice and argued that no American should be victimized by such unfair treatment.

One of the most controversial aspects of King's civil rights campaigns was the fact that, at times, he and his followers deliberately violated the law. It could be argued against him, therefore, that such a policy of habitual law breaking should be promptly condemned before America falls into a state of anarchy. Indeed, this was a serious objection and many white moderates, sincerely interested in racial justice, could be genuinely concerned about the apparent willingness of the black civil rights leaders to disregard the law of the land. The question facing King was concerned with the possible choice of a bad means for a good end. In responding to this serious objection, King basically relied upon the important distinction between just and unjust laws. The writer acknowledged his obligation to obey a law which was just. But he also cited the doctrine of St. Augustine which denied an obligation to obey when the law was unjust. The validity of this distinction is admittedly somewhat illusory and King promptly explained at greater length the question of just and unjust laws:

How does one determine whether a law is just or unjust? A just law is a man-made code that squares with the moral law or the Law of God. An unjust law is a code that is out of harmony with the moral law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation
statutes are unjust because segregation distorts the soul and damages the personality. . . . Thus it is that I can urge men to obey the 1954 decision of the Supreme Court, for it is morally right; and I can urge them to disobey segregation ordinances, for they are morally wrong.29

A little later, King refined this doctrine even further by distinguishing between a just law and its unjust application. He cited the example of requiring a permit to hold a parade. The writer admitted the justice of such a regulation but affirmed that injustice could arise in its application. This would be the case if the law were used as a means to defend and uphold racial discrimination and injustice.30

Scarcely any criticism against King could gain more support from fair-minded citizens of either race than a well-stated attack on this issue of law breaking. He acknowledged this as a serious issue and explained his position at length. In the following passage, note how the writer insisted that his position, when properly understood, was one which maintained a high regard for the law:

I hope you are able to see the distinction I am trying to point out. In no sense do I advocate evading or defying the law, as would the rabid segregationist. That would lead to anarchy. One who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. I submit that an individual who breaks the law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.31

29 Ibid., pp. 84-85.

30 Ibid., p. 86.

31 Ibid.
The King rationale may be restated in this way: "Whenever we have broken the law of the land in our direct-action program, we did so because we felt that the law was unjust in itself or in its application. Our violations were done nonviolently and we willingly accepted the legal penalties of our actions. But we should not be condemned for calling the attention of the community and the nation to the injustice of certain laws. It is only in this way that the conscience of the American people will be aroused to demand and achieve true civil and social justice for all our citizens."

While King maintained a simple style of expression, the doctrines he expounded delved deeply into the ethical principles to which he appealed in his plea for racial justice. Next the writer reinforced his analysis of justified civil disobedience by argument from example. He cited the Old Testament story of Shadrach, Meshach, and Abednego who refused to violate the law of God by submitting to Nebuchadnezzar. He noted that the early Christians faced roaring lions rather than yield to unjust Roman laws. Socrates' independence of action was mentioned. King concluded with the example of massive civil disobedience at the Boston Tea Party.32

With these examples, King set a precedent for men of principle refusing to obey an unjust civil law they felt was in violation of more basic rights or obligations. The writer also added that in more recent times, he would have aided the Jews persecuted by Hitler or resisted

32Ibid., pp. 86-87.
certain antireligious laws in Communist countries.  

This section proved to be a good illustration of King's inclination to use argument from example as a rhetorical strategy. In the space of two paragraphs, he cited six examples confirming his own viewpoint on legitimate civil disobedience.

The writer next shifted to another major line of analysis which provided the main material for the rest of his letter. Addressing the clergymen to whom he was writing as "my Christian and Jewish brothers," King at this point confessed two disappointments on his part with the white community. This could perhaps be considered a counterattack against his critics, yet the writer's deliberate gentleness of style and forbearance of manner removed any sting of bitterness from his statements and continued to render his message more palatable than if he had manifested an open hostility. First, King expressed his disappointment at the so-called white moderate, who stood on the fringe of the civil rights conflict reluctant to get involved, even though he might admit the justice of the black men's claims. The letter stated this disillusionment with such people as follows:

I have almost reached the regrettable conclusion that the Negro's great stumbling block in his stride toward freedom is not the White Citizen's Councilor or the Ku Klux Klanner, but the white moderate, who is more devoted to "order" than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice; who constantly says: "I agree with you in the goal you seek, but I cannot agree with your methods of direct action"; ... Shallow understanding from people of good will is more frustrating than absolute mis-

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\[33\] Ibid., p. 87.
\[34\] Ibid.
understanding from people of ill will. Lukewarm acceptance is much more bewildering than outright rejection. 35

King knew that much of the anxiety of the white moderate centered around the community tensions created by black demonstrations, particularly when physical violence had erupted in the context of black protest and civil disobedience. Referring to this question of tension within the community, the writer explained that rather than creating tension, black activists were actually highlighting a state of hidden tension which already existed. To call attention to this national sickness was necessary, King argued, in order that a cure might be provided for the illness. 36

Moving on from local community tension to the more serious matter of racial violence, King again resorted to argument from example to question the real cause of the violence, the real culprit in these unfortunate events:

In your statement you assert that our actions, even though peaceful, must be condemned because they precipitate violence. But is this a logical assertion? Isn’t this like condemning a robbed man because his possession of money precipitated the evil act of robbery? . . . . We must come to see that as the federal courts have consistently affirmed, it is wrong to urge an individual to cease his efforts to gain his basic constitutional rights because the quest may precipitate violence. Society must protect the robbed and punish the robber. 37

King continued his analysis of why he was disappointed in the
white moderate. They have a bent of conscience, he argued, which stands in silence when witnessing injustice as well as a philosophy of mind which suggests that all will be well if we but wait until tomorrow. But King noted, racial justice was not inevitable, but rather it required hard effort. Now was the time to accept the challenge of achieving true brotherhood; now was the time to end racial injustice.\textsuperscript{38}

Next King discussed the charge that he was an extremist. As part of his rhetorical strategy, he first denied the accusation and then, deliberately, but as if by second thought, condoned extremism in a cause that was right and just. The writer initially pointed out that his nonviolent direct-action program was a necessary outlet for the frustration and long-repressed fury of the black man which, if ignored, could readily explode into a far worse conflagration led by genuine extremists:

If this [nonviolent] philosophy had not emerged, by now many streets of the South would, I am convinced, be flowing with blood. And I am further convinced that if our white brothers dismiss as "rabble-rousers" and "outside agitators" those of us who employ nonviolent direct action, and if they refuse to support our nonviolent efforts, millions of Negroes will, out of frustration and despair, seek solace and security in black-nationalist ideologies—a development that would inevitably lead to a frightening racial nightmare.\textsuperscript{39}

Reflecting further on the question, King considered within himself whether or not it is always wrong to be an extremist. In a rapid

\textsuperscript{38}Ibid., pp. 89-90.

\textsuperscript{39}Ibid., p. 91.
succession of short examples, he demonstrated his belief that extremism is not necessarily and always wrong. After naming a number of men whom he considered legitimate extremists, King concluded his argument from example with this point: "So the question is not whether we will be extremists, but what kind of extremists we will be. Will we be extremists for hate or for love?"^h0

That the character of King was one of the sources of his persuasiveness seems clear. His rhetoric presented the image of a man who could criticize without hating, grieve and rebuke while still offering forgiveness. America's racial problem was dreary but not hopeless for King. His optimism led him to reject the view that nothing good could be found to say about white men. In concluding his expression of disappointment with the white moderate, King could still manage a note of hope and a word of gratitude. He thanked those white brothers who had devoted themselves to the cause of racial equality. Some of them were mentioned by name, but King was grateful to all whites who had committed themselves, who had refused merely to stand on the sidelines in the fight for racial justice.\textsuperscript{h1}

King had stated that he would make "two honest confessions" in this open letter to his white brothers. Having prodded the white moderate to a greater sense of commitment to racial justice in America, he then made a second confession that "I have been so greatly disappointed with the white church and its leadership."^h2 It is helpful here to recall

\textsuperscript{h0} Ibid., p. 92.
\textsuperscript{h1} Ibid., p. 93.
\textsuperscript{h2} Ibid.
that King's open letter was addressed to eight white clergymen representing Catholic, Protestant, and Jewish faiths. Once again, the writer refused to speak with utter pessimism for he could always find something to praise, even in a basically unsatisfactory situation:

I am not unmindful of the fact that each of you has taken some significant stands on this issue. I commend you, Reverend Stallings, for your Christian stand on this past Sunday, in welcoming Negroes to your worship service on a nonsegregated basis. I commend the Catholic leaders of this state for integrating Spring Hill College several years ago. I,

Despite modest gains, King had not received the amount of support he hoped for from the white clergymen. He cited two specific examples of insufficient support, the Montgomery bus boycott in 1955 and the current crisis situation in Birmingham:

When I was suddenly catapulted into the leadership of the bus boycott in Montgomery, Alabama, a few years ago, I felt we would be supported by the white church. I felt that the white ministers, priests and rabbis of the South would be among our strongest allies. Instead, some have been outright opponents, refusing to understand the freedom movement and misrepresenting its leaders; all too many others have been more cautious than courageous and have remained silent behind the anesthetizing security of stained-glass windows.

In spite of my shattered dreams, I came to Birmingham with the hope that the white religious leadership of this community would see the justice of our cause and, with deep moral concern, would serve as the channel through which our just grievances could reach the power structure. I had hoped that each of you would understand. But again I have been disappointed.

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Ibid.

Ibid., p. 94.
Just as King was hurt by the lukewarmness, the disinterest, the lack of involvement of the white moderate, he found the same utterly disconcerting attitude was often held by leaders and members of the white church. King explained his deeply troubled response to this reaction. Again, his remarks were tempered by the spiritual trademark of the man: a willingness to forgive injustice and to love all men:

I have traveled the length and breadth of Alabama, Mississippi and all the other southern states. On sweltering summer days and crisp autumn mornings I have looked at the South’s beautiful churches with their lofty spires pointing heavenward. I have beheld the impressive outlines of her massive religious-education buildings. Over and over I have found myself asking: What kind of people worship here? Who is their God? Where were their voices when the lips of Governor Barnett dripped with words of interposition and nullification? ... 

Yes, these questions are still in my mind. In deep disappointment I have wept over the laxity of the church. But be assured that my tears have been tears of love. There can be no deep disappointment where there is not deep love. 

King’s “shifting of gears”—his interchange of forceful castigation with gentle forgiveness and even a sincere hope for the future—was a prominent quality of his style. One must study the actual writings of King himself to understand fully the repetition and effectiveness of this rhetorical style. His anger was at injustice, not at his fellow men; his frustration never reached despair; his condemnations of the present were tempered by a sincere dream of better days to come.

45 Ibid., p. 95. It is interesting to compare this passage with the John F. Kennedy emphasis on separation of church and state. Here King is arguing that in certain civil and political situations, the church should very much become involved.
Let us consider one more example of this rhetorical technique—the shifting of mood and gears—which characterized King's rhetorical strategy. First he made an unflattering comparison between the commitment of the early Christians vs. the lukewarmness of the church today:

There was a time when the church was very powerful—in the time when the early Christians rejoiced at being deemed worthy to suffer for what they believed. In those days the church was not merely a thermometer that recorded the ideas and principles of popular opinion; it was a thermostat that transformed the mores of society.

Things are different now. So often the contemporary church is a weak, ineffectual voice with an uncertain sound. So often it is an archdefender of the status quo. Far from being disturbed by the presence of the church, the power structure of the average community is consoled by the church's silent—and often even vocal—sanction of things as they are.

Before any sense of pessimism could overwhelm the very white leaders he had been criticizing, King made his stylistic "shift of gears" in an effort to uplift the sadness of the situation with a note of hope:

But again I am thankful to God that some noble souls from the ranks of organized religion have broken loose from the paralyzing chains of conformity and joined us as active partners in the struggle for freedom. They have left their secure congregations and walked the streets of Albany, Georgia, with us. They have gone down the highways of the South on tortuous rides for freedom. Yes, they have gone to jail with us. . . . They have carved a tunnel of hope through the dark mountain of disappointment.

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46 Ibid., pp. 95-96.
47 Ibid., p. 97.
Having shifted to a mood of optimism in analyzing the white church, the writer continued his dream of better things to come by discussing the black community itself. With the help of God, he believed that nothing could stop their determined drive for racial justice. Just as the black man had triumphed over slavery, so too would he triumph in the present crises at Birmingham and around the nation.

Martin Luther King had almost finished his open letter, but before closing, he felt compelled to disagree specifically with that part of the white clergymen's public statement in which they had praised the Birmingham police force. King suggested that the clergymen would re-evaluate their words of praise had they witnessed police dogs biting unresisting Negroes and the mistreatment of blacks after they had been arrested during civil rights demonstrations. The writer concluded that "I cannot join you in praise of the Birmingham police department." 48

By way of contrast, King stated that he wished the clergymen had praised the demonstrators instead of the police in their public statement. Again we see the King technique of rapid short examples:

One day the South will recognize its real heroes. They will be the James Merediths, with the noble sense of purpose that enables them to face jeering and hostile mobs, and with the agonizing loneliness that characterizes the life of the pioneer. They will be old, oppressed, battered Negro women, symbolized in a seventy-two-year-old woman in Montgomery, Alabama, who rose up with a sense of dignity and with her people decided not to ride segregated buses, and who responded with ungrammatical profundity to


one who inquired about her weariness: "My feet is tired, but my soul is at rest." They will be the young high school and college students, the young ministers of the gospel and a host of their elders, courageously and nonviolently sitting in at lunch counters and willingly going to jail for conscience's sake.

King had now concluded his message. At times he was severe in reprimanding what he saw as injustice or lack of commitment. But true to character, King offered from his prison cell the olive branch of peace to his white brothers:

If I have said anything in this letter that overstates the truth and indicates an unreasonable impatience, I beg you to forgive me. If I have said anything that understates the truth and indicates my having a patience that allows me to settle for anything less than brotherhood, I beg God to forgive me.

I hope this letter finds you strong in the faith.

Having reconciled himself in brotherhood to those with whom he had verbally disagreed, King remained throughout his letter the irrepresible optimist, ever dreaming that his hope for peace and union among all men could still become a living reality. Whatever the differences, both real and imagined, between the races, King offered this vision for a better future:

Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear-drenched communities, and in some not too distant tomorrow the radiant stars of love and brotherhood will

50 Ibid., p. 99.
51 Ibid., p. 100.
shine over our great nation with all their scintillating beauty.\textsuperscript{52}

In summarizing "Letter from Birmingham Jail," it should be noted that a variety of techniques and strategies were used by King during his rather lengthy essay. One key insight in understanding the effectiveness of this message is to perceive the striking combination of ethical and logical appeal. King's documentation of racial injustice, of white indifference, of the psychological harm of discrimination, was a difficult message for the white community to accept. If the writer had used only recrimination, threat, and insult to convey the intensity of his feelings, he might well have begotten a similar response from many of those whom he admonished. But because King's criticisms were made within a context, a prevailing atmosphere of forgiveness and charity, he almost, as it were, shamed his adversaries and the disinterested into hearing him out. The man's forbearance and perennial optimism for the future belied the charge that he was merely a trouble maker and presented instead the image of a conciliator.

King defended himself against the accusations made against him and offered an explanation and rationale for what was probably the most serious matter of concern: his willingness at times to break the law. His attempted vindication centered around the distinction between a just and unjust law. King also noted that a just law can be unjustly applied. The letter has numerous examples of argument from example, often briefly stated and with several following in quick succession.

\textsuperscript{52}Ibid.
After a gentle criticism of white apathy, King concluded with a final call to his white brothers to join hands with him in working together to achieve racial justice and equality for all men.

III. Results and Conclusion

"Letter from Birmingham Jail" should be considered as only a part of an overall campaign. It is one of the most penetrating and reasonable statements of King on why the blacks' campaign for civil rights is right and just. But perhaps King's best vindication came not with his release from jail but in the success of his Birmingham activities. The black leaders had demanded negotiation on four major issues: desegregation of lunch counters and other facilities, better jobs for blacks, release of those arrested in demonstrations, and the formation of a biracial committee for further discussion of desegregation.\(^5\) Negotiation with the Senior Citizens Committee and city business leaders led to success less than a month after King had written his famous "Letter from Birmingham Jail." Coretta Scott King wrote:

On Friday, May 10, an agreement was announced. It was almost word for word an acceptance of the original demands of the Movement. The stores were to be desegregated, hiring of Negroes upgraded, charges dropped, and the Senior Citizens Committee or the Chamber of Commerce would meet regularly with black leaders to reconcile their differences.\(^5\)

\(^5\)Ibid., p. 109.

\(^5\)Coretta Scott King, op. cit., p. 231.
Even after his 1963 success in Birmingham, King was realistic enough to admit that his victory was not total. Almost two weeks after the Birmingham settlement, *Time* magazine noted the unsteady state of peace which prevailed in the city. There were immediate fears—soon to be confirmed—that racial tension and conflict would spread to other American cities. Though King always rejected violence as a means, he could still look with favor at the catalyst effect of the Birmingham victory. It promptly sparkplugged other actions elsewhere in the fight for desegregation and racial justice. Mrs. King summarized this reaction as follows:

My husband had written that Birmingham was the colossus of segregation; a victory there would radiate across the South, cracking the whole edifice of discrimination. And it happened as he had predicted. Within a few months, nearly one thousand cities were engulfed in the turmoil of change. . . . Nearly a million Negroes, with their white allies, had marched or otherwise demonstrated in the streets of hundreds of cities in that historic summer. By its end, thousands of public accommodations were wedged open and a new chapter in race relations was begun. . . .

Politically, as a result of the struggles there [Birmingham], President Kennedy reassessed the position of his Administration and decided to propose a civil-rights bill in 1963. It was eventually passed by Congress in 1964.

Robert E. Baker, writing in the *Washington Post*, had this analysis

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55 *King, Why We Can't Wait*, pp. 116-117.
The Birmingham accord which ended five weeks of Negro demonstrations is a real milestone for the civil rights movement in the South. It re-invigorated the nonviolent protest movement, lifted its leader, the Rev. Dr. Martin Luther King, Jr., to new prestige and set the scene for similar demonstrations elsewhere in the South.

Since the Montgomery bus boycott in 1955, the nonviolent protest movement under Dr. King has periodically picked up steam and then lost it.

He came into Birmingham this time with the failure of Albany, Ga. behind him. But he emerged with victory and prestige, firmly in the leadership not only of the liberal whites but of the Negro masses. 59

Expressing a similar view, the New York Times editorialized as follows after the May 10 settlement in Birmingham:

The Negro leaders have now succeeded in focusing national attention on the abuses to which Negroes have been subjected in this citadel of repression. The President has put the prestige of his office behind the satisfaction of their "justifiable needs." . . . . The nation will hope that the good beginning made in the present peace pact will ripen into a full recognition in Birmingham and the rest of Alabama of the need for equal treatment and equal opportunity, as guaranteed to all citizens by the constitution. 60

Much of the foreign press had also sided with the Birmingham blacks and condemned the brutality perpetrated against them. 61


course, any activity as controversial as the Birmingham campaign would bring criticism to the leaders of both sides. Malcolm X denounced King's willingness to use children and called the whole campaign "an exercise in futility and an erroneous approach to the problem of race relations."\

One of the most lethal critics of Martin Luther King is Lionel Lokos, who wrote the following evaluation of the eventual harm resulting from King's nonviolent tactics:

It was King's own refinement of the Chinese Water Torture—with drop after drop of daily demonstrations, confrontations and planned crises, beating relentlessly down on the heads of potentially violent ghetto residents until they reached the racial breaking point. . . . King never hurled a Molotov cocktail, but he never stopped faulting society for those who did. King never looked a store, but he never stopped defending those who felt that poverty gave them a license to steal. King never hid on a roof with a rifle and sniped at police, but he never stopped picturing the police department as a sort of home-grown Gestapo.\

Lokos feels that it was the charisma of King which kept his tactics from erupting into a violent explosion. Other men, attempting to use the same techniques, would not be able to maintain the peace-amidst-crisis as King had done:

The dividing line between super-militant nonviolence and super-militant violence was always an artificial and unnatural one,

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propped up, pasted together by the charisma of one man. It was inevitable that sooner or later the artifice and charisma would come unstuck, the dam would break, and the flood of seething hostility engendered by Birmingham and Selma would overflow the Negro ghettos, and finally the cities themselves. The civil disobedience glorified by Martin Luther King—the concept that each man had the right to put a kind of Good Housekeeping Seal of Approval on laws that met with his favor, and reserve the right to disobey "unjust" officers of the law—was more than enough to kindle the spark of rebellion, if not revolution, among young militants who simply stopped turning the other cheek, and startled battling those who had been called their oppressors.64

One might consult King's letter for insight into his probable line of response to such charges. The point here is that he did continue to receive criticism for his tactics, even after his death.

But overall, King seemed to gain greater prominence and acceptance after the Birmingham confrontation. Time magazine chose King as its "Man of the Year" for 1963.65 The events which led to this honor started with the Birmingham campaign. The highpoint of the civil rights crusade was the March on Washington held on August 28, 1963 and attended by nearly 250,000 people.66 Here King was to deliver his famous "I Have a Dream" speech. Time magazine described the reaction to King's appearance at this rally only four months after his confinement in a Birmingham jail:

Mahalia [Jackson] was hard to follow—and there probably was only one person in the civil rights world who could have done it quite so successfully. His introduction was drowned out by the

64 Ibid., p. 458.
65 Time, January 3, 1964, cover.
66 King, Why We Can't Wait, p. 134.
roaring cheers of those who saw him heading toward the speakers' platform. He was Atlanta's Martin Luther King Jr., the civil rights leader who holds the heart of most American Negroes in his hand.

"Letter from Birmingham Jail" has been described as a "stirring defense of King's methods and a skillful attack on the apathy of white Christian and Jewish churches." In a recent biography of King, David Lewis describes the lasting importance of the letter as follows:

Every nation has its stockpile of rhetorical memorabilia, addresses, and documents, which enshrine by their passionate sincerity and eloquence a moment of curtain call in the drama of its people's maturity. Washington's farewell address, the Webster-Hayne debates, Lincoln's Gettysburg Address, the inauguration speeches of Franklin Roosevelt and John Kennedy—these are milestones in the republic's growth. To this stockpile must be added Martin Luther King's "Letter from Birmingham Jail" and his "I Have a Dream" speech.67

One of the great values of King's epistle is the insight it gives into the man himself. King attempted self-vindication by expressing not only his determination to achieve racial justice but also the rationale which motivated his direct action, nonviolent activity. Besides the logic of his cause, the man revealed much about himself. A paragraph from a Washington Post editorial, written at the time of King's death,

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67 Time, September 6, 1963, p. 15.


may be considered a fitting commentary on the character of Martin Luther King as seen in his Birmingham letter:

Yet, somehow, impatience and indignation were married in this man to gentleness and compassion. Hate was altogether alien to him. The dream he dreamed embraced his white as well as his black brothers. For he recognized that "the Negro needs the white man to free him from his fears. The white man needs the Negro to free him from his guilt. A doctrine of black supremacy is as evil as a doctrine of white supremacy." 70

After the Birmingham disturbances, King certainly stood vindicated in the eyes of the liberal whites and almost all of the black community. Others today may wonder precisely what King stood for. To answer this question, they need only consult "Letter from Birmingham Jail" for an eloquent summary of the man, his method, and his ideals.

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In January, 1966, syndicated columnists Drew Pearson and Jack Anderson began a series of attacks upon Democratic Senator Thomas Dodd of Connecticut. Among other things, the columns criticized Dodd's relationship with Julius Klein, who was a public relations man having interests in West Germany. On February 23, 1966, Dodd formally requested that the charges against him be investigated by the Senate Select Committee on Standards and Conduct, also known as the Ethics Committee. These hearings began on June 22, 1966 and were concluded on July 19, 1966. The result of this investigation was a Committee report concluding that Dodd's relationship with Klein "did not warrant disciplinary action by
Besides the Klein matter, the Ethics Committee carefully examined two other charges from the many made by columnists Pearson and Anderson. These had to do with the misuse of certain funds and the double billing of both private sources and the government for certain travel expenses. On March 13, 1967, the Ethics Committee began its hearings on these additional matters. On April 27, 1967, the Ethics Committee submitted Senate Resolution 112. The final wording of this resolution as it was later voted upon in the Senate was as follows:

Resolved, (A) That it is the judgement of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct, to obtain, and use for his personal benefit, funds from the public through political testimonials and a political campaign, deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator, and tends to bring the Senate into dishonor and disrepute.

Be it further resolved (B) That it is the judgement of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct,

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5 Ibid.
6 Ibid.
7 Ibid.
8 Ibid.
9 Ibid.
to request and accept reimbursements for expenses from both
the Senate and private organizations for the same travel,
deserves the censure of the Senate: and he is so censured for his
conduct, which is contrary to accepted morals, derogates from the
public trust expected of a Senator, and tends to bring the Senate
into dishonor and disrepute. 11

Part of the controversy surrounding the Dodd censure case was the
manner in which the columnists had obtained their information against
the Senator. Four of Dodd's former employees—James Boyd, Marjorie Car­
penter, Michael O'Hare and Terry Golden—had admitted secretly entering
Dodd's office to remove temporarily many documents from his files. 12 In
the speech we are about to consider, Dodd seriously questioned both the
tactics and the motivation of these four people both in secretly removing
documents and in dealing with columnists Pearson and Anderson. This
aspect of the Dodd case lent an air of suspicion to the whole matter and
tended to cloud the more basic issue of Dodd's character and integrity.

On June 13, 1967, the Senate began to debate concerning the reso-
lution of the Ethics Committee. 13 The resolution was debated June 13-16
and June 19-23. 14 Only a reading of the entire debate text in the Con­
gressional Record can fully demonstrate the complexity of the Senate
debate and the case itself. It is pleasant to note the air of respect
and consideration shown by both sides during the debates. Dodd's staunchest
supporter was Senator Russell B. Long (D-La.) who often spoke up in Dodd's

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Vol. 113, Part 13, p. 17012.
12 Congressional Quarterly Almanac, op. cit., p. 2142.
13 Ibid., op. cit., p. 239.
14 Ibid.
behalf. In the course of the debates, Senator Dodd spoke often or was questioned by others. But his principal statement was made before the Senate on June 14, 1967. His long speech was interrupted by a recess. In each half of the speech, therefore, Dodd replied to one of the two-part censure resolution proposed by the Ethics Committee.

Although the actual vote on censure did not take place until June 23, this was Dodd's major effort at self-vindication. His Senate colleagues awaited the Senator's reply to the charges of the Ethics Committee before voting on the censure resolution.

II. Strategies and Techniques

At the outset, Dodd summarized the task facing him and the charges of Senate Resolution 112:

I come before you to present my response to the recommendation of the Senate Ethics Committee that I be censured on two counts—that I diverted political funds to personal use, and that I was guilty of deliberately billing the Government for travel for which I was paid from other sources.18

15 Ibid., p. 252.
17 The bipartisan Senate Select Committee on Standards and Conduct included the following Senators: Chairman John Stennis (D-Miss.), Vice Chairman Wallace Bennett (R-Utah), Mike Monroney (Okla.), Eugene McCarthy, (Minn.), John Sherman Cooper (Ky.), James Pearson (Kan.). See Congressional Quarterly Almanac, op. cit., p. 52.
18 Congressional Record, Vol. 113, Part 12, p. 15736.
Dodd began by adjusting to his audience and the rhetorical situation. He immediately stated a genuine problem which he faced in his self-defense: the Ethics Committee had unanimously voted for his censure. Was not the entire Senate more likely to accept the unanimous opinion of the 6-man committee instead of just one man, Dodd? Replying to this significant objection to his own case, Dodd said that on the contrary, he felt that the Senate would listen fairly to both sides, that the Senate would not "want to serve as a rubber-stamp for any committee," that his audience would maintain "open minds" about the subject at hand because, after all, "a man's reputation is his most precious possession." The Senator also hoped "that I will enjoy the presumption of innocence to which every accused man is entitled; that where conflicting testimony results in doubt, I will be accorded the benefit of the doubt; . . ." A recollection of these legal concepts would soon become very vital to the Senator's defense for at times the matter would boil down to Dodd's word against another man's.

Dodd also affirmed the terrific price his current ordeal had exacted of himself:

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19 Ibid.
20 Ibid.
21 Ibid.
22 Ibid.
23 Ibid.
24 Ibid.
For 18 months now I have endured an ordeal without prece­dent in the history of the U.S. Senate.

All manner of slanders and lies and distortions and calum­nies have been heaped on my head by two widely syndicated colum­nists—men who are by common consent the most reckless twisters of facts and the most unscrupulous character assassins ever spawned by the American press.25

This is the first example of a technique which Dodd will use consistently in the first part of his defense: the ad personam argu­ment, the argument aimed at attacking the character of his critics. Dodd will use this technique not only against the columnists who attacked him in the press but even more against the former members of his office staff whom he felt had betrayed him, particularly Michael O'Hare.

After castigating Pearson and Anderson, the Senator recalled one aspect of their attack on him concerning his relationship with Julius Klein. As we have seen,26 the Ethics Committee had dropped the matter of the Dodd-Klein relationship. Thus, the proposed two-count censure of the Ethics Committee did not include reference to the Klein matter. Therefore, Dodd only briefly refers to one Klein incident in order to indict the characters and question the credibility of the columnists who had attacked him. Part of that attack had to do with a Persian rug Dodd had received from Klein. Dodd used the rug as a piece of visual evidence and demonstrated that the rug in question was only 9" X 12"

25 Ibid., p. 15737.
26 See footnote 5.
square and worth about $2.00. Summarizing this aspect of the columnist's attack, Dodd noted that "the committee . . . found, after a thorough investigation of and hearings on the Klein matter, that there was no basis for recommending any action by the Senate." Continuing his ad personam assault, the Senator next analyzed the characters of, and reported his relationship with, four of his former employees whom he felt had betrayed him. Introducing this part of the story, Dodd stated:

The ordeal was compounded, because it was clear from the beginning that the Pearson-Anderson campaign against me originated in the pathological desire for vengeance of several ex-employees whom I had once regarded as friends and in whom I had reposed complete confidence.

The Senator then summarized his relationship with James Boyd and his personal secretary, Mrs. Marjorie Carpenter. Boyd, he stated, had committed a serious unidentified offense, but Dodd kept him on due to their close personal relationship. In December 1964, however, Dodd dismissed both Boyd and Mrs. Carpenter because of new trouble, the nature of which Dodd did not describe. The Senator then explained how his present troubles began:

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26 Ibid.
29 Ibid.
30 Ibid.
31 Ibid.
But 1 month after Boyd's salary had been terminated, he and Mrs. Carpenter entered my office illegally over a weekend. All told, according to their own testimony, they made seven illegal entries. They took thousands of documents from my files, including correspondence with my constituents and with my wife and classified documents. They copied them, in cooperation with Jack Anderson's secretary, Miss Opal Ginn, and they turned them over to Anderson.32

Dodd added that Boyd and Carpenter were later joined in their efforts by two others, Michael O'Hare and Terry Golden, while they were still working for him. Continuing his ad personam attack, the Senator stated:

Both of these people lived a lie every day after they joined the conspiracy. By day, they would smile and fawn and pretend to be faithful employees. By night they would copy documents which had been taken during the day for Pearson and Anderson.33

Dodd cited the Ethics Committee's own statement that the conduct of his four former employees was "reprehensible"34 and that it had referred the matter to the Attorney General.35 What surprised Dodd was that so much credibility was given to these witnesses.36 Confessing his own disillusionment with the situation, the Senator charged:

32 Ibid.
33 Ibid.
34 Ibid.
35 Ibid.
36 Ibid.
The evidence is overwhelming that the motivation of these ex-employees had absolutely nothing to do with ethics in Government, but that it was based, rather, on a pathological hunger for revenge.

If they really believed that I was guilty of wrongdoing they should have reported the facts to the Justice Department or the FBI or the Ethics Committee. Instead, they stole documents from my office files and took them to the columnists whom they knew to be most hostile to me, and the most unscrupulous in their methods.

Their intent was to hurt and destroy me.

They have succeeded in hurting me, I am frank to confess, in more ways than one. 37

Dodd's indictment is a serious one, as is this whole matter of a man's reputation. In fairness to his former employees, it should be noted that they insisted during the committee hearings that they had acted out of good motives. 38

Dodd noted that the charge of double billing was more serious than the one concerning testimonial dinners. 39 Testimonials were a matter of ethics; double billing was a matter of larceny. 40 Recognizing the seriousness of the double billing charge, Dodd proceeded to analyze that issue first, although it is mentioned as the second part of the censure resolution before the Senate. 41

37 Ibid.
40 Ibid.
41 Ibid. See footnote 11.
First, the Senator stated his own opinion of the charge and its seriousness, if substantiated:

The committee's report does not say that I deliberately and fraudulently charged the Senate and private organizations for the same travel. But this is the only meaning that can be read into their statement that I requested and accepted such double reimbursement.

Let me be frank. If I should come to the conclusion that some Senator were guilty of a deliberate attempt to defraud the Government of this country, I would not urge that he be censured. I would urge that he be expelled.\textsuperscript{42}

The specific charge was that between 1961 and 1965, Dodd had seven times accepted double reimbursement, \textit{i.e.}, payment from both the Senate and some private source for expenses he had incurred during official trips. The payments varied from $21,53 to $202,92 and totalled $1763.96.\textsuperscript{43} The committee granted that the trips were connected with "official Senate business";\textsuperscript{44} it was the double billing that was at issue. Dodd admitted that the double billings had occurred, but stated that the real concern was whether these had been deliberate on his own part or the result of poor bookkeeping.\textsuperscript{45} Dodd initially appealed to argument from implausibility in his refutation. He noted that he had served in government for thirty years without any charges of this sort; it would seem preposterous that he

\textsuperscript{42}Congressional Record, Vol. 113, Part 12, p. 15738.
\textsuperscript{43}Ibid.
\textsuperscript{44}Ibid.
\textsuperscript{45}Ibid.
would jeopardize his career for a mere $1,700. The fact that one of the double billings amounted to only $24 also argued against a conscious effort to steal. Furthermore, there were other recorded examples when Dodd undercharged the government for his expenses, plus many other occasions when Dodd could have attempted to cheat if this were his intent. All these arguments suggested the implausibility of the whole accusation.

Next Dodd came to the heart of the matter:

Not one iota of evidence was produced to support O'Hare's accusation that I had instructed him to double bill. But there was a mountain of evidence to support my own contention that these rare instances of double billings were clearly due to errors and that O'Hare himself was an incredibly inept bookkeeper.

The heart of Dodd's defense in this matter was his claim that the double billings were the result of bookkeeper's error, not of Dodd's deliberate deception. (Two of the seven errors were made before Michael O'Hare was bookkeeper; five of the double billings occurred while O'Hare was on the job.)

One of the major arguments against Dodd was that the Committee believed he had actually signed the Senate travel vouchers involved in the
double billings. At the very least, this fact would argue that "he should have known better." Now Dodd produced an affidavit of a noted handwriting expert, Mr. Charles Apel, who denied that the Dodd signatures were actually written by Senator Thomas Dodd. Noting that for twenty-five years Charles Apel was "the top handwriting expert in the FBI," Dodd quoted Apel's affidavit statement that the signatures on the vouchers "were not executed by him [Dodd] and are forgeries . . . ."

Dodd then tried to establish that there was no deliberate pattern or policy in the matter of the double billings. The last five double billings took place from 1961-1965 while Michael O'Hare was bookkeeper. The first two double billings took place before this under two separate bookkeepers. Both of these people had clearly stated that they had never been ordered by Dodd to double bill. This brought the matter down to the five double billings while O'Hare was bookkeeper. Dodd returned to his ad personam argument against O'Hare. He wished to establish the shoddy record of O'Hare as a bookkeeper. During his indictment, Dodd pointed out that besides the double billings, O'Hare had frequently failed to collect legitimate expenses due to Dodd. The Senator noted that these mistakes

51Ibid., p. 15738.
52 Ibid., pp. 15738-39.
53 Ibid., p. 15739.
54 Ibid.
55 Ibid.
56 Ibid.
57 Ibid. The two previous bookkeepers were Barbara VanTrece and Charles Plante.
practically counterbalanced each other in terms of the amount of money involved:

O'Hare's double billings resulted in the collection of Government vouchers of some $1,700 for which no claim should have been filed. His "never billings" for trips to Connecticut cost me roughly the same amount out of my own pocket. 58

Dodd added that on five other occasions, O'Hare had to contact American Airlines to correct his bookkeeping mistakes. 59 In response to a question by Senator Bennett of Utah, Dodd summarized his claim by stating:

There were 21 times since I came to the Senate when I was entitled to reimbursement for trips from Washington to Connecticut and return under the rules and regulations of the Senate. Six times other bookkeepers failed to ask for reimbursement for that travel and 15 times O'Hare never asked. 60

Dodd cited several other examples of O'Hare's faulty bookkeeping. In one such example, the Senator noted that "the record will show that this witless bookkeeper who has now set himself up as a custodian of public morals, on a number of occasions double paid my personal bills, including one bill for more than $140." 61 Dodd drew laughter from the Senate chamber when he summed up by commenting that "I think I have said enough to

58 Ibid., p. 15740.
59 Ibid.
60 Ibid.
61 Ibid., p. 15741.
demonstrate that O'Hare might very well have been the all-time, most inefficient bookkeeper in the history of the U.S. Senate." [Laughter]

Having attacked O'Hare's ability as a bookkeeper, Dodd next attacked his credibility as a witness. Besides mentioning the secret removal of documents from his office, Dodd referred again to the testimony of handwriting expert Charles Apel. The Senator noted that thirty-six checks which O'Hare had stated he had personally seen Dodd sign were declared by handwriting expert Abel to be forged signatures. Dodd added that O'Hare had already admitted forging Dodd's signature on money orders. The Senator claimed that O'Hare's explanation of these matters "was a tissue of lies from beginning to end."

Pursuing his relentless attack on the character and credibility of O'Hare, Dodd recalled again that O'Hare had secretly stolen documents from the Senator's office. Describing this aspect of O'Hare's conduct, Dodd declared:

In my judgment, this is about as base a form of dishonor as one can think of. Whatever Senators may think of Boyd--and I have my own thoughts about him--or Carpenter, they, at least, had been dismissed. But this base character came in every day, smiling and fawning, pretending to be my friend, my faithful and trusted bookkeeper, lying to me every day.

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62 Ibid.
63 Ibid.
64 Ibid.
65 Ibid.
66 Ibid.
67 Ibid.
Much of the case against Dodd was a matter of O'Hare's word vs. the Senator's. In an emotionally charged passage, Dodd set his own character in contrast with that of his former employee and pleads for Senate acceptance of his account of affairs:

How can Senators take the testimony of such a man and say he is credible and reliable, and say I am a thief because he said so? What is happening to the U.S. Senate if I cannot look at my fellow Senators in the eye and say this is a fact? I have walked among you. I have talked with you. I have lived with you more than 8 years. Does any one of you know any time I have lied to you or done any dishonorable thing in this body, ever broken my word, ever cheated you, ever said I would do this and then done something else? And yet, . . . the committee's report was apparently prepared to accept the word of O'Hare as proof that I had engaged in the practice of deliberate double billing.66

Returning to the seven trips involving double billing, Dodd noted that in four of the trips, no per diem expense vouchers were submitted, something that was very unlikely if he were trying to defraud the government.69

Greatly perplexed by the judgment of the Ethics Committee against himself, Dodd stated that perhaps a news story which he had read provided the clue to why the Committee judged against him. A UPI news item stated that the Ethics Committee felt there had been "a pattern to his [Dodd's] double-billing for travel expenses."70 The pattern was, to quote Committee

66 Ibid., pp. 15741-42.
69 Ibid., p. 15742.
70 Ibid.
member Senator Wallace Bennett (R-Utah), that "a billing to a private source always preceded billing to the Government." 71

Dodd counterattacked by first noting that as a lawyer, he saw little significance to the order of the double billings. 72 But pursuing this point—in case it had influenced any Senators—Dodd noted that the true facts of the case were just the opposite: in every case the government was, in fact, billed before the private organization. 73 (This would actually establish an opposite "pattern of events," but the whole pattern theory—if, indeed, it had been influential—was now becoming both confusing and dubious.)

In an exchange with Senator Lausche of Ohio, the point was made that of eighty trips by Dodd around the country, seven had indeed involved double billing, although two of these were before O'Hare's time. 74

Dodd summarized his case thus far and then made another dramatic and emotionally charged appeal to the Senate:

Now let me repeat to the Senate what I told the Ethics Committee solemnly and under oath, and I take the same oath now as I did in giving my evidence before the Ethics Committee—that I am telling you the truth, the whole truth and nothing but the truth, so help me God.

I am telling the truth as though I had to face my Maker in a minute.

I am telling you the truth and I am concealing nothing.

May the vengeance of God strike me if I am doing otherwise. 75

71 Ibid.
72 Ibid.
73 Ibid.
74 Ibid.
75 Ibid., p. 15743.
The Senator answered Senator Long's (D-La.) question by affirming that he would swear to these matters anywhere, not just on the floor of the Senate. He added that he had sent a check to the Senate Disbursing Office for $1,763.96—the amount of the seven double billings and again recalled that this money was already roughly offset by twenty-one failures by his office to claim a correct payment.

Since Dodd had now finished his self-defense on the matter of the double billings, the Senate recessed.

Before considering the second half of Senator Dodd's vindication effort, his refutation of the double billing charge should be summarized. The Senator recalled that a man is innocent until proven guilty and asked his colleagues to maintain an open mind as he spoke. He used ad personam attacks upon the characters of columnists Drew Pearson and Jack Anderson. He did the same against his former employees, particularly Michael O'Hare. Dodd used argument from implausibility that he should, for example, risk his career in one case for a mere $24. Argument from authority established that in a number of cases, the supposed signature of Dodd was actually a forgery. The Senator refuted the "pattern theory" by showing that it was based on incorrect information. Lastly, Dodd used emotional appeal to question why his own word was rejected while O'Hare's word was believed. At the conclusion, Dodd called upon God to

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76 Ibid.
77 Ibid.
78 Ibid.
witness to the truth of all that he said. After a recess, Dodd was now ready to defend himself against the second charge in Senate Resolution 112.

Part II

Resolved: (A) That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct, to obtain, and use for his personal benefit, funds from the public through political testimonials and a political campaign, deserved the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator, and tends to bring the Senate into dishonor and disrepute.

After a brief discussion with Senator Long about Michael O'Hare, the Senator began his vindication effort concerning the testimonial and campaign funds. Dodd stated the reason for the proposed censure as follows:

The resolution presented by the Ethics Committee charges me with having exercised the influence and power of my office to obtain and use for my personal benefit, funds from the public through political testimonials and a political campaign. In its conclusion, the report says that from the campaign funds and testimonial funds received, I authorized the payment of at least $116,083 for personal purposes.

79 Congressional Record, Vol. 113, Part 13, p. 17011.
80 Congressional Record, Vol. 113, Part 12, p. 15745.
More simply, the charge was this: that Dodd took political contributions from campaigns and testimonial dinners to use for personal expenses. The Senator did not deny the whole charge, but he immediately challenged the Ethics Committee figure of $116,083.  According to the calculations of Dodd's lawyers, "a maximum of $3,100 out of $246,000 received for my campaign, was spent for personal purposes." After noting that an additional $3,100 would merely reduce, but not eliminate, his actual campaign deficit, Dodd nevertheless faulted himself in this matter:

... I do not defend the use of even a relatively small amount of money from my campaign funds for personal purposes. It may be technically permissible, but it does not measure up to my own standards, and it would not have happened had I known about it.

Recall that the censure was concerned with about $116,000 while Dodd had faulted himself in the matter of about $3,100—a vast difference. The Senator quickly moved on from campaign funds to the question of "political testimonials, because this is what 98 percent of the committee's charges is all about."

Resorting to argument from authority, Dodd affirmed that several lawyers advised him that testimonial dinners were legitimate and that
he could use the money collected from them however he wished. Dodd read the affidavit of one lawyer—Judge M. Joseph Blumenfeld—that he had indeed given this advice to the Senator in 1961 concerning Dodd's first testimonial dinner.

In an exchange with Senator Long, Dodd explained one notably suspicious item: a trip to the race track. The Senator explained that he went to the races only about once a year and did, in fact, take his staff on a goodwill trip to the races on one occasion. Returning to the testimonials, Dodd stated that he knew of no civil law or Senate rule which they had violated to prompt a censure motion. Referring to the testimonials, the Senator said:

...there is nothing more common in the State from which I come than testimonial affairs. Never a week passes in the State of Connecticut but that several of them are held for people in private life, for persons in public life, for persons retired from an active life.

It is a very common thing.

The fact is, that there is no law or rule prohibiting testimonials, and that I have been judged completely on the basis of nonexistent standards.

If testimonials, or any aspect of them, were wrong, the Senator noted that there should be some explicit rule or regulation to this
effect to guide a senator's conduct. 90

Dodd next took up what was more likely the objection of the Ethics Committee. The objection could be stated as follows: people had been misled into thinking they were making political contributions for campaigning, etc. Dodd quickly denied any such deception, noting that in his own personal experience, invitations usually merely state there will be a testimonial dinner without explicitly stating any purpose for which the funds will be used. 91 Pursuing this point, Dodd added that in case there had been any deception, he had offered to return the person’s money. He explained what had happened:

As everyone in Connecticut knows, I publicly offered to refund the money to any person who claimed that he had not understood the nature of the various testimonials and that he had really intended his money as a political contribution. This offer was carried prominently on the front page of every Connecticut paper and over every Connecticut radio and TV station. To date only one person who attended these affairs has written in to ask that his $25 contribution be refunded to him.

On the other hand, between 400 and 500 people who purchased tickets have submitted statements saying that they did, in fact, intend these contributions as gifts. 92

The Senator observed that this strong show of support had come "despite all the adverse publicity resulting from the Pearson-Anderson vendetta . . . ." 93 Dodd denied that all these affidavits came merely

90 Ibid.
91 Ibid.
92 Ibid., pp. 15745-46.
93 Ibid., p. 15746.
out of partisanship, noting that Republican Senator Styles Bridges was supposed to have been the guest speaker at the 1961 dinner before he became ill. Other Republicans were also named as participants at the testimonial dinners and then Dodd concluded, "You tell me that this was just Dodd's political cronies? That implication is not true."

Dodd is arguing here that reputable people, representing both political parties, had been present at the testimonials and, given the chance, they had not claimed that they misunderstood the purpose of the dinners. The Senator read one letter on this point from a Republican, Mr. A.H. Layte, president of Morris Packing Co., stating that "my contributions were for you, not for any campaign expenses." The intention of the donor is a major factor in this matter. Did donors intend their contributions as pure gifts or were they deceived into thinking that funds raised at the testimonial dinners were to be used purely for political purposes? Dodd analyzed this vital issue of donor-intention as follows:

The rule is that the intent of the donor is the determining factor in deciding whether a contribution should be regarded as the gift.
I believe that these hundreds of affidavits constitute overwhelming proof that those who attended the several testimonial
functions understood their nature and did intend their contributions as gifts.

The affidavits presented by Dodd are really a form of argument from authority since no one is a better authority on the intention of the donor than the donor himself.

Perhaps the idea most damaging to Dodd concerning the testimonials would be the claim that the Senator used such dinners to amass a personal fortune. In a strategy reminiscent of Richard Nixon's accounting in the "Checkers" speech, Dodd stated that he would present "the basic arithmetic" of his financial position. He admitted amassing political debts of $120,000 between 1956 and 1958 during two races for the Senate. As a Senator, out-of-pocket expenses had cost him an additional $12,500 per year. Thus, up until 1966 he had spent over $100,000 of his own money to meet his expenses as Senator. Summing up the arithmetic of the situation, Dodd said:

Against the intake of approximately $170,000, therefore, I spent $120,000 for repayment of the political loans and $101,000 for costs of office. This means, in effect, that I had had to dig into my own income to the extent of some $50,000 over and above what I have received from testimonials to cover political

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98 Ibid.
99 Ibid.
100 Ibid. Dodd was defeated in 1956. He won election to the Senate in 1958.
101 Ibid.
102 Ibid.
expenses. Obviously, I have not enriched myself from my position as a Senator.103

Pursuing the vital idea that political life had not led to personal wealth, Dodd repeated to the Senate that his total net worth after many years in political life was only about $54,000.104

Summing up this argument from the basic arithmetic of the situation, Dodd had argued that even with the testimonials, his expenses from political office had exceeded political intake by some $50,000 and that his current financial situation proved that he had not become wealthy from political office.

Dodd next used some legal reasoning which might be a bit complex to the ordinary listener, but not to his Senate colleagues. One of the Senator's main points was that his critics must have the burden of proof in this case. If he had not amassed a politically connected debt of $120,000 as he had demonstrated, then the Ethics Committee—or some other critic—must prove otherwise. Dodd correctly insisted that in penal proceedings such as this, the prosecution has the burden of proof.105

The Ethics Committee had given little weight to the 400 sworn affidavits which Dodd had assembled because, in the words of Senator Bennett, "this affidavit was not an example of a free recollection of the situation. It was a very clever means of trying to persuade the people, at no

103 Ibid., pp. 15746-47.

104 Ibid., p. 15747. The Pearson-Anderson column had claimed the previous March that Dodd's net worth was about $250,000. For this analysis, see, "Dodd Learned to Live Like a Millionaire," from Washington Post, March 24, 1967 quoted in Congressional Record, Vol. 113, Part 13, p. 17066.

105 Congressional Record, Vol. 113, Part 12, p. 15747.
cost or hurt to themselves, to help their friend Tom Dodd."\textsuperscript{106} Implicit in this suggestion would seem to be the implication that at least some of the witnesses were lying to help the Senator.

Of course, it was very damaging to Dodd to have the sworn testimony of these 400 people disregarded by the Ethics Committee. On the other hand, the Senator noted that the Committee had produced not a single witness claiming his testimonial donation was given only for purely political purposes.\textsuperscript{107} Again in this matter, Dodd recalled that the Committee had the burden of proof.\textsuperscript{108}

Pursuing this vital matter, Dodd argued his case from an arithmetical point of view. He recalled that of approximately 1,000 people who attended the testimonials, over 200 now had unknown addresses.\textsuperscript{109} Of those remaining, 435 had sworn affidavits in Dodd's favor.

The Senator also argued that while it was true that personal expenses had been paid out of testimonial funds, the opposite was also true, \textit{i.e.,} political expenses—o the extent of $101,000 were paid out of personal funds.\textsuperscript{110} In other words, because he had felt such funds could be legitimately intermingled, he had done so. In fact, the Senator still insisted that "there was absolutely nothing illegal about commingling funds in this manner,"\textsuperscript{111} though he also admitted that this had

\begin{itemize}
\item \textsuperscript{106} Ibid.
\item \textsuperscript{107} Ibid.
\item \textsuperscript{108} Ibid.
\item \textsuperscript{109} Ibid.
\item \textsuperscript{110} Ibid.
\item \textsuperscript{111} Ibid.
\end{itemize}
led to misinterpretation.\footnote{\text{112}}

The Senator accepted his own guilt for the sloppy bookkeeping procedures which took place in his office.\footnote{\text{113}} But again reiterating his basic position, Dodd summed up the poor bookkeeping situation: "I am responsible--but, Mr. President, I am not guilty. By any honest accounting I have not profited one penny from public office."\footnote{\text{114}}

Concluding his major statement on the testimonial issue, Dodd made a final passionate plea highlighting what he felt were the real issues in this case:

A question at issue is whether we are here to enshrine a precedent which makes ex post facto justice\footnote{\text{115}} permissible when Senators come before Senate committees to defend themselves against charges that have been made against them.

\footnote{\text{112}}\text{\textit{Ibid.}}\footnote{\text{113}}\text{\textit{Ibid.}, pp. 15747-48.}\footnote{\text{114}}\text{\textit{Ibid.}, p. 15748.}\footnote{\text{115}}\text{Ex post facto justice" means justice after the fact. In other words, Dodd said it is wrong to decide well after the fact that something which was considered acceptable at the time, e.g., using testimonial funds for personal uses, is now to be censured.}\footnote{\text{116}}\text{\textit{Congressional Record}, Vol. 113, Part 12, p. 15748.}

\footnote{\text{112}}\text{\textit{Ibid.}}\footnote{\text{113}}\text{\textit{Ibid.}, pp. 15747-48.}\footnote{\text{114}}\text{\textit{Ibid.}, p. 15748.}\footnote{\text{115}}\text{Ex post facto justice" means justice after the fact. In other words, Dodd said it is wrong to decide well after the fact that something which was considered acceptable at the time, e.g., using testimonial funds for personal uses, is now to be censured.}\footnote{\text{116}}\text{\textit{Congressional Record}, Vol. 113, Part 12, p. 15748.}
The following should be noted about Dodd's strategy of self-vindication on the matter of political funds spent for personal expenses:

To begin with, Dodd admitted that without his knowledge, $3,100 had gone from his campaign funds to pay personal expenses. But the Ethics Committee was concerned about $116,000 and so the chief matter at issue was the question of testimonial dinners. Concerning these testimonials, Dodd first used argument from authority. He documented his claim that he had received sound legal advice affirming that it was legitimate to use testimonial contributions for whatever purpose he wished. Dodd noted that there was no civil or Senate law to the contrary so that he was now being judged "on the basis of nonexistent standards."\(^{117}\) The Senator was arguing that in the absence of any law prohibiting his actions, he should not be penalized.

But law or no law, perhaps people had been misled, had been deceived into believing they were making a contribution for political purposes. Dodd denied this matter of deceiving the electorate on three accounts:

1. When he offered--via Connecticut news media--to return anyone's money who had actually been deceived, only one claim came in for $25 from the entire State of Connecticut.

2. Dodd collected over 400 affidavits of people affirming that they had not been deceived in this matter.

3. The Ethics Committee had not presented the statement of a single person contributing to the testimonials who claimed that he had been

\(^{117}\text{Ibid., p. 15745.}\)
Dodd further stated that his present financial status argued for his innocence of amassing any private fortune from political life. The fact was that even counting the testimonial money for strictly political bills, his expenses had still exceeded income by some $50,000. Thus, any assertion that Dodd was amassing some private fortune through politics was completely fallacious.

Having argued the facts and arithmetic of the case, Dodd resorted to the legal principle that the accuser had the burden of proof. If the Senator's analysis of his own political debts was not true, then the Ethics Committee had the burden of proof to show otherwise.

Dodd also insisted again on the basic point that it simply was not illegal to use testimonial contributions as he wished. Therefore, he should not be censured for doing so.

Thus far, the Dodd defense had been a very reasoned one. He had used argument from authority, argument from principle (the accuser has the burden of proof), argument from straight arithmetical facts. In his conclusion, Dodd made a rather emotional plea, not for mercy but for justice. He highlighted the issues of the case, recalling that this matter was being judged on a basis of justice after the fact. Free use of testimonials had never been outlawed; now he was being censured for it. Again he used ad personam argument by recalling that he had been the victim of muckraking and that if the stealing of documents was condoned in the Dodd case, no one else would be safe.

With this emotionally charged highlighting of the full ramifications of his case, the Senator concluded the second half of his effort at self-
vindication.

III. Results and Conclusion

It was not until June 23, 1967, nine days after Dodd's speech, that the Senate voted on the two-part censure resolution. Part A of Senate Resolution 112 dealing with political funds used for personal benefit was voted upon first. The vote in favor of censure for this matter was 92-5. The five negative votes were cast by Senators Dodd, Long (La.), Ribicoff, Thurmond and Tower.

Senator Ellender of Louisiana then proposed striking from the resolution all of Part B, which dealt with the issue of double billings. This would have the practical effect of exonerating Dodd on the double billing issue because that whole section of the resolution would be dropped. The Senate then voted 51-45 in favor of striking the second part of the resolution, limiting the Senate censure, therefore, to Part A. Soon after the vote, Dodd briefly addressed the Senate, saying in part:

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118 Congressional Quarterly, op. cit., p. 239.
119 Congressional Record, Vol. 113, Part 13, p. 17011.
120 Ibid.
121 Ibid.
122 Ibid., p. 17012.
123 Ibid., p. 17020.
I shall not delay the Senate. I have never tried to do so. I am grateful to those who have expressed some confidence in my character, in any event. I said this morning, I believe now, I shall continue to believe, that history will justify my conduct and my character.

I want to repeat what I said this morning. I am not bitter toward anyone who has a different opinion. I am sure they all did what they thought was right within their lights. I want them to go away from here knowing that I have no bitterness toward any of them. 124

In understanding to vote against Dodd, one major factor must be remembered: the continual battering from the press which he took both before and during the investigations of the Ethics Committee. After the censure vote against Dodd, his ally, Senator Long of Louisiana, obtained permission to place in the Congressional Record what he called "a sampling of the news articles which caused Tom Dodd's case to be tried in the press and which made impartial deliberation here impossible." 125 The articles criticizing Dodd—particularly by Pearson and Anderson—cover more than fifty pages of the Congressional Record. 126 Whatever one thinks of Messrs. Pearson and Anderson, they are certainly formidable opponents with a cogent and aggressive style of writing. They criticized Dodd on a broad scope of matters, not all of which were financial. 127 In their attacks, they had the advantage of using the many documents which were provided for them from Dodd's own

124 Ibid., p. 17072.
125 Ibid., p. 17020.
126 Ibid., pp. 17020-72.
127 See, for example, the January 8, 1967 Pearson-Anderson column quoted in Ibid., p. 17060.
files by his former employees. To understand better the pressure applied against Dodd by the critical press, one would have to read through the columns and stories quoted in fifty pages of the Congressional Record. While Dodd presented a compelling case in his own behalf, his critics in the press had also mounted a formidable attack. It should also be noted that while we have closely examined only the Dodd speech, there was much discussion and disagreement which took place in the Senate during the long debate on censure.

Perhaps the most optimistic summary of the case which the Dodd forces could make would be as follows:

After long criticism in the press and after his office files were pilfered, the Senate Ethics Committee closely examined three charges against the Senator. They exonerated him concerning his relationship with Julius Klein. The entire Senate voted to drop the matter of the double billings. Out of about 1,000 guests at the testimonials, 135 signed affidavits that they intended their contribution as gifts, while only one person in the State of Connecticut asked for a refund. Although Dodd continued to maintain that it was legitimate to use contributions for any purpose, the Senate felt that this money was meant for political purposes only and censured Dodd on this matter.

To see the negative side of the case, one need only read part of the editorial comment which appeared immediately after the censure. The Boston Globe stated:

The destruction of a human being's reputation is never a pleasant thing to see, wherever and however it is accomplished and for whatever the reason. The censure of Sen. Thomas J. Dodd
is such destruction, a modern version of the Greek tragedy in its classic form.

A heart with any sympathy in it at all cannot help but go out to this handsome, silver-haired legislator who had so much going for him from the beginning but could not resist the temptation to convert high office not only to his own financial advantage but to favors for his friends.

The ruin of one man does not establish the Senate's probity. The Senate, as Tom Wicker has written in The New York Times, needs not merely to protect its good name; it needs, mostly, to make sure that it deserves it.

The St. Louis Post-Dispatch faulted the procedure of the Senate in dropping the second censure charge:

Were the Senators really impressed by his plea that in the latter matter he was, as he protested, the victim of an unfaithful servant? Or was there a desire to spare a member of the "club" a second reprimand after maladroit parliamentary maneuvering had exposed him to more than one condemnation?

The fact that the Senate involved itself so long in the case of Senator Dodd suggests that it has lost a proper sense of values. It finally did its duty. But the manner in which it brought itself to do it was less than edifying.

While critical of Dodd, the Washington Post also called for a clearer code of conduct for the Senate on matters such as this:

Now Senator Thomas J. Dodd has felt the sting of the Senate's lash because he left that body no honest alternative. The nub of the complaint against him is that he used testimonial dinners for his personal benefit. Indeed he had obtained $116,000 from such


diners for his personal use, although the publicity for some of them had created the impression that the proceeds would be used for campaign expenses. The Senate could not have condoned the practice without exposing its members to public cynicism and distrust.

The Senate itself has been grossly negligent for not enacting a code which would outlaw such testimonials for the personal benefit of Senators and require them to report their outside income and assets for public inspection. . . . But the absence of such a code is no excuse for conduct which clearly went beyond the pale of tolerance in a democratic society.130

After the censure, the New York Times explained some of the immediate consequences of the vote:

Thus, on the ninth day of debate, did Senator Dodd, 60 years old, become the sixth Senator in the history of the United States to be censured by his colleagues.

A censure resolution carries no penalties. Mr. Dodd will not lose his seniority, his chairmanship of the Subcommittee on Juvenile Delinquency or his vice chairmanship of the Subcommittee on Internal Security.

Nevertheless, censure is regarded as a most serious chastisement and has never been resorted to except when the misconduct was judged to affect the Senate as an institution and to subject it to diminution of public confidence.131

Despite the embarrassment of the censure, Senator Dodd not only continued in office but chose to run for re-election in 1970. When his renomination was opposed by state party leaders, he decided to run as an independent.132 The Reverend Joseph D. Duffey obtained the Democratic

nomination while Lowell P. Weicker was the Republican candidate.\textsuperscript{133}

In the November election, the Democratic vote was badly split and Weicker won the election with a plurality of the vote.\textsuperscript{134} Election returns showed the following results:

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lowell P. Weicker Jr. (R)</td>
<td>443,008</td>
</tr>
<tr>
<td>Joseph D. Duffey (D)</td>
<td>360,948</td>
</tr>
<tr>
<td>Thomas J. Dodd (Ind.)</td>
<td>260,264</td>
</tr>
</tbody>
</table>

In an editorial immediately after the November, 1970 election, the New York Times referred to Dodd in its analysis of the Connecticut results:

This newspaper had favored the Democratic nominee, the Rev. Joseph Duffey for the Senate and Representative Emilio Q. Dadario for Governor. Mr. Duffey, in particular, brought a fresh and promising voice to responsible liberal politics. . . . Many of the blue-collar workers he needed appear to have been siphoned off by Senator Thomas J. Dodd, the discredited incumbent, who entered the race as an independent when the Democrats denied him renomination following his censure by the Senate.\textsuperscript{136}

Thus, it would appear that the Senate censure had eventually terminated the political career of Senator Thomas Dodd. Only time

\begin{enumerate}
\item \textsuperscript{133}Ibid.
\item \textsuperscript{134}Ibid.
\item \textsuperscript{135}Ibid.
\item \textsuperscript{136}Editorial, New York Times, Nov. 4, 1970, p. 46.
\end{enumerate}
can tell the truth of Dodd's own judgment that "history will justify my conduct and character."\textsuperscript{137}

Dodd's effort at self-vindication is one of the lengthiest examples of this genre which we have studied. It is clearly divided into two halves responding to the two-part Senate censure resolution. A broad scope of strategies and techniques can be found in these two speeches. One of the tactics most relied upon by Dodd was the revelation of his side of the case. In the matter of the double billings, he claimed to be the victim of careless bookkeeping. Concerning the testimonials, the Senator argued that such matters were common in Connecticut and that the key to such contributions was the intention of the donor. Then he claimed, especially by means of affidavit, that the people attending his testimonial dinners had not been deceived concerning the intended use of the funds collected.

The question of the testimonial dinners actually proved to be the most crucial issue for Dodd because it was on this account that he was finally censured. The complex matter of the double billings—which only amounted to less than $2,000—was eventually dropped. Another important aspect of Dodd's defense of the testimonials was argument from authority. He demonstrated that he had sought expert legal advice concerning the legitimacy of the testimonials and also relied upon testimony from people attending the dinner (intention of the donor) that they had not been deceived.

One final fact that is necessary to recall about the Dodd case

\textsuperscript{137}Congressional Record, Vol. 113, Part 13, p. 17072.
is the heavy barrage of critical writing about the Senator in the newspapers for months before the censure vote took place. Many of the other men studied in this dissertation experienced criticism in the press, but one must consult the anti-Dodd columns read into the Congressional Record to realize the particular severity of this problem for the Senator.

In conclusion, we should note that less than six months after leaving public office, former Senator Thomas Dodd died in Connecticut of a heart attack on May 24, 1971. 138

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138 Columbus Dispatch, May 25, 1971, p. 30A.
"THE TRAGEDY ON CHAPPAQUIDDICK"

by

Senator Edward Kennedy

I. The Exigency

On July 19, 1969, America was eager with anticipation. It was one day before Neil Armstrong would become the first man to walk on the moon. Only an occasion of such momentous significance could temporarily overshadow another event of major importance. On the evening of July 18-19, Senator Edward Kennedy of Massachusetts and a friend, Miss Mary Jo Kopechne, drove off a bridge on Chappaquiddick Island. The Senator barely escaped from drowning in the car while Miss Kopechne lost her life. What were the facts leading up to this tragedy?

First, let us set the scene geographically. Just off the southeast coast of Massachusetts are two islands which are practically contiguous. The larger of the two is called Martha's Vineyard. Directly east lies another island named Chappaquiddick. Both islands are across Nantucket Sound from the Kennedy family home at Hyannisport.

The events preceding the accident were as follows:

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1 A map of the area is included on page 273.
Senator Kennedy had organized occasional reunions with some of his brother Robert's most faithful employees. The six girls who came to Chappaquiddick were known as the "boiler room" girls for they were all "former campaign workers of Senator Robert F. Kennedy--trusted assistants who last summer worked in the 'boiler room' tabulating delegate pledges." Besides watching Ted Kennedy compete in the annual Edgartown Sailing Regatta, there was a cookout planned for July 18. Six men, besides the Senator, and six women (the "boiler room" girls) attended the gathering. Ted Kennedy and Miss Kopechne were the first to leave the party. The Senator stated that they left the party at about 11:15 p.m. intending to catch the midnight ferry back to Edgartown on nearby Martha's Vineyard (see map). It was after taking the wrong fork in the road that Kennedy, who was driving, went off a small bridge, plunging the car and passengers into the water. The Senator escaped from the car, but he was unable to rescue Miss Kopechne.

An aura of mystery and confusion surrounded the events of that evening. It was not until the following morning, July 19, that Senator Kennedy reported the tragedy to the police. On that same day, the Senator issued a brief six-paragraph statement with a very short summary of the accident.

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2 See Newsweek, August 4, 1969, p. 25. Robert Kennedy had been assassinated fourteen months previously.


4 Ibid.

5 Ibid.

6 Ibid.

7 For the full text of the July 19 statement, see U.S. News & World Report, August 4, 1969, p. 21.
There was some uncertainty in the Kennedy camp after the sudden and unexpected disaster. But friends were on hand to help decide the best course of action. The renewed activity at the Kennedy family home during the days before the Senator's TV address was explained by *Time* as follows:

As the crisis continued, the old Kennedy hands—Robert McNamara, Theodore Sorensen, Richard Goodwin, Kenneth O'Donnell and Burke Marshall, among others—crowded the famous Hyannisport compound, taking every spare bed... One group of advisers, led by McNamara, strongly urged a full and immediate explanation. Finally, Ted agreed and the speechwriters—Sorensen, JFK's wordsmith; David Burke, Ted's administrative assistant; and Milton Gwirtzman, a Washington lawyer and Kennedy friend—began their work.

The decision to inform the nation was a wise one. The press and the public were eager to know the facts:

Newspapers, for the most part, agreed prior to the television speech that Kennedy had some explaining to do. The usually sympathetic Boston Globe stated editorially: "It is in his own best interest as well as the public's that all the facts should come out." The Cleveland Press, reviewing the questions left unanswered by Ted's police station statement declared: "The public is entitled to a better explanation than it has had yet."

On Friday, July 25, Senator Edward Kennedy had his day in court and his day before the public. First he appeared at Edgartown's Dukes County Courthouse where he pleaded guilty to the charge of leaving the

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8 *Time*, August 1, 1969, p. 13B.
9 Ibid.
scene of an accident.\textsuperscript{10} That evening, Kennedy appeared on TV to explain events to the American people and particularly his constituents in Massachusetts. The rhetorical situation called to mind Richard Nixon's TV presentation of his "Checkers" speech in 1952.\textsuperscript{11} The August 1, 1969 issue of \textit{Newsweek} showed side by side a picture of Ted Kennedy speaking on TV about Chappaquiddick and Richard Nixon on TV in 1952 delivering his "Checkers" speech.\textsuperscript{12}

For one week after the Kennedy-Kopechne accident, rumors, gossip and honest questions had flown around the country concerning the tragic event. The Senator's brief statement of July 19 had only increased the curiosity and speculation of the public. Now Senator Kennedy faced the American people with his account of the Chappaquiddick accident and its significance to himself. He spoke before a bookcase in his father's home in Hyannisport where facilities for TV coverage were more adequate than in his own home.\textsuperscript{13} The citizens of Massachusetts and of the whole nation awaited Kennedy's accounting of events.

II. Strategies and Techniques

After an opening sentence, the Senator immediately announced what

\begin{footnotes}
\textsuperscript{10} \textit{Boston Globe}, July 27, 1969, p. 49.
\textsuperscript{11} The "Checkers" speech is the first selection analyzed in this dissertation.
\textsuperscript{12} \textit{Newsweek}, August 4, 1969, p. 22.
\textsuperscript{13} \textit{Time}, August 1, 1969, p. 11B.
\end{footnotes}
is one of the most difficult statements of his speech: "This morning I entered a plea of guilty to the charge of leaving the scene of an accident." 14

This is the first time in our analysis of self-vindication that we have seen the strategy of admitting partial guilt. Convinced that it was wise to make this statement immediately, Kennedy felt that he could then more easily proceed through his narration of the events surrounding the accident. The Senator, having admitted some guilt, planned later to refute and deny other more serious charges which were rumored about him in the past week. The first step in clearing the air was to give a detailed account of what had happened. Kennedy set the scene for his account by stating:

Prior to my appearance in court, it would have been improper for me to comment on these matters. But tonight I am free to tell you what happened and to tell you what it means to me.

About two thirds of the speech consisted of narrating the events before, during, and after the accident. Besides the objective facts, Kennedy intended to implement his account with refutation of rumors about himself as well as an analysis of his inner self during the accident.

In the first three paragraphs of his account of events preceding


15 Ibid., p. 21.
the accident, Kennedy refuted three charges or insinuations about his personal conduct, any one of which could have been ruinous to his career as a public servant. It must have been somewhat humiliating even to mention such charges, yet Kennedy was constrained to face them in order to clear the air of rumor and innuendo concerning his good character. Thus, in briefly relating events before the accident—the sailing regatta, the cookout, leaving the party with Mary Jo Kopechne—Kennedy refuted three rumors:

1. "Only reasons of health prevented my wife from accompanying me to the cookout."\(^{16}\)

Kennedy's wife Joan was expecting her fourth child in about six months though he does not explicitly state that this was the "reason of health."\(^{17}\) The undercurrent question which is confronted here is, "With six single girls and the Senator at a cookout, why was Mrs. Kennedy absent?"

2. "There is no truth, no truth whatever, to the widely circulated suspicions of immoral conduct that have been leveled at my behavior and hers regarding that evening. There has never been a private relationship between us of any kind."\(^{18}\)

The charge responded to here is that there might have been some sort of Kennedy-Kopechne romance, for example, in heading towards the beach (not the ferry) at the time of the crash. Such an insinuation

\(^{16}\text{Ibid., p. 22.}\)

\(^{17}\text{See Boston Globe, July 27, 1969, p. 49.}\)

\(^{18}\text{Kennedy, op. cit., p. 22.}\)
was hurtful indeed to the prestigious Kennedy reputation. Rather than ignore it, the Senator stated the rumor and publicly denied it.

3. "Nor was I driving under the influence of liquor."19

There had been moderate drinking at the party after the cookout.20 Kennedy is denying any drunkenness, which, in turn, might have caused the car accident. Proof of drunken driving would have been a serious blow to Kennedy, if not a fatal one. He must also respond to this rumor.

In answering these three charges mentioned above, Kennedy used a technique of simple denial. He did not develop a lengthy refutation such as by quoting other people's affirmation of his sobriety. Rather he explicitly mentioned the rumor—a forthright but painful step in itself—and acknowledging his awareness of this accusation, he briefly denied its verity.

The second part of the Kennedy accounting dealt with the accident itself. This narration omitted the fact that when he had come to a fork in the road, he had turned right on to a dirt road leading to the beach instead of turning left on the paved road which led to the Edgartown ferry (see map). In his previous brief statement of July 19, Kennedy had mentioned this and explained:

... I was driving my car on Main Street, Chappaquiddick, on

19Ibid.

20See Time, August 1, 1969, p. 12.
my way to get the ferry back to Edgartown. I was unfamiliar with the road and turned right onto the Dike Road instead of bearing hard left on Main Street.\(^{21}\)

Omitting reference to this part of the story in his TV speech, Kennedy merely stated that a "little over one mile away, the car that I was driving on an unlit road went off a narrow bridge, which had no guard rails and was built on a left angle to the road."\(^{22}\) This statement contains, perhaps, the key to why the accident really happened. Besides having no guard rails, the bridge veers off at about a \(40^\circ\) angle to the left from the straight route of the road.\(^{23}\) Unless the driver turns left as he reaches the bridge, the car will plunge into the water.

Kennedy briefly narrated the confused events of the accident itself:

---the car overturned;
---water rushed in;
---Kennedy barely escaped himself;
---he made repeated efforts to rescue the girl.\(^{24}\)

Next the Senator faulted his own conduct in the most self-critical statement of the speech:

\(^{21}\)U.S. News & World Report, August 4, 1969, p. 21. For a picture of this crossroads at Chappaquiddick where Kennedy turned right instead of left, see Newsweek, May 11, 1970, p. 47A.

\(^{22}\)Kennedy, op. cit., p. 22.

\(^{23}\)For a picture of how the bridge actually looks when approached at night and lighted by car headlights, see Time, August 1, 1969, p. 13.

\(^{24}\)Kennedy, op. cit., p. 22.
My conduct and conversations during the next several hours, to the extent that I can remember them, make no sense to me at all.

Although my doctors informed me that I suffered a cerebral concussion as well as shock, I do not seek to escape responsibility for my actions by placing the blame either on the physical and emotional trauma brought on by the accident or on anyone else.

I regard as indefensible the fact I did not report the accident to the police immediately. 25

Kennedy had a delicate decision to make in analyzing his conduct immediately after the accident. He decided not to accept the hazards of suggesting that "I had a concussion and shock which exonerate my conduct." Instead, he chose to state that "I did suffer from shock and a concussion, but I still consider my delay in reporting the accident as indefensible."

The Senator may well have made a wise decision in using this approach. Had he tried to justify his conduct because he was not fully rational after the crash, many would probably have questioned this explanation. Contrariwise, by noting his concussion but still accepting guilt for not promptly reporting the accident, Kennedy made the best of a bad situation. Instead of trying to extricate himself by a difficult sort of squirming, he again accepted his guilt—as he had already announced at the opening of his speech.

The Senator proceeded to explain what happened after the accident:

--he returned to the cookout cottage and enlisted the help of Paul Markham and his cousin, Joseph Gargan;

--the three made further futile attempts to rescue Miss Kopechne;

25 Ibid.
his friends took him to the ferry dock;

because the ferry was closed, Kennedy impulsively swam across to Edgartown;

later, he recalled speaking to the clerk at the desk of the hotel;

the next morning, he sought the legal advice of a friend, Burke Marshall, and belatedly reported the accident.

Besides narrating these events, Kennedy further psychoanalyzed himself and explained his feelings and reactions soon after the tragedy:

All kinds of scrambled thoughts, all of them confused, some of them irrational, many of them which I cannot recall, and some of which I would not have seriously entertained under normal circumstances, went through my mind during this period. They were reflected in the various inexplicable, inconsistent and inconclusive things I said and did—including such questions as whether the girl might still be alive somewhere out of that immediate area, whether some awful curse did actually hang over all the Kennedys, whether there was some justifiable reason for me to doubt what had happened and to delay my report, whether somehow the awful weight of this incredible incident might, in some way, pass from my shoulders.

I was overcome, I'm frank to say, by a jumble of emotions: grief, fear, doubt, exhaustion, panic, confusion and shock.

This is a rather vivid and probably quite accurate summary of the state of mental confusion which Kennedy suffered at that time. The

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26 This man was actually the co-owner of the Shiretown Inn, Russell E. Peachey. For his account of this brief incident see Boston Globe, July 27, 1969, p. 50.

27 For the full text narrating these events, see Kennedy, op. cit., p. 22.

28 Ibid.
reference to "some awful curse hanging over the Kennedys" was an emotionally charged phrase which would recall primarily the violent deaths of the three oldest Kennedy brothers, Joseph, John, and Robert. Many people do sympathize with the Kennedys because of the striking series of misfortunes which have struck this family.

Having narrated the facts of the accident, the Senator concluded:

Today, as I mentioned, I felt morally obligated to plead guilty to the charge of leaving the scene of an accident. No words on my part can possibly express the terrible pain and suffering I feel over this tragic accident.

This past week has been an agonizing one for me and the members of my family. And the grief we feel over the loss of a wonderful friend will remain with us for the rest of our lives.

It was now time for Kennedy to talk about the future, particularly his future as a public servant. The Senator's first statement in this area involved the possibility of his own resigning from the Senate:

These events, the publicity, innuendo and whispers which have surrounded them, and my admission of guilt this morning, raise the question in my mind of whether my standing among the people of my State has been so impaired that I should resign my seat in the United States Senate.

The suggestion of resigning is a serious business as, indeed, is the whole Chappaquiddick story. The very mention of resigning by Kennedy is an indication to all of how momentously he regarded the tragedy.

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29 Ibid.
30 Ibid.
Basically, what Kennedy was calling for was a vote of confidence. He affirmed that without the confidence of the people whom he represented, he did not feel that he should continue in office:

If at any time the citizens of Massachusetts should lack confidence in their Senator's character or his ability, with or without justification, he could not, in my opinion, adequately perform his duties, and should not continue in office. 31

Further developing this idea, the Senator referred to the tradition of excellence for senators from Massachusetts which may cause some to doubt his own ability:

The people of this State—the State which sent John Quincy Adams and Daniel Webster and Charles Sumner and Henry Cabot Lodge and John Kennedy to the United States Senate—are entitled to representation in that body by men who inspire their utmost confidence.

For this reason I would understand full well why some might think it right for me to resign. For me, this will be a difficult decision to make. 32

This appeal to the public recalls a similar action by Richard Nixon in his "Checkers" speech. There is a striking difference, however, in their rhetorical approach to the public. Nixon urged his audience of the American people to help the Republican National Committee in making a decision which he would abide by: "Wire and write the Republican National Committee whether you think I should stay on or whether I should get off.

31 Ibid.
32 Ibid.
And whatever their decision is, I will abide by it."\(^33\)

On the other hand, Kennedy asked the people of Massachusetts for advice but insisted that, ultimately, a man must make his own decision in a matter so important as this:

And so I ask you tonight—the people of Massachusetts—to think this through with me. In facing this decision, I seek your advice and opinion. In making it, I seek your prayers.

It has been written a man does what he must, in spite of personal consequences, in spite of obstacles and dangers and pressures. And that is the basis of all human morality. Whatever may be the sacrifices he faces if he follows his conscience—the loss of his friends, his fortune, his contentment, even the esteem of his fellow men—each man must decide for himself the course he will follow.\(^34\)

Kennedy's conclusion is a brief one, again looking to the future. Uncertain at this point as to what his next course of action will be, he expressed the hope of continued usefulness to the people of Massachusetts and to mankind:

I pray that I can have the courage to make the right decision. Whatever is decided, whatever the future holds for me, I hope that I shall be able to put this most recent tragedy behind me and make some further contribution to our State and mankind, whether it be in public or in private life.

Thank you and goodnight.\(^35\)

In summarizing the Kennedy speech, we should note that it is a


\(^{34}\)Kennedy, op. cit., p. 22.

\(^{35}\)Ibid.
rather brief statement and includes a strategy which we may call "a frank admission of some guilt." Kennedy, as we have seen, began his TV address by confessing that he had pleaded guilty to the charge of leaving the scene of an accident and later described his delay in reporting the tragedy as "indesensible." This acceptance of some guilt is probably the best procedure for a man who believes himself that he has made a mistake. Kennedy refused to make alibis for himself and his candid admission of some guilt made other details of his story more credible. The Senator would have erred if he tried to exonerate his actions completely on the night of the accident. It was far better to accept some of the blame while clarifying the confusing series of events surrounding the tragedy at Chappaquiddick. About two thirds of the speech, therefore, involves a narration of the facts concerning the automobile accident. In a sense, nothing was more basic to Kennedy's vindication effort than to clear the air of mystery and of doubt by a concise summary of what happened on the day and night of July 18, 1969. The Senator's initial statement of July 19 was very brief and the six days of silence which followed only led to greater speculation and uncertainty concerning Chappaquiddick.

Kennedy did more than merely relate an account of the events before, during, and after the accident. He also denied unfounded rumors against his reputation, and explained the confusion and torment within himself on the night of the crash. The Senator admitted being overcome by such emotions as grief, panic and fear.

After clarifying the circumstances surrounding the accident, Kennedy looked to the future in the final section of the speech. Intimating that he might feel compelled to submit his resignation from
the Senate, Kennedy asked the citizens of Massachusetts to help him with this decision. The subsequent "vote" of his constituency would be a vital key to the potential success of his vindication effort. Concluding his speech, the Senator hoped that whether as a private citizen or public servant he would be able to be of further usefulness to his fellow men.

III. Results and Conclusion

An analysis of the results of Kennedy's vindication effort requires a twofold approach, which includes immediate and long range effects.

The immediate response to the speech brought mixed reactions. The most favorable reply was from the people of Massachusetts, many of whom rallied once again to the Kennedy standard. On the morning after the speech, the New York Times headlined: "People of Massachusetts Rush to Support Kennedy." The article stated:

"All hell's breaking loose here," said an editor at The Globe. "I've never seen it like this." He added that the number of calls in favor of Kennedy's remaining in office appeared to be "overwhelming."

The Western Union office in Boston said it was flooded with
outgoing telegrams. "It seems like we've handled 95,000 calls since Kennedy was on television," a spokesman said. "Most of the people sending telegrams are for him."

The major television stations in Boston each said the sentiment of callers was heavily in support of Senator Kennedy. 36

The reaction of the press was not so favorable to Kennedy. The New York Times summarized some of the editorial comment around the nation regarding the Kennedy speech as follows:

New York Post: There were moments when his words seemed wholly convincing and others when they seemed contrived. But what shadowed the recital more than anything he said or failed to say was the sense that such a statement should have been issued days ago. . . .

Boston, Christian Science Monitor: Whether the nation as a whole can be brought to forgive and forget the offence to which Senator Kennedy pled guilty depends on many things . . . whether any further damaging revelations about the circumstances come out, whether the public judges his action in not reporting the drowning for some nine or 10 hours reflects a character flaw making him ineligible for the nation's highest office and upon how the Senator conducts himself from now on. But it is doubtful if what is spoken of as the Kennedy aura can ever be won back.

Washington Post: By inviting the people of Massachusetts to help him decide whether he should resign, he has doubtless taken his case to the one court of opinion most likely to decide favorably. But this is his right, and all the more so because by his own testimony, and by his earlier pleas of guilty in the court at Edgartown, he did far less than he might have done to put his own conduct in a more favorable light. . . . He did what he had to do both as a politician and as a man.

Baltimore Evening Sun: Nothing that Senator Kennedy said last night explains that conduct convincingly. He remains a man that failed badly in long hours, not just a moment, of crisis. Despite the understandable jumble of emotion, the one indefensible course was to do nothing more after the initial attempts at rescue had failed. Yet this is what he did. He asks, in effect, whether he has demonstrated in a time of crisis those qualities of character and temperament which people are entitled to expect in their national leaders. We think he has not.

Kansas City Star: It was a deeply moving performance on television by

an attractive and obviously deeply troubled man. His "confession" and appeal are sure to win him much sympathy among the millions who watched. But the statement did not excuse Kennedy's strange reactions after the fatal plunge of his car into a pond, nor did it answer all the still unanswered questions in connection with that event.37

The New York Times' editorial also stressed the problem of still unanswered questions:

Senator Edward Kennedy's televised explanation Friday night of the tragic accident in which he had been involved a week earlier may be entirely true but it is unsatisfactory because it raises more questions than it answers. Natural human sympathy for Mr. Kennedy and his companion, who was drowned when the car he was driving plunged over a narrow bridge, impels one to wish to accept completely the Senator's statement. Yet it fails to clarify a number of points on which neither he nor his friends have thrown adequate light.38

Highlighting its own dissatisfaction with Kennedy's attempt to reveal the facts of the case, Time wrote a long article in which it posed for its readers eleven questions concerning the Chappaquiddick events.39 The magazine offered its own tentative answers to these matters, many of which Time considered still dubious after the Kennedy TV speech.

The press had indeed given Senator Kennedy a difficult time after his speech of explanation and self-vindication. Columnist Kenneth Crawford made this telling analysis of the situation:

In American jurisprudence, a man is innocent until proved guilty. In American politics, a man is guilty until proved innocent. What he is guilty of is the appearance of guilt. This is the high crime of practical politics. In the case of Sen. Edward Kennedy it can be the crime that closes out the Kennedy dynasty.

This may all be unjust, but there it is. The accident's repercussions were immediate and shattering. The epicenter of the disturbance was, of course, at the Capitol. The moon landing was all but forgotten. All previous assumptions about the Congressional campaign of 1970 and the Presidential election of 1972 went up in cloakroom smoke.40

While Crawford's reminder that a man is presumed innocent until proven guilty is a timely statement in behalf of Ted Kennedy, the conclusion of the columnist's article was far less helpful: "In these times, it is being said, a President must be above all else panic-proof. This, Kennedy is not."41

Whether one accepts or rejects this analysis, the quotation reiterates this important point: much of the immediate reaction to Kennedy's speech was negative. The principal criticism was probably lack of sufficient information in the TV address to clarify the doubts and speculation surrounding the Chappaquiddick events.

Kennedy's speech certainly did not close the Chappaquiddick investigation. Three months after the accident, Massachusetts prosecutor Edmund Dinis was still trying to have Miss Kopechne's body exhumed for an autopsy.42 The State of Massachusetts finally held the inquest into

40 Newsweek, August 4, 1969, p. 34.
41 Ibid.
the accident in January, 1970. The proceedings were held in secret and only later was the official transcript made public. In April 1970, a grand jury dismissed the case after a brief session. The New York Times wrote: "The Dukes County grand jury voted today to indict no one in the death of Mary Jo Kopechne. District Attorney Edmund Diniz said, 'The case is closed.'" After this meeting Kennedy said: "I expect to be a candidate for the United States Senate in 1972 [1970], and I expect to serve out a full six-year term." Shortly later, in the spring of 1970, the transcript of the inquest was made public. Also released was a report on the accident by District Judge James A. Boyle which was uncomplimentary to the Senator and his account of the accident. Kennedy stated soon afterwards that he considered the judge's opinion to be unjustified. But by now the proceedings of the grand jury had more or less closed the case legally.

Great speculation remained, however, concerning the question of Ted Kennedy and the 1972 presidential election. Was he still a viable presidential prospect? Despite the negative publicity of Chappaquiddick, there are many indications that Ted Kennedy must still be given serious consideration in 1972. Such a victory, of course, would convincingly

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^46 Ibid., p. 16.
^48 Ibid.
^49 Ibid., p. 32.
demonstrate his vindication in the eyes of the public. An early challenge which Kennedy met successfully was the Massachusetts senatorial election of November, 1970. Facts on File wrote;

Sen. Edward Kennedy easily won re-election to a third term, piling up a 500,000 vote plurality over Josiah A. Spaulding, his Republican challenger. Kennedy's vote total of 63\% was believed by Massachusetts' political observers to have largely dispelled any damage inflicted on the senator's image by the accident in which he was involved on Chappaquiddick Island in 1969.\footnote{Facts on File, November 5-11, 1970, p. 808.}

The Senator did suffer a political setback in January, 1971 when he lost his position of Senate majority whip. At that time, his Democratic Senate colleagues elected Robert Byrd of West Virginia to replace him.\footnote{New York Times, January 22, 1971, p. 13.} But despite his many denials,\footnote{See, for example, Columbus Dispatch, April 18, 1971, p. 12A.} Kennedy's name continues to be mentioned as one of the many Democratic presidential candidates for 1972. In April 1971, Newsweek reported a Gallup Poll in which Kennedy led both Edmund Muskie and Hubert Humphrey for the nomination in the opinion of registered Democrats.\footnote{Newsweek, April 5, 1971, p. 21.} This Gallup Poll suggests that less than two years after Chappaquiddick, many a voter has either forgotten about the tragedy or exonerated Kennedy in his own mind.

Despite his continued popularity, Chappaquiddick did hurt Edward Kennedy. Nevertheless, the question remains unanswered as to the degree of damage wrought by the tragedy. A series of uncomplimentary statements--
many unverified—were made about Kennedy after the accident. At the
time, his explanations seemed incomplete and unsatisfactory. The Chap-
paquiddick events have apparently made the Senator himself much more
cautious about seeking any presidential nomination. But only if Ken-
nedy acknowledges his candidacy and openly seeks the office of Chief
Executive, will we be able to fully perceive how complete is his vin-
dication in the eyes of the American public concerning the tragedy at
Chappaquiddick.
FIGURE I

Nantucket Sound

Chappaquiddick

Martha's Vineyard

Edgartown

Ferry

150 Yds.

Road to ferry

Accident

Party Cottage

Fork where Kennedy turned wrong way.

Wooden Bridge

Beach

Waters To Left

Veiros To Left

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"TYDINGS ANSWERS LIFE"

by

Senator Joseph D. Tydings

I. The Exigency

In August 1970, Senator Joseph Tydings of Maryland was looking forward to his November bid for re-election to six more years in the United States Senate. At this time, a serious blow to his political future came in the publication by Life magazine of an article questioning the ethics of some of the Senator's business dealings while a public figure. The issue of Life was dated August 28, 1970 and published four days earlier.1 The Washington Post described Senator Tydings as "a former prosecutor, and an authority on conflict of interest as well as an outspoken crusader for full and completely frank disclosure of the financial interests of members of Congress."2 This same source quoted an earlier statement of Senator Tydings that "impropriety or even the appearance of impropriety has no place in the government of the United States of America."3

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1 Tydings second statement about the Life article came out on August 24, 1970 on the day the August 28 issue was published.


3 Ibid.
Actually, the *Life* article was not alleging that Tydings had acted illegally. Rather the article was saying that Tydings' "private activities in behalf of those interests form a pattern of conduct not in keeping with the strict standards he so eloquently urged upon his fellow senators." 5

The author of the *Life* article, William Lambert, was a rather formidable opponent. He had won the Pulitzer Prize for his report on the financial dealings of Justice Abe Fortas 6 and the article was a factor leading to Fortas' resignation. As senior investigative reporter for *Life*, Lambert had also written articles critical of the actions of such Republicans as Senator Strom Thurmond and Governor James Rhodes of Ohio. 8

Senator Tydings was aware of the impending attack by *Life* though he was unable to obtain an advance copy of the article. 9 Author Lambert had affirmed that "it's company policy not to show the advance copy of an article to anyone" and added that Tydings was quite familiar with what the article was all about. 10

The *Washington Post* noted that "the charges were made less than a month before the Sept. 15 primary in which Tydings faces opposition from

2 Ibid.
5 Ibid.
6 Ibid.
7 Ibid.
8 Ibid.
9 Ibid.
George P. Mahoney. Thus, a prompt reply by Tydings was vitally necessary. The Senator's response may be considered here in three stages:

1. Tydings' initial statement was made on August 20, 1970 before he had obtained a copy of the Life article. This 35-minute prepared statement was read before "more than 100 frequently cheering supporters" and was followed by a 15-minute question period by reporters. It should also be noted that before the press conference, copies of the Life attack were given to the press by magazine spokesmen.

2. Four days later, on August 24, 1970, Tydings read a longer 65-minute prepared statement in answer to the Life charges and then responded to reporters' questions.

3. A four-page newspaper-like publication was also put out by the Tydings people. This paper contained on page four excerpts from Tydings' statement of August 24, the day the Life article was published. In a letter to this writer, Senator Tydings' Press Secretary, Ernest Lotito, wrote:

The four-sided newspaper to which you refer contained both the

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11 Ibid., p. Al.
14 Ibid.
15 Ibid., p. Al.
17 Senator Joseph D. Tydings, "Tydings Answers Life."
August 20 and the August 24 statements. The August 20 statement was a partial version of the original statement, and the August 24 statement was complete.  

It is this document which will be used here as the basic text of self-vindication. Both the statements quoted in this newspaper were originally "read . . . in their entirety at press conferences held in Baltimore."\(^\text{19}\)  

With the '70 elections so near at hand, there was a certain urgency for Tydings to respond promptly to the Life attack. Discussing the upcoming September primary, the Washington Post wrote:

If Tydings' image suffers and his past supporters stay home on primary day, his vote could fall short of the number needed to offset Mahoney strength in rural areas, some Democrats contend.

In addition, other sources said that the existence of the Life article was known to certain influential Baltimore Democrats some of whom have refused to endorse Tydings, saying privately that they were waiting for the matter to be cleared up.\(^\text{20}\)

Even before the Life story, Tydings was facing serious problems with the electorate. The New York Times described the situation as follows:

In recent months bumper stickers have been appearing on cars in Maryland bearing the inscription "Don't Be a Bearer of Ill Tydings."

The stickers are part of the woes of Maryland's senior Senator,

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19. Ibid.
42-year-old Joseph Davies Tydings, a reform Democrat who has been beleaguered in his bid for re-election this fall by criticism from the left and from the right and from Life magazine. 21

The article goes on to say that Tydings was having recent trouble with the liberals for supporting the Nixon Administration's tough anti-crime bill which includes such proposals as "preventive detention." Criticism came to Tydings from the right because of his support for stricter gun control legislation. The article cited a current advertisement which pictured a hunter saying, "If Tydings Wins . . . You Lose." Thus, Tydings was facing re-election problems even before the Life article.

With primary and national elections now imminent, the Senator from Maryland attempted to refute the Life attack. He did so in a twofold response made at press conferences on August 20 and August 21, 1970. Later, most of these statements were reprinted in a four-page newspaper-like format. Each of Tydings' two statements will be examined separately.

II. Strategies and Techniques

A. Excerpts from Tydings' Statement of August 20, 1970 22

Most of the excerpts from the August 20 press conference deal with two issues. First, Tydings strongly suggested that this whole matter was tinged with partisanship and party politics. To support this accusation,

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22 Tydings, op. cit., p. 4.
the Senator points out the following:

1. The magazine article was timed so closely to impending elections that it suggested to Tydings that Life "has permitted itself to be used for partisan political advantage." 23

2. The Senator stated that he was warned eight months ago that he was going to be smeared by the Republicans regarding his Charter Company relationship. 24

3. Another friend had warned Tydings two months ago that his Republican superior had ordered him "to turn the files of his federal agency upside down in an effort to find discrediting data which could be used against me." 25

4. The Life reporter admitted himself that many Republicans had contacted him about the pending article. 26

Both William Lambert, author of the Life article, and the Justice Department responded to Tydings' charges of partisan politics:

Lambert and the Justice Department denied the magazine and the administration had worked together to develop a story on Tydings. A Justice Department spokesman said that no order went out to any federal agency to develop damaging evidence against Tydings.

Lambert said in a telephone interview from his New York home that "it was absurd for him [Tydings] to think I am part of any administration cabal to cause his defeat." Lambert said he personally likes Tydings--"I agree with all the things he stands for"--

23 Ibid.
24 Ibid. Tydings identifies the source of the warning only as "an old friend of my family."
25 Ibid. Neither the friend nor his superior are named.
26 Ibid.
but that he felt it was his journalistic duty to write the story. 27

The second major issue in Tydings' August 20 statement was an indictment of Life magazine for the tactics it had used in preparing the article for publication. The Senator felt that "Life's so-called investigation of this matter smells strongly of having predetermined the answers before asking the questions." 28 Tydings supports this assertion by noting the following points:

1. Life did not give him the chance to respond to the charges before publication. 29

2. Tydings had been very cooperative with William Lambert when the reporter had sought information for his article. 30

3. When Tydings sought to defend himself personally at New York before Life's Board of Editors, he was given a two-day deadline in which to appear there. Because of campaign commitments, Tydings was unable to come to New York so promptly and was denied a short extension of time so as to be able to defend himself properly. 31

4. Furthermore, Tydings stated that he was denied either an advance copy of the article or even a synopsis of it to know precisely what was being charged against himself. 32

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28 Tydings, op. cit., p. 4.
29 Ibid.
30 Ibid.
31 Ibid.
32 Ibid.
5. When Tydings urged Life's Assistant Managing Editor, Philip Kunhardt, to check with State Department officials who would verify a particular statement made by the Senator, Kunhardt failed to do so and further indicated that "a final determination had been made to publish the article."33

6. Reiterating that he had made a basic request to respond personally to Lambert's allegations before Life's New York Board of Editors, Tydings concluded that "Life denied my request. They are hell bent for publication."34

In summarizing Tydings' August 20 statement, it should be noted that two ideas were stressed: (1) this whole business smacks of party politics; (2) Life denied Tydings a fair chance at self-defense before publication of the article. The first point, if proved, could be very persuasive in Tydings' favor. However, a legitimate question could still be asked, "Are the facts revealed by Republican sources true and do they substantiate charges of unethical activities by Senator Tydings?"

The action by Life magazine in denying Tydings a chance to see the article in advance and defend himself before Life's Board of Editors creates a certain dismay on the part of fair-minded citizens evaluating the case. While Tydings appears to have a just complaint about this, the following question still remains at the heart of the matter: "Are the facts and conclusions actually published in the Life article true?" If yes, Tydings remained in trouble. Even if untrue, an exigency remained for the Senator

33 Ibid.
34 Ibid.
to respond in detail to the allegations which Life was about to publish in its August 28 issue. Whatever the veracity or falsity of the article, some readers would assuredly accept its indictment of Tydings unless the charges were refuted. Tydings did respond in greater detail to the Life article. Before analyzing this second statement, we must consider two final techniques used by Tydings in the August 20 statement:

1. Tydings pledged to make a fuller response to Life's charges when the article is published and he can come to grips with specific charges.  

2. Concluding this statement—of which only excerpts are included at the end of the four-page newspaper—Tydings twice used argument from example:
   a. The Senator recalled that in 1964 he was subpoenaed by the Grand Jury because of allegations which were later proved false.  
   b. Tydings also reflected that his own father's career in the Senate was badly damaged by a doctored photograph whose falsity could not be proved until after the election. The Senator concluded: "I'm not going to let that happen this year."

B. Statement by Senator Joseph Tydings on August 24, 1970

Recalling his pledge to respond publicly to "each and every allega-
tion, charge or insinuation of impropriety," Tydings cited four reasons which now impelled him to fulfill that promise:

First, I owe it to the people of Maryland. This is an election year. Charges are commonplace. I recognize that the truth, often detailed and undramatic, rarely overtakes the sensational smear. But I hope and pray that Marylanders will take the time to read my factual response in its entirety.

As Nixon did in his "Checkers" speech, Tydings, at the start, appealed to the truth as a vindicator of himself. It is important to realize from the beginning of our analysis that Tydings' task was more complicated than Nixon's in 1952. Nixon could explain the facts about his fund with relative simplicity compared to the job before Tydings. The reason for this is the complex nature of the Life article's indictment. One has to read the article for himself to realize that, far from mere broad generalities, the Lambert essay gets down to specifics, so much so, that the ordinary reader probably could not remember all the details of the indictment in a single careful reading. Just as Richard Nixon could expect professional politicians from both parties to scrutinize closely all the facts of the case, Tydings also faced the same situation. Therefore, his response was in detail and considerably more com-

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39 Ibid., p. 1.
40 Ibid.
41 In the first paragraph of the "Checkers" speech, Nixon had stated: "I have a theory, too, that the best and only answer to a smear or to an honest misunderstanding of the facts is to tell the truth." See Richard Nixon, "Checkers" Speech, in Irving J. Rein, The Relevant Rhetoric (New York: The Free Press, 1969), p. 191.
plicated than the "Checkers" speech. In his appeal to the truth, Tydings took the lengthy attack of the Lambert article and responded to each point. The Senator stressed thoroughness rather than readability or cleverness of style. Setting his objective as a complete response, he urged his fellow citizens of Maryland to "take the time to read my factual response in its entirety."\textsuperscript{43} Because of the specific nature of \textit{Life's} attack, Tydings chose a precise point by point reply.

The Senator continued his analysis of why he must respond:

\begin{quote}
Second, I owe it to my staff in the Senate and the thousands of dedicated and selfless campaign volunteers who are working so hard on my behalf. . . . I can do no more than tell my friends the truth. They deserve no less.

Third, I owe it to the Senate of the United States. . . .

Finally, I owe it to myself and my family. . . . I make an inviting target. But I have never run from a fight and I won't run now.\textsuperscript{44}
\end{quote}

Thus, Tydings felt that he owed it to four groups of people to respond to this attack. During his reference to the Senate, Tydings stated that he had also discussed the whole matter with Senator John Stennis, Chairman of the Senate Ethics Committee.\textsuperscript{45} He wanted the entire Ethics Committee to know what this matter was all about.

Having concluded his introduction, the Senator got down to the facts of the case. Much of \textit{Life's} attack centered around Tydings' relationship

\textsuperscript{43}Tydings, op. cit., p. 1.

\textsuperscript{44}Ibid.

\textsuperscript{45}Ibid.
with Mr. Raymond Mason and their association together in the Title Insurance Company and The Charter Company. Tydings explained his fifteen-year business and personal relationship with Mason. Concluding his long and necessarily complex summary of a series of business transactions, the Senator observed:

At no time and in no case did I ever lend the prestige of my office as a United States Senator to any business activity. At no time did my activities interfere with my Senate duties. At no time did I ever permit my office to be used in any fashion to advance Charter's interests with any private investor. At no time did I ever intervene with any government agency—state or federal—on behalf of Charter.

Tydings added that due to his political commitments, he had resigned from his office as a director of The Charter Company but continued on the board of Title Insurance Company. Summarizing his response to the Life article up to this point, Tydings stated:

Despite references to meetings in which I participated as a Charter director, Life cites not one single instance in the six years I have been a Senator in which the fact that I was a Senator had any bearing whatsoever on the fortunes of the company. In fact, Life admits that I have not been guilty of any illegal conduct.

But Life suggests that because I have been in the forefront of reform, I am to be judged by a higher standard and insinuates that I am guilty of hypocrisy. I say: Nonsense!

I have never called for total divorce from private business interests for elected public officials. What I have espoused is the

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46 Ibid.
47 Ibid.
48 Ibid.
full disclosure of all business interests so that the public may measure the conduct of its representatives. That I have done.49

In both 1969 and 1970, the Senator had voluntarily made a public disclosure of his financial assets.50 This disclosure had added to his reputation for financial integrity. But the Life article was critical of Tydings' method of revealing his finances because he did not sufficiently emphasize how important was his involvement in The Charter Company.51 Tydings now commenced with a technique which he will use repeatedly in his effort at self-vindication. He stated one of the many Life charges and responded to it. Note the threefold use of this technique in the following passage:

Life criticizes my disclosure because it fails to state the amount of income I received from Charter. My disclosure did not purport to be—and the fact is clear from an examination of it—a disclosure of all income. But the fact of my interest in Charter was disclosed.

Life criticizes my disclosure because it fails to state that I was a director of Charter. But that was not the purpose of a disclosure of one's financial interests. And, I repeat, the fact of my interest in Charter was disclosed.

Finally, Life criticizes my disclosure because it fails to show the significant extent of my Charter holdings in contrast to the amount of my holdings in other companies identified in my disclosure. The amount of the interest is not the relevant consideration. To me, the fact of the interest was the significant thing, and that fact was disclosed.52

49Ibid.
50Ibid. The first page of the Life article (p. 26) pictures part of Tydings' financial statement as listed in the Congressional Record.
51A rereading of the Life article will show that through much of his attack, Lambert is concerned about Tydings' involvement with The Charter Company.
52Tydings, op. cit., p. 1.
The Senator made an important distinction here. He argued that the fact of any financial interest is the important thing rather than quantifying that interest. He then reiterated his willingness to face close financial scrutiny.\(^{53}\) Tydings recalled that his disclosure of finances had been voluntary and that "if I had sought to hide my interest in Charter, which is what Life suggests, I would simply have made no public disclosure at all."\(^{54}\)

The Senator moved on to another major aspect of the Life attack. This had to do with his 1964 visit which Tydings and Mason paid to Mr. Paul Bridston, who was then working with the Agency for International Development (AID).\(^{55}\) This incident was one of the most serious charges by Life. Tydings summarized the facts of this matter as follows:

Richard Mason of Charter Company had a large business deal involving a Nicaraguan housing loan which was dependent upon the approval of AID, a division of the State Department. At the end of 1964, Tydings had accompanied Mason to visit AID official Paul Bridston. In June, 1970 when Lambert had first interviewed him, Tydings claimed that he had not yet taken the oath of office as Senator when he had visited Bridston. Lambert was dubious. By means of an ink freshness test of his appointment book, Tydings had later proved to Lambert that the meeting actually did take place in early December, 1964. This date was after Tydings had won election to the Senate, but a month before he took his oath of office.\(^{56}\)

\(^{53}\)Ibid.

\(^{54}\)Ibid.

\(^{55}\)Ibid.

\(^{56}\)Ibid., p. 2.
After this complicated test, taken at Lambert's suggestion, had proved Tydings' claim that he was not a senator at the time of the Bridston meeting, Tydings noted that "Mr. Lambert now takes the position that the date of my meeting with Mr. Bridston is irrelevant."57

Lambert's point was probably that even a Senator-elect could wield political influence. The most damaging part to Tydings of this whole business was the following statement in the Life article:

In a subsequent interview, Bridston was less specific. He remembered conversation about the "importance of private investment in foreign assistance," and said the meeting lasted 15 or 20 minutes. But Bridston was clear as to his impression of the reason, for Tydings' appearance: "He was there to lend weight in general to what Raymond [Mason] was trying to do in the housing guarantee program--just to let me know ..." Tydings, he recalled, "said something like, 'Whatever you can do to help Ray, I'd appreciate it.'"58

Tydings stated that a State Department official, Mr. Scott Heuer, Jr., was currently investigating whether Tydings' recollection of his meeting with Bridston was accurate.59 Summarizing his analysis of the controversial Tydings-Mason-Bridston meeting, Tydings stated:

Mr. Mason wanted me to meet Mr. Bridston, and I agreed to do so. The Charter loan was not discussed. To the best of my recollection, Charter's business was not discussed. I did not solicit Mr. Bridston's assistance on that matter or on any other. Nothing about that meeting was improper in any way. If Life suggests otherwise

57 Ibid.
58 Lambert, op. cit., p. 28.
59 Tydings, op. cit., p. 2.
they have done me and Mr. Mason and Mr. Bridston a gross injustice.

Tydings concluded his discussion of this matter by referring to Paul Bridston. It was the Bridston quotation in the *Life* article that gave credibility to Lambert's charges. Now Tydings summarized the Bridston position as he understood it:

Mr. Bridston told me flatly only one month ago that he agreed with my recollection that we never discussed Charter business at that meeting and that we did not discuss the loan in question at any time.

I do not wish to impugn Mr. Bridston's veracity. I know only what he told me, what has been reported to me that he has told the State Department's Inspector General for Foreign Assistance, and what is the truth. And I do not find that truth reflected in the *Life* article.61

Next Tydings briefly refuted an additional charge of conflict of interest which had appeared in the *Washington Post*.62 This criticism was over and above what Lambert had stated in *Life* and referred to a hearing by the Federal Reserve Board on February 17, 1970.63 The *Washington Post* did correct its own charge in the August 22 and August 26 issues.64

Returning again to the main business at hand, the Lambert attack in *Life*, Tydings stated that "in the *Life* article alone I have found more than 25 material misstatements of fact."65 Before proceeding to a de-

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60bid.
61bid.
63Tydings, op. cit., p. 2.
65Tydings, op. cit., p. 2.
tailed accounting of these inaccuracies, Tydings paused to present
his own reflections about why Lambert and Life had attacked him at all.
This section may be considered as an ad personam argument. If the
Senator's analysis was correct, he had turned the case rather effective-
ly against his attackers. Part of Tydings' explanation was as follows:

What I think happened was this: One of Life's senior reporters... honestly thought at the outset of his investigation that he saw in
my relationship with The Charter Company the makings of a serious and
substantial breach by me of the public's trust. He believed, at
first, for example, that in the Bridston episode he had uncovered a
clear instance of the misuse of my office for my private gain. He
made the horrible mistake, I am afraid, of convincing himself that
there was a story of that sort about Tydings. But the facts just
weren't there. My candid response to his questions, the complete
recollections of Mason and Bridston, and the wholly innocent facts
surrounding the AID guarantee of the Nicaraguan loan for which The
Charter Company found a lender all pointed the other way. But Mr.
Lambert, by then, had committed himself to produce.

Pressing home this attack, Tydings recalled again that he had
passed Life's ink freshness test and that he knew Life had received assis-
tance from Republicans. But the outcome of it all, said Tydings, was
meager indeed for "the mountain labored and brought forth a mouse."68
Concluding this section of his written response which the four-page news-
paper subtitles "Digging for Dirt,"69 the Senator summed up his opinion
of the Life article:

66 Ibid.
67 Ibid.
68 Ibid.
69 Ibid.
Life maliciously served up this shadow of a story, furthermore, at the peak of my hard-fought campaign for re-election, diverting my energies and the public's attention from the issues of real substance, requiring me, instead, to bend my every effort to see to it that the truth overtakes the smear.

In short, the Life story is an awfully cheap shot.70

The rest of the body of Tydings' statement—more than one third of the entire message—used one technique consistently. This was to present an exact quote from the Life article and to refute it immediately. Some twenty-nine times, Tydings repeated the phrase, "Life alleges:" He next quoted a short passage from Lambert's article. With only two exceptions,71 Tydings used a phrase like "the fact is" or "the facts are" in the subsequent paragraph to reveal what he felt was the truth in the matter at hand. This lengthy section, therefore, may be considered as the longest and clearest example of a consistent pattern of refutation seen thus far in this dissertation. Tydings is not asserting in every case that the particular statement in Life is untrue. Sometimes Tydings will concede the fact but explain that the circumstances surrounding the particular matter did not involve any impropriety, anything unethical, as is implied in the Life account.

One simple example of this will suffice. Near the end of his statement, Tydings read one sentence from Lambert's article and then, conceding its truth, denied any irregularity:

70 Ibid., pp. 2-3.

71 Ibid., p. 3. After the twenty-first and twenty-ninth use of the words, "Life alleges," Tydings omitted a phrase like "the fact is" in responding.
Life alleges: "Still using his Charter air travel credit card, Tydings flew to Los Angeles just before Christmas 1969 to join Mason's executive committee in its critical merger discussions with Occidental officials."

Life attempts to make my use of a company credit card appear to be rather extraordinary for a director. The fact is quite the contrary. The company reimburses each of its directors for his expenses in connection with company meetings. I believe this is customary with all business corporations.\(^2\)

It should be noted, therefore, that not every quotation by Tydings beginning with the phrase "Life alleges:" is of equal importance. Of the twenty-nine examples of this technique which run to the end of the address, only the more important items will be examined here. A careful look will be taken particularly at Tydings' continued explanation of his Bridston visit and his relations with the Charter Company.

We should recall that Tydings had made voluntary disclosures of his assets to the Senate in 1969 and 1970.\(^3\) Lambert had entitled his Life article, "What the Senator Didn't Disclose."\(^4\) He was particularly critical of Tydings for not revealing how much of his wealth was obtained through his connection with Mason and The Charter Company. Tydings quoted the Life allegation and then responded as follows:

\textit{Life alleges: "The bulk of his wealth has grown out of a single, highly profitable relationship."}

The fact is that the present market value of my Charter stock--and I own no interest in any other property attributable to The Charter Company--is less than thirty percent of my present net worth

\footnotesize{
\(^{72}\)Ibid.
\(^{73}\)Ibid., p. 2.
\(^{74}\)Lambert, \textit{op. cit.}, p. 27.
}
life had tried to connect tydings' dealings with charter to another profitable real estate transaction he had made. tydings responded by claiming that the real estate investment was "charter connected" only in the sense that some of his business partners in charter had also engaged with him in a real estate transaction which was not at all under the charter aegis:

the fact is that this investment is not as life suggests, a "charter-connected enterprise" except in the very indirect sense that the partners had known one another for many years because of their membership on charter's board of directors.

perhaps no aspect of the life article was more damaging to tydings than lambert's account of the meeting of mason and tydings with aid official paul bridston. life had used this incident to document a more general and more serious charge against tydings. the senator repeated the charge and responded:

in support of its grave and vicious "conflict of interest" charges, life can allege only one single incident. this, according to life, was that i once accompanied an old friend to meet a man i didn't know allegedly to discuss a company in which i had no interest at a time i was not yet a senator. even here, life admits that its own source, mr. paul bridston, changed his story after i confronted him with the facts. the life story also fails to reveal that after i suggested

75 tydings, op. cit., p. 2.
76 ibid.
77 see footnote 58.
that the investigation then under way by State Department’s
Inspector General for Foreign Assistance supported my recollec-
tion of that meeting, Life refused to lift the phone to call
him. 78

Life continued the attack by noting that at the time of the
Bridston visit, Charter Company—under Mason's leadership—had still
not worked its way out of serious financial difficulties. 79 While
Tydings admitted that Charter had lost $384,000 in 1964, he noted that
the financial situation of Charter was steadily improving. 80 Further-
more, Tydings insisted that AID had never loaned any money to Charter
and that the Nicaraguan deal was only a small part of Charter's business:

No federal funds were ever paid to or loaned to The Charter
Company notwithstanding the implication in the Life story that
Charter was "bailing out" of financial difficulties by obtaining
questionable AID or AID-guaranteed loans.

Nothing could be further from the truth. Charter's role was
that of mortgage broker only—it never received any AID or AID-
guaranteed loans. Its only financial interest was its fee as a
mortgage broker which was payable by the borrower and not by AID.
The Nicaraguan loan about which Life writes represented
$7 million of the more than $700 million of mortgage loans Charter
has handled during the last five years—about one percent of its
mortgage business. 81

Reaffirming his insistence that the Bridston meeting took place
in December, 1964 82—before he took office as a Senator—Tydings pursued

78 Tydings, op. cit., p. 2.
79 Ibid., p. 2.
80 Ibid., pp. 2-3.
81 Ibid., p. 3.
82 Ibid.
his analysis of the Bridston affair. He noted that (1) when the
meeting took place, he was unaware of the pending Nicaraguan loan;
(2) in 1964, he had been too occupied with Senate business to involve
himself in Charter affairs; and (3) that he considered the meeting a
mistake, not because of its impropriety, but because of subsequent
trouble which had resulted. 83

With good reason, Tydings dwelt at considerable length in refu-
ting the accusations about the Bridston meeting. The whole Life attack
is detailed and often cites "chapter and verse." A superficial response
by Tydings would leave him open for criticism that he had not responded
fully to the detailed attack by Life. While Tydings' response becomes
so complex at times that the text must be carefully studied rather than
merely read over, this is indeed a necessary evil. Life has been very
explicit in its attack. Twenty-nine times Tydings quoted the Life text
and promptly responded with his own answer to the specific statement at
hand. A casual reader of the Life attack or of Tydings' response is not
likely to be able to restate accurately the precise nature of Lambert's
attack or Tydings' refutation. But those who have carefully studied the
details of Lambert's attack must admit that Tydings has been very speci-
fic in facing the issues in his reply. Some may challenge the effective-
ness of Tydings' answers, but it is difficult to deny the careful attempt
which was made to meet the charges in the Senator's twenty-nine-point
rebuttal.

Even after Tydings took office in the Senate in 1965, Life alleged
that "Charter was still ailing and Mason again turned to his friend Joe

83 Ibid.
Tydings for help. 84 The implications of this statement again have serious ethical consequences and Tydings responded:

According to Life's implication, my participation as a working director of the Charter Company was improper.

The fact is that at no time did I ever use my office or permit it to be used in any way, shape, or form to further the business of the Charter Company. Nor is it conceivable that the financial institutions which loaned money on mortgages procured for them by the Charter Company made their investment decisions on any other basis than the security of their loans.

My role as a working director is not only permitted by the rules of both the House of Representatives and the Senate but reflects a common practice among members of Congress. 85

The Senator continued on through a long series of quotations from Life until he concluded his message by refuting the twenty-ninth statement. This passage is something of a summary of all that went before and is a final indictment of Tydings' conduct which Life judged to be unethical:

Life alleges: "In protesting that his conduct in these matters is beyond serious reproach, Senator Tydings points out that there are others in the Congress who apply considerable energy to the pursuit of their business interests. Surely he is right that there are others whose senatorial prestige has helped turn them a tidy profit. Surely this sort of thing was just what he meant when he said: '. . . the endurance of our democratic system of government depends upon public confidence in its integrity and in the impartiality of its officers and employees.'" 86

The Senator's response to this final quotation is also the con-

84 Ibid.
85 Ibid.
86 Ibid.
clusion of his speech. He took a final slap at Life for its use of innuendo, recalled his own Senate record of financial integrity, and affirmed that his statement of assets required no apologies of his part. The Senator concluded with this protestation of innocence:

I am one of only 14 Senators in this Congress who have made any disclosure of their financial interests beyond what the Senate rules require.

I make absolutely no apology for the statement of assets I issued. It clearly stated my financial interests. It was clear enough for Mr. Lambert to follow. It was intended to and it did inform the people of Maryland as to the nature of each of my financial interests. It provided them the essential yardstick they needed to measure my performance in office against my financial interests. I was prepared then, as I am now, to be judged just as harshly on my conduct regarding the least of those assets as the greatest.

In summary of the Tydings response, we should recall that excerpts from his August 20 statement are included along with his full message of August 24. The August 20 statement counterattacked primarily with two charges:

1. Life was getting involved in partisanship and party politics.

2. Life had denied Tydings a fair chance to defend himself before publishing its article.

At the end of this statement, the Senator also used argument from example and pledged to clarify the whole situation further after the Life story was actually published.

The August 24 statement of Senator Tydings was longer and more precise. In his introduction, the Senator affirmed that he owed an

87Ibid.
honest response to four sources: the people of Maryland, his staff and campaign workers, the Senate, and finally, his family and himself. The Senator also revealed his discussion of the case with the Senate Ethics Committee as a further proof that he had nothing to hide.

Much of Tydings' defense consisted of a revelation of the facts of the case, particularly concerning his relationship with Raymond Mason and The Charter Company. The Senator also defended his method of publicly revealing his finances. This had been attacked in the very title of the Lambert article: "What the Senator Didn't Disclose." Tydings closely examined and explained his controversial visit to AID official Paul Bridston. He restated the important fact that the ink freshness test, taken at Life's request, substantiated his claim that the Bridston meeting took place before he was actually a Senator.

Tydings also recalled the recollection of the meeting which Bridston had recently told him personally, recollections which he did not feel were properly presented in the Life article.

In a brief passage which digressed from the refutation of Life, Tydings emphatically denied an additional alleged conflict of interest meeting reported in the Washington Post.

The major technique used in the second half of the Tydings statement is refutation. His procedure was deliberately repetitious. Twenty-nine times Tydings used the phrase, "Life alleges:" and followed with a short quotation from Lambert's article. In the next paragraph, Tydings responded, usually using a phrase such as "the fact is" to introduce his answer. Tydings did not always deny the veracity of the Life statements. Often he would concede the truth of the statement but deny that any impropriety was involved as was either stated or implied by Life.
Concluding this long series of refutations, Tydings insisted that he had no apologies to make about the way he publicly revealed his assets. With a touch of irony, he noted that his report "was clear enough for Mr. Lambert to follow." Insisting that it provided honest information for the people of Maryland, the Senator concluded his statement.

III. Results and Conclusion

The publication of the *Life* attack created immediate problems for Tydings. An August 25 article in the *New York Times* stated:

Much of Tydings' "reform liberal" reputation in Maryland stems from a public career, both as a legislator and as a Federal prosecutor, dedicated to exposing and punishing other officials' conflicts of interest. He is widely believed here [Baltimore] to have suffered a serious setback in his campaign for a second Senate term.

The *Washington Post* was critical of Tydings in an editorial published on the day after his second statement made August 24:

Senator Tydings' lengthy statement of yesterday, reiterating much of what he had said before, throws some additional light on the incidents—but still not enough. He acknowledges that his financial statement was incomplete. He emphatically denies any conflict of interest or wrongdoing. But the question is not just whether he believes there was any impropriety in his conduct; obviously he sees none. The question, by his own rules, is whether there is the "appearance of impropriety."

The senator is a former prosecutor, and an authority on conflict of interest as well as an outspoken crusader for full and completely

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frank disclosure of the financial interests of members of Congress. So he must know that a visit to the place of business of a government official, in the company of a man who is actually doing business with the agency concerned, cannot easily be dismissed in the public mind as a social occasion, no matter how innocuous the conversation—especially when the business at hand is brought off successfully and both he and the government official subsequently take up an association with the particular business enterprise which is involved. To say the very least, it is a disappointment to find Senator Tydings in the position of having to defend, in such circumstances, conduct which clearly falls short of the high standards which he himself has so loudly espoused.  

Thus, the Bridston meeting was still haunting the Senator. In fairness to him, we may recall that with considerable difficulty Tydings had proved that this meeting took place about a month before he took office as a Senator.

The New York Times editorialized as follows about Tydings:

Senator Tydings of Maryland is an outstandingly able and progressive legislator who has shown much courage and independence in his six years in the Senate. He is one of only fourteen Senators who has made public any report of his personal finances. It is surprising, therefore, to discover that Mr. Tydings has been insensitive to the nuances of his own financial dealings. As disclosed in an article in Life magazine, he has been active as a director and major stockholder of the Charter Company, a Florida-based banking and real estate enterprise. He has done nothing illegal. Indeed, the only clear impropriety occurred six years ago, when, as Senator-elect, he attended a meeting with an Agency for International Development official who had the authority to approve or deny a Government-guaranteed loan which Charter was seeking to arrange.

But in a larger sense, the entire relationship was clouded with impropriety because he actively joined with Charter executives in seeking new business for the company from Wall Street banks and investment houses. Sophisticated businessmen are aware that it is at least potentially useful to have a friendly business relationship with a United States Senator.

Rather than admit an error of judgment, Senator Tydings has chosen to take the offensive. He contends that Life is acting,
in effect, as a conduit for a political attack conceived in the
White House. The Nixon Administration would undoubtedly like to
see the Maryland Democrat defeated for re-election this fall,
but that in no way invalidates the Life article. 90

Despite the criticism, Tydings successfully cleared the first
election hurdle by defeating George P. Mshoney in the Democratic primary
of September 15, 1970. 91 He was upset, however, in the November elec-
tion by Republican Glenn Beall. The vote was:

Beall: 1479,985 votes = 51% of the vote
Tydings: 1450,234 votes = 48% of the vote 92

29,751 difference = less than 1% of total vote

The question remained, "Granting that Tydings lost, how impor-
tant a factor in his defeat was the Life article?" There is considerable
evidence to indicate that, in the minds of the press at least, the defeat
was based mainly on factors other than the Life attack. During the month
before the election, Columnist Stewart Alsop made an analysis of the up-
coming Maryland election in which he dismissed Lambert's attack in two
sentences. Speaking of Beall and Tydings, Alsop stated:

Both agree that the muckraking article in Life magazine, which in
effect charged Tydings with using political influence for personal
gain, hurt a bit, but not much. There really wasn't much muck to
rake, if any, and being attacked by "outsiders" and "the media"

could be a new plus for Tydings among the voters he needs most. 93

Later, in an article headlined "Tydings Defeated by Beall," the Washington Post made little mention of the Life article but stressed instead the gun control issue concerning which Tydings had taken a harder position than Beall:

In announcing his decision to run, Beall also declared that he was opposed to federal gun registration—an issue that served as the foundation for much of the Tydings opposition. Throughout the campaign, Tydings charged that Beall was the candidate of the "gun lobby" and was receiving substantial support from it.

Beall did not deny the charge but he did not make gun controls an issue. He concentrated on his support of the Nixon Administration—Tydings accused him of being a "rubber stamp"—and blamed Tydings for contributing to the problems confronting the nation.

When Life magazine charged in August that Tydings had used his influence to help a company with which he was associated, Tydings denied the charge and accused the Nixon Administration of opening its files for political purposes. After a brief flurry, the article was seldom discussed during the campaign.94 [Italics mine]

The same issue of the Washington Post had a rather lengthy analysis of the hard-fought senatorial contest and never mentioned the Life article while discussing other issues of the election:

The Senate race throughout the summer and fall was not so much a Tydings-Beall confrontation as it was an anti-Tydings campaign.

Beall, most political observers felt, never succeeded in carving out his own image in the campaign, but rather was relying heavily on the outpouring of anti-Tydings sentiment in his bid to

93 Newsweek, October 19, 1970, p. 126.
upset the one-term incumbent.

Throughout the campaign Tydings was stalked by Citizens for Tidings [sic], an anti-gun-control organization that attempted to picture Tydings' proposed federal gun registration measure as one designed to take weapons away from law-abiding citizens.

Last week, the anti-Tydings campaign stepped up with ads appearing in Baltimore and Washington newspapers that attempted to link Tydings with campus violence, socialism, the Black Panthers and to picture him as soft on crime—this, despite his leadership to secure passage of the D.C. crime act with its controversial no-knock and preventive detention sections.

Added to this were Maryland appearances by President Nixon and Vice-President Agnew in support of Beall. Agnew, repeating the ritual he had performed in other states, denounced Tydings as a "radical-liberal."

The Tydings forces viewed the anti-Tydings effort as the dirtiest campaign in Maryland since 1950, when Tydings' father, Millard Tydings, was ousted from his Senate seat . . . .

Beall consistently disavowed any connection with the vitriolic ads and brochures directed against Tydings, but never repudiated the sentiments expressed in them.95

Our point here is not to discuss any of the issues suggested in the previous quotation. Rather it is this: in this long analysis of factors in a hard-fought campaign, no explicit mention is made of the Life article.

The Boston Evening Globe commented as follows:


Beall, son of the Senator Tydings defeated in 1964, thanked Mr. Nixon and Agnew for their unwavering support. Agnew made three trips to Maryland and Nixon and his wife made separate trips for Beall and gubernatorial candidate Blair.

Tydings also alienated segments of the electorate. He ran poorly in the rural areas because of his identification with strong gun
control legislation. He ran 100,000 votes behind his showing in Baltimore in 1964, partly because of his alleged support of harsh anticrime legislation increasing police search powers. Many Democrats complained of his aloof personality.

A magazine "exposé" accused him of ignoring the spirit of conflict of interest regulations early in the campaign.

In an article headlined "Gore and Tydings, Targets of Nixon, Lose to S.O.P." the New York Times stated that "several of President Nixon's and Vice President Agnew's prime targets were defeated in the struggle for dominance in the Senate, including Democratic Senators Albert Gore in Tennessee and Joseph D. Tydings in Mr. Agnew's home state of Maryland . . . ."97

Mr. Agnew had implicitly referred to the Life article at least once in his campaigning for Beall. Facts on File reported that "in Baltimore Oct. 20, Agnew attacked incumbent Sen. Joseph D. Tydings (D) as a 'young man who preaches high ethical standards but whose own standards raise questions' . . . ."98

One final analysis of the election will suffice. In a long article two days after the election, the Washington Post wrote:

Michael Parker, president of Citizens Against Tydings, said yesterday, "Tydings tried to make his re-election campaign a referendum on gun registration. His campaign and his proposal have been decisively repudiated by the people."

Tydings had anticipated such a statement. What hurt him the most, Tydings said, was the thought that the gun lobby would claim the victory.

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There were other issues. Tydings was a critic of the war in Indochina. He had supported civil rights legislation. He had voted against A.B.M., against G. Harrold Carswell and against Clement Haynsworth for the Supreme Court. Vice President Spiro T. Agnew said Tydings was a radical-liberal. Many Marylanders said Tydings was "ultraliberal."99

The same article later suggested that Tydings' personality may have created for him a voter "identification problem":

"Too much of the public," said a close friend of Tydings, "associates Joe with the negative aspects of enormous wealth—the distance, the aloofness, not one of the guys. A lot of guys—labor guys—think it's nonsense, but it's unstoppable.

"My honest feelings about Joe's political stance," this source said, "is that it's highly issue-oriented. There's not much of the absorbing kind of personal following that other politicians have.

"People—a great many voters, would have excused a vote here, a stand there in a man they identified with, they just didn't identify with him. He doesn't have that large personal following."

Registered Democrats outnumbered Republicans 3 to 1 in Maryland, and Beall said he was not sure why he had won. "The anti-feeling," he said. "Perhaps the views I was expressing were more in tune with their feelings than the views he was expressing."100

Tydings' Press Secretary, Ernest Lotito, believed that the Life article was a major factor in the election. In a letter to this writer, he stated:

There is no doubt in my mind that the Life article, and the subsequent delay by the State Department in clearing the Senator of the only allegation in that article cost the Senator the election. A poll we commissioned revealed that four per cent of those who had heard about the accusations decided to vote against the


100Ibid.
Senator on that basis. Another four per cent were not sure whether it would cause them to vote against him.

Without the Life article, the Senator undoubtedly would have been reelected, I feel, and his vindication by the State Department before instead of after the election would have also provided victory.

Recall that the State Department was investigating the matter of the $7 million government guaranteed loan connected with the Bridston meeting. It was not until after the election that the State Department cleared Tydings of the charge of any unethical influence in the matter. In an article entitled "Senator Tydings Is Cleared of Loan Charge," the Washington Post wrote:

The State Department yesterday said that there is no evidence, after extensive investigation, that Sen. Joseph D. Tydings influenced the outcome of a $7 million government loan to a company in which he had an interest.

Tydings' office said yesterday, "The report completely vindicates Sen. Tydings, as we knew it would. It confirms every detail of his August statement refuting the article."

A State Department official, asked about the timing of its report on the case, said the investigation was not complete until several days ago.

The Washington Post also stated:

Tydings lost the Nov. 3 election by 29,750 votes, or slightly

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101 Letter from Ernest Lotito to this writer dated Dec. 15, 1970.
102 Tydings, op. cit., p. 2.
less than 4 per cent of the total vote. At the time of the pri-
mary, Tydings commissioned an Oliver Quayle poll that his aides
say showed 4 per cent to 5 per cent vote loss they attribute to
the *Life* article. 104

What can be said in summarizing these viewpoints of the election?
With the exception of the Tydings camp itself, most observers seemed to
feel that other issues besides the *Life* article were the decisive factors
in the election. Even if we grant that this is true, another question
remains: "Why was the *Life* article not an important factor?" At least
three answers to this question may be suggested:

1. The *Life* attack was quite complicated without a great deal of
evidence proving genuine unethical conduct.

2. Other issues, such as gun control, were considered far more im-
portant by the electorate.

3. Tydings had successfully refuted the *Life* charges in his two
statements of August 20 and August 24, 1970, plus the four-page news-
paper account of these statements.

Whatever the answer to this question, the fact remains that, ini-
tially at least, the *Life* attack placed a heavy exigency upon Tydings
for prompt reply. After his initial statement before knowing the full
scope of the Lambert essay, Tydings made a longer reply which primarily
demonstrated two rhetorical techniques. First, Tydings appealed to the
very facts of the case which he believed would exonerate his conduct
once these facts were made clear. Secondly, the Senator resorted to the
somewhat tiresome but necessary approach of a long, point by point refu-

104 Ibid., p. B5.
tation of the statements in *Life*. Tydings' use twenty-nine times in succession of the "Life-statement-plus-refutation" formula is by far the clearest example of this technique which we have encountered thus far in this dissertation. This strategy covers most of the second half of the speech and is effective in its concern for small details rather than for the colorful style of the presentation. But attacks of this sort require clear and precise replies and this is the technique Tydings opted for the refuting of the detailed attack by Lambert and revealing both the facts of the case and their proper interpretation.
I. The Exigency

There is a certain paradox surrounding the rhetoric of Spiro Agnew. His critics laugh at him, substitute his image in place of that of Mickey Mouse on the face of a watch, and wear T-shirts showing a caricature of the man. Yet it is the very furor of his adversaries, generated by his often colorful style of speaking, that has catapulted Agnew into the national limelight and belied the assertion that his remarks are not taken seriously by those with whom he jousts. While insisting that they cannot do so, many do, in fact, take Spiro Agnew very seriously.

Columnist Stewart Alsop, in an article entitled "The Secret of Spiro T.,” described the Agnew speaking style as follows:

Agnew's appearance and manner are both reassuring. Almost as much as Warren Gamaliel Harding, he looks like a casting director's dream for the role of "Mr. President"—a tall, well-groomed rather stiff figure, with a long, solemn face, in which all the lines point down, even when he smiles his small, oddly puckish smile. His manner is "cool," in the McLuhanite sense. . . .

Continuing his analysis of Agnew's paradoxical style, Alsop provides what may well be one of the keys to Agnew's unexpected oratorical success:

As a result, his speeches are rarely, then only tepidly, interrupted by applause. But this does not mean that they bore his audiences. On the contrary, Agnew has succeeded in reviving speechmaking, which seemed doomed to obsolescence by TV and tedium, as a major political instrument—his unique achievement is to transform himself from Throttlebottom into a very big political figure just by making speeches.

The secret lies in the Agnewisms. Perhaps he stumbled on the formula by chance, in his "effete corps of impudent snobs" speech. In any case, he makes his speeches good theater by interspersing the tedious Republican doctrine with Agnewisms. Like all good theater, Agnew's speeches thus provide suspense, as the audiences wait eagerly for the expected Agnewisms.

But Agnew's rhetoric is more than colorful; it is controversial. In a speech given during September, 1970, the same month as the student debate on the David Frost program, the Vice President gave a good example of his penchant for provocative alliteration when he said, "We have more than our share of the nattering nabobs of negativism. They have formed their own U-H Club—the hopeless, hysterical, hypochondriacs of history." This period before the elections of November, 1970 was a particularly busy one for the Vice President. It was during this rough-and-tumble campaign that Agnew gained new attention and criticism by his use of the phrase "radical-liberal." Time magazine commented as follows on the Vice President's use of this particular phrase:

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2 Ibid.

He Agnew also created a new derogatory label: "radical-liberal" (he sometimes shortened it to "radic-lib"). The term seems to include nearly all opposition on the Administration's left, particularly in Congress and on the campuses...

But in rational political debate, words must be used precisely. Radicals, in today's lexicon, include bomb throwers and those committed to destroying American institutions. Liberals, often criticized by Agnew as being too soft, cannot by any stretch of definition be lumped in with violent extremists. Yet the Vice-President does the trick with a flick of the hyphen.

Despite the turmoil and the criticism—or perhaps because of it—the name Spiro Agnew has not only become a household term, but a great drawing card as a Republican fund raiser. Columnist Kenneth Crawford, commenting on Agnew's ability to generate response from his political opponents, made the following observations:

That, obviously, is what Agnew asks for. His effectiveness as a partisan polemicist and fund raiser depends upon response, adverse even more than favorable. His Republican admirers like him for the anger he arouses in the opposition as much as for himself. They know they can count upon several Democratic senators to jump up and down in rage after an Agnew speech, always a pleasing spectacle. It gives Agnewites a chance to talk back in surrebuttal to their television sets. It stimulates them.

It was in the midst of his hard-fought political campaigning in the fall of 1970 that the Vice President agreed to discuss the issues of the day with a representative group of critical college students. In fact, it was Spiro Agnew who originated the idea of a dialogue or debate with his younger critics from the college campuses. In a letter

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to this writer, Assistant to the Vice President, Herbert L. Thompson, stated:

The TV discussion with the students was the Vice President’s idea, as was the Frost Show for a forum. He thought this would be a good means of airing any differences between himself and militant college students.

He did not know what students he would be debating. The choice was left to David Frost and his associates. The Vice President did suggest that they represent a militant viewpoint.

The meeting was first telecast on September 25, 1970. Between 200 and 250 people were present in the audience, which included supporters of both the students and the Vice President. Besides the four students on the stage, five others were in the front of the audience, strategically located so as to have the first chance to ask questions from the audience. In selecting the students who appeared on the program, David Frost "chose presidents of student bodies and as wide a geographical cross section across the country as possible." The four students seated on the stage were:

1. Greg Craig, second year Yale law student and former Harvard student council president

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6 Personal letter to this writer from Assistant to the Vice President, Herbert L. Thompson, dated April 9, 1971.


8 Ibid.

9 Ibid.

10 Ibid.

11 Ibid.
2. Rick Silverman of the University of Washington

3. Eva Jefferson from Northwestern, who had testified before the Scranton Commission on Campus Unrest, was the only woman and the only black student participating in the debate.

4. Steve Bright, a political science major from the University of Kentucky

After David Frost had introduced these four students, he welcomed Mr. Agnew. The Vice President was then seated so as to have Mr. Frost alone on his right side and the four students to his left.

As the debate progressed, only one speaker from the audience would have the chance to participate. He was Craig Morton, the student president at Kent State University.

This was the scene during the debate, the dialogue, the confrontation, between Vice President Agnew and his student critics. There was an exigency for this occasion on several counts:

1. Perhaps such a dialogue would ease the tensions between the two factions by an honest interchange of personal views and expression of personal commitments.

2. Mr. Agnew had voluntarily agreed to confront student leaders chosen by Frost, who were also his youthful critics. How would the Vice

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12 Ibid.

13 Ibid.

14 Ibid.

15 For a picture of these six participants during the program, see Ibid., p. 87.

16 Ibid., p. 97.
President fare in his confrontation with this young brain-trust of political opponents? Would he confirm his own partial image as a worthy substitute for Mickey Mouse on the face of a watch or the front of a T-shirt? Or would he relegate that image to the realm of fantasy and wishful thinking by his demonstration of rhetorical and political expertise?

A 90-minute debate could reveal quite a bit about the rhetorical skills or weaknesses of any man. It could reveal much about the Vice President. This was the challenge facing Spiro Agnew.

II. Strategies and Techniques

The so-called debate basically followed a question-and-answer format. David Frost often let the dialogue take its course between this participants but occasionally he would channel the discussion in a certain direction or even ask questions himself. When the Vice President sat down, Frost began by asking him why he wanted to debate with the students. Agnew immediately stated that he considered this more of an interchange of ideas than a debate. He added that "perhaps as happens in any exchange, we will move closer together. That's what my hope is in this meeting." The debate had started on a graceful note.

Frost asked Greg Craig for the first question. Craig immediately turned to the controversial issue of the Vice President's aggressive style

17 Ibid., p. 87.
18 Ibid.
in the current political campaign declaring that "you have chosen to attack personalities rather than problems." 19 Agnew responded by agreeing with Craig's statement that "what we need is civilized discourse." 20 He added in defense of his aggressive tactics that "it's always been in response to something they have said," 22 and that "the political climate has to be adversary. That's our system." 22 Then Agnew turned the tables by noting that he had received plenty of hostile criticism from the opposition:

When I was running for Vice President, a very respected public servant of the persuasion that you mentioned had some very unkind things to say about me. He said I was a two-bit hack politician or a fourth-rate hack politician. I didn't see any of the editors or the columnists flying into orbit over this insult. So, it's a two-way street. 23

Craig pursued his initial criticism by responding that the adversary system is based on an issue such as health care 24 and added that "we have the worst health care among all industrial nations in the world." 25 In response, Agnew questioned the statement that our health care was the worst among all industrial nations. He went on to explain what the

19 Ibid.
20 Ibid.
21 Ibid.
22 Ibid.
23 Ibid.
24 Ibid.
25 Ibid., pp. 87-88.
Nixon Administration was doing to improve the situation, mentioning the possibility of a national health-insurance system. 26 He also noted that today's youthful critics do not seem to realize how much health standards have improved: "You haven't had to grow up with polio or diphtheria, mainly because the people in my generation and the generation before have eliminated that." 27 Concluding a fairly long response, the Vice President made the following distinction: "We want you to challenge, but don't depreciate and downgrade a society that has given you the tools to work with that you have." 28

Eva Jefferson then commented that while many improvements are still necessary, "it is offensive to me when it is inferred that we are not grateful or we don't appreciate the greatness that America has." 29

Agnew dropped the first bomb of the session by telling Miss Jefferson that "much of what you said I find very encouraging, particularly in contrast with what you said to the Scranton Commission when you said the only way to get the attention of the society is to bomb buildings." 30 Before Frost turned the debate back to this brief comment, Agnew used argument from example. In order to demonstrate that the situation in many areas was improving, the Vice President cited, for example, the fact that federal assistance to education had increased from 3.4 billion to 8.6

26 Ibid., p. 88.
27 Ibid.
28 Ibid.
29 Ibid.
30 Ibid.
billion dollars in the last two years.\(^3\)

When Miss Jefferson brought up the desegregation issue in connection with education, Agnew asked her this question: "Do you know that the number of black children attending integrated schools in the South this year will be 10 times more than it was two years ago?"\(^2\)

Rick Silverman challenged the Vice President's optimistic evaluation of school integration. Referring to an article in the latest Playboy, Silverman claimed that "we find that the Administration is now listing for us as integrated students any student who is in a district which is nominally integrated. So that we have countless examples, dozens and dozens of examples of students attending all-black schools in what are being listed in the new federal guidelines—the new federal propaganda—as integrated schools. It is a farce."\(^3\)

Agnew challenged Silverman's figures and while Rick was re-checking his sources, David Frost channeled the conversation back to the Vice President's remark about Eva Jefferson speaking before the Scranton Commission.\(^4\) In the longest single statement of the debate, Miss Jefferson disagreed with the Vice President's previous remark. She claimed that her own record in student government at Northwestern demonstrated her non-violent convictions.\(^5\) Her comment about blowing up a building was an effort to ex-

\(^3\)Ibid.
\(^2\)Ibid.
\(^3\)Ibid.
\(^4\)Ibid.
\(^5\)Ibid., p. 90.
press the feelings and frustrations of others, not her own sentiments. Criticizing the Vice President for what she felt was a misrepresenta-
tion of the facts, Jefferson said, "You're doing us a great disservice
because you're making people afraid of their own children. . . . But
when you make people afraid of each other, you isolate people." When
the topic shifted to desegregation, Agnew cited his own liberal record
on civil rights while a public servant in Baltimore. Returning to
Jefferson's testimony before the Scranton Commission, Agnew again
criticized her for calling for the impeachment of President Nixon.
Jefferson reiterated her claim that her testimony was being misrepre-
sented. She said that she had merely asked the Commission, "What kind
of recommendations do you think I should come up with? Do you think I
should say you should impeach the President?"--and that at this point
the audience had applauded.

Going back to her references to violence, Jefferson repeated her
claim that she opposed such tactics, but that "I was trying to explain
the rationale behind a minority—but an active minority—of college

36 Ibid.
37 Ibid.
38 Ibid.
39 Ibid.
40 Ibid.
41 Ibid., p. 91.
students."

This interchange concerning Jefferson's testimony before the Scranton Commission had now gone on for some length of time. The Vice President had quoted or paraphrased her testimony three times and continued to remain critical of it. Miss Jefferson had defended herself quite capably and insisted that her own position did not favor the use of violence and that the Vice President was misrepresenting her by quoting her statements out of context.

David Frost now invited a statement from Steve Bright, the only student who had not made any comment so far. Bright challenged the Vice President by asking if violence may not some day become the last necessary recourse of people who continually find the government unresponsive to their demands.

In responding, Agnew first assured his listeners that it was wrong to think that he was hostile to all students: "I have never criticized all students. I think that the hope of the country lies with the students."

But on the other hand, he insisted that "if a President is elected . . . to lead the country for four years, he has a right to do that without having people calling for a referendum in the streets."

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\(^{42}\) Ibid.

\(^{43}\) When this writer questioned Mr. Agnew about this part of the debate, Herbert L. Thompson, Assistant to the Vice President, wrote back: "The Vice President has no comment on the exchange with Miss Jefferson, but he invites your attention to the full transcript of her appearance before a congressional committee, and you can judge for yourself whether she was misquoted."

\(^{44}\) "Agnew's Talk with 5 Students," op. cit., p. 91.

\(^{45}\) Ibid.

\(^{46}\) Ibid.
Agnew noted that elective government brought responsible changes regularly in the members of our representative government. He added that, actually, students only represented "about 4 per cent of the population," and thus could not expect to have everything their own way.

Responding to another question by Bright, Agnew stated that he did not believe that violence-prone minority groups had "tremendous support" and that he had no fear at all of any impending revolution in this country.

In a response to a final question by Bright, the Vice President stated:

Lawful dissent is proper. I have no quarrel with certain types of civil disobedience where the law being violated is directly related to the grievance. But I think when a person lies down in the streets of the city of Washington and disrupts traffic because he doesn't like something the Department of Agriculture is doing—that's a little bit much.

Miss Jefferson then defended the right of minority groups to dissent. She argued from example, citing the abolitionists of the nineteenth century who were then considered radical but are now judged to have been correct. Agnew agreed with Jefferson that it was altogether proper.
"not to harass the President but certainly to take him on where you think he's wrong." But he insisted that there was a right way and a wrong way to dissent. He condemned screaming obscenities instead of dialoguing and he condemned those who disrupt the rights of others, for example, a group in Saginaw, Michigan which had denied Agnew his own right to free speech by shouting him down.

The debate was now about half over. We can see that one rhetorical technique is used repeatedly: the interchange of ideas via question-and-answer dialogue. All the speakers have a particular background of knowledge about the issues of our day plus a commitment to various positions regarding these issues. As in any debate using cross examination format, there is a certain risk for the participant. He cannot rely upon a prepared text; he must respond to his opponent's question which—for all his knowledge and previous preparation—may come as a surprise. A slip of the tongue, a poorly expressed statement of a legitimate position, a loss of temper, any one of these can hurt the image and effectiveness of the participant. Continuous cross questioning tests a man's skill at extemporaneous speaking, especially in the context of controversial issues discussed by participants whose viewpoints are often widely opposed. The speaker's image created during the debate by his rhetorical skill and competence—or the lack of it—may be the most lasting impression of the event.

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52 Ibid.
53 Ibid.
Thus far in the debate, neither side had made a serious blunder though there had been some lively and candid exchanges. If the Vice President had lost ground on any point, it was in his quoting of Eva Jefferson's statements before the Scranton Commission. She had insisted quite capably that her statements were being misunderstood because quoted out of context. One of the fairest ways to judge this matter would be to read the full text of the Jefferson testimony as given before the Scranton Commission. Even better would be to hear a tape of the testimony which would include audience response, tone of voice, and other factors missing from a transcript. A similar comment could be made about the Agnew-student debate on the David Frost Program. To judge the effectiveness of the speakers on this program competently, a critic would be more likely to make proper judgments of effectiveness by actually seeing the TV program as it was witnessed by millions of Americans. 54

Meanwhile, the debate continued with Frost himself asking the Vice President what other kinds of dissent—besides violence—he would rule out. 55 Agnew answered that he opposed "that kind of conduct that deprives other people of their rights." 56 He gave a very timely example by stating that he would oppose people disrupting or halting the present debate on the David Frost program because they did not agree with the format. 57

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54 This writer saw the whole program once and the last part of the debate twice over regular home TV in Columbus, Ohio.


56 Ibid.

57 Ibid.
Pursuing the point, Frost asked Agnew what kind of civil disobedience he considered legitimate—actually, a very touchy question. The Vice President cited the bus boycotts in Alabama as legitimate because they were aimed directly at a law which they felt was unjust—and which was indeed judged to be unconstitutional.

Greg Craig now returned to another sensitive issue: the Agnew style of rhetoric. He brought up a number of issues in his statement including the Vice President's attack on the Senate, particularly against those whom he called "radical-liberals." Craig asked if the Vice President questioned these men's patriotism simply for having different views about what is good for our country.

Agnew recalled that Vice Presidential criticism of political opponents was not unusual and again resorting to a brief example, noted that on a particular past occasion in the Senate "one Senator beat another one with his cane." He also noted more seriously that "my rhetoric is no different than the rhetoric that has been turned upon me—sometimes a lot less inflammatory." The Vice President cited three more examples of Presidents Franklin Roosevelt, Truman, and Teddy Roosevelt all using rather colorful and aggressive terms in their political oratory. Agnew had by now shown a certain penchant for the short, practical example to  

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58 Ibid.
59 Ibid.
60 Ibid., p. 94.
61 Ibid.
62 Ibid.
63 Ibid.
demonstrate his points. He noted that his own use of the phrase "pusillamnous pussyfooters" had been borrowed from Teddy Roosevelt. 64

Craig challenged the Vice President again on the question of his opponents' patriotism. Agnew responded that a careful check of the scripts of his more controversial speeches would demonstrate his repeated explicit affirmation that he is not questioning the patriotism of these men. 65 However, the Vice President added that he felt that the so-called "radical-liberals" were "terribly wrong" 66 and added that "I reserve the right to take them on, and let me tell you one thing: I am not going to stop saying what I have to say about them in a way that I want to say it, because this is my right of free speech." 67

Rick Silverman brought the discussion back to the question of violence, citing both the war in Vietnam and also the deaths at Kent State University. 68 Silverman was critical of our Vietnam involvement and of the reluctance of South Vietnam's Vice President Ky to negotiate. 69

Agnew responded with a long analysis of why we were involved in Vietnam. He referred to North Vietnam's violation of the Geneva Accords of 1954, 70 its massacre of 50,000 South Vietnamese, 71 and its brutal

64 Ibid.
65 Ibid.
66 Ibid.
67 Ibid.
68 Ibid.
69 Ibid., pp. 94-95.
70 Ibid., p. 95.
71 Ibid.
agrarian reform program. He then referred indirectly to three American Presidents who "saw fit to engage in what I consider highly moral conduct in assisting those people who were the subject of Communist aggression." He recalled that war is not a "unilateral exercise" but involved two sides. Lastly Agnew argued that the security of neighboring nations further argued for our helping South Vietnam:

We feel that the "domino theory" is totally valid. I have been to Asia twice in the past eight months, and I know the "dominoes" think it's valid. Now we cannot stop war simply by proclaiming that we won't pay any attention to it.

The Vice President had made a brief but rather penetrating summary of the case supporting U.S. involvement in South Vietnam. The five or more reasons which he touched upon in his statement are certainly controversial, but they do effectively sum up much of the case arguing for support of South Vietnam. This statement was followed by one of the rare examples in this debate of rapid interchange of dialogue. By quoting part of the passage, we can observe the interchange of wit and barbed

72 Ibid. One wonders here if Agnew is not actually referring to atrocities committed in North Vietnam in the years 1954-55. For a comment on similar atrocities in North Vietnam during these years see: Robert Kennedy, To Seek a Newer World (New York: Bantam Books, 1968), pp. 177-178. The argument would then be that we acted to prevent similar atrocities from taking place in South Vietnam via North Vietnamese aggression.

73 Ibid.

74 Ibid.

75 Ibid.
rebuttal which made this passage of the debate a lively one. Agnew had just completed his long analysis justifying our Vietnam involvement:

Mr. Silverman: Your logic does not convince me any more than it convinces your daughter.
Mr. Agnew: It convinces her a lot better than it used to.
Mr. Frost: It does, does it? Because you talked about that the last time we were talking--is she more convinced of your point of view?
Mr. Agnew: Yes, and I haven't had to be aggressive or violent in any way to get her to think that way.
Mr. Craig: Am I wrong in interpreting your comments to be that we are, in fact, seeking a military victory in South Vietnam still?
Mr. Agnew: You are quite wrong, quite wrong.76

The discussion then shifted to the Paris peace talks. There was a lively interchange between Agnew and Craig which provided the Vice President with one of his finest moments in the debate. Craig was, of course, critical of U.S. Vietnam policy and our efforts at the Paris peace talks. In the midst of a lively exchange, Agnew posed Craig a hypothetical question which could be stated as follows: Supposing the United States—with the agreement of South Vietnam—proposed to North Vietnam mutual withdrawal of forces from South Vietnam, internationally supervised free elections there, and a U.S. acceptance of whatever form of government the South Vietnamese people chose for themselves, hypothetically speaking, asked Agnew, would all this be a reasonable basis for a settlement?77

76 Ibid.
77 Ibid., pp. 95-96.
When Craig responded, "That sounds like a reasonable--", Agnew quickly sprung the trap, as it were, by stating:

All right, just let me make this one point: Everything that I have just said to you is lying on the table in Paris today, including the South Vietnamese acceptance of those conditions. And every one of those points has been rejected by the North Vietnamese and the Viet Cong.

Eva Jefferson then made a rather long statement on Vietnam covering several points:


2. Eisenhower had stated that in 1954 "if elections had been held he felt Ho Chi Minh would have won by 80 per cent of the votes." 80

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78 Ibid., p. 96.
79 Ibid.

I am convinced that the French could not win the war because the internal political situation in Vietnam, weak and confused, badly weakened their military situation. I have never talked or corresponded with a person knowledgeable in Indochinese affairs who did not agree that had elections been held as of the time of the fighting, possibly 80 per cent of the population would have voted for the Communist Ho Chi Minh as their leader rather than Chief of State Bao Dai.

Note two points:
1. Eisenhower is speaking of an election between Ho Chi Minh and Bao Dai.
2. Eisenhower says "if elections were held as of the time of the fighting,"--speaking in the context of the French-Vietnamese war. This fighting ended, practically speaking, with the battle of Dien Bien Phu in 1954, before the Geneva Accords of 1954 were even signed.
3. The Communists resumed fighting when the free elections were not held.\textsuperscript{81}

Agnew responded by first attempting to clarify the Eisenhower statement, which has indeed led to much confusion and misunderstanding by being misquoted or quoted out of context. The Vice President noted that Eisenhower was speaking of an election between Ho Chi Minh and Bao Dai, who in 1954 was a prominent political figure. But, noted Agnew, Bao Dai was, in fact, defeated by Diem the following year by an 80 percent margin.\textsuperscript{82}

As far as the refusal to hold the 1956 elections, Agnew responded that "the Communists refused international supervision of that election, and it was impossible to have a free election leaving it to the countryside, which was completely terrorized by the Communists at that time."\textsuperscript{83}

Lastly, Agnew insisted that there were, in fact today, two Vietnams and that South Vietnam had held well supported free elections.\textsuperscript{84}

Silverman now injected an attack on the "tiger cages" which were used as maximum security cells by South Vietnam and also of Mr. Diem, the former political leader there. Referring to what he considered the myth that Diem was a popular hero, Silverman challenged "If that's the case, why are the United States' hands so damned bloodied at his execution?"\textsuperscript{85}

\textsuperscript{81}Ibid.
\textsuperscript{82}Ibid.
\textsuperscript{83}Ibid.
\textsuperscript{84}Ibid.
\textsuperscript{85}Ibid.
Agnew's reply to this is a good brief example of a particular rhetorical technique: the categorical denial. Note in the following exchange how Agnew's firm and explicit denial of an accusation resulted in Silverman's shifting the discussion away from the original topic.

Mr. Diem:

Mr. Agnew: I don't think the United States' hands are bloodied at anybody's execution in Vietnam.

Mr. Silverman: Are you saying there was no CIA involvement in the toppling of the Diem regime?

Mr. Agnew: Exactly! Exactly! What gives you the thought that there was?

Mr. Silverman: Would you admit, just to set some perspective here, that there has been CIA involvement in other regimes—for example with our banks in Guatemala?  

Although the matter of Diem was now dropped, Silverman continued to insist that the CIA deserved censure for its involvement in the affairs of other nations.  

Agnew replied: "All I can say is the United States is lily-white compared to most countries in this respect."

David Frost now entered the discussion to channel it into the area of domestic problems. Silverman's questioning soon brought the discussion into the very controversial area of the Kent State tragedy. In a long analysis of this matter, Agnew made several points. In a surprisingly frank and candid statement about the tragedy, Agnew spoke of

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86 Ibid.
87 Ibid., pp. 96-97.
88 Ibid., p. 97.
89 Ibid.
"young people—people in National Guard Uniforms—who made a terrible error of judgment at that time, feeling that their lives were threatened. Now the evidence seems to indicate that they overreacted." 90 But the Vice President quickly added a further explanation of the climate of violence which precipitated the sad turn of events:

But looking at the Kent State thing, the night before--two nights before--when the students went through the streets of the city, destroying property, breaking windows, doing what they call "trashing" the Establishment, and the night after when they burned the ROTC building to the ground, and at that time, when the firemen came to put out the blaze, these same students of Kent State cut the fire hoses.

... People have forgotten the precursors that created this inflammatory atmosphere that took place. 91

In concluding his analysis, Agnew made a tactical error. Note how in concluding his long Kent State statement, the Vice President resorted to a question which provided Rick Silverman with an immediate opening for rebuttal:

Now I don't excuse what they [National Guardsmen] did. But are you willing to say that placed in that same situation, being part of that group of people, if someone lost his cool and fired, that you as a member of that group would not have fired with him?

Mr. Silverman: Yes, I am absolutely willing to say that... 92

Silverman pursued the Kent State issue by demanding which act of

90 Ibid.
91 Ibid.
92 Ibid.
student disruption "was justification for murder." Agnew interrupted at this point to reply to this very serious matter:

Can I answer the questions as they come? You are answering your own questions.
Which one justifies murder? I never suggested that any of them did. I merely have used these incidents to show that the inflammatory climate that developed there didn't come about because of the National Guard, which would not have been on the campus had not these things happened. So I'm saying that part of the blame rests with the people who created this incendiary surrounding that caused the explosion. I don't excuse what happened on the campus.94

Thus, Agnew refused to justify the shootings, but made the point that the only reason the National Guard was there in the first place was because of persistent student lawbreaking. At this point, David Frost very appropriately introduced Craig Morgan, student president at Kent State, into the debate. Morgan had been sitting in the front of the audience and, as things turned out, was the only member of the audience to participate in the discussion. In the first exchange, Agnew stated that as a lawyer, he would certainly admit that it was a crime if "the Guards simply opened fire without explanatory reason. . . ."95 This answer was somewhat hypothetical and Morgan and Agnew sparred a bit longer in a somewhat vague manner. Morgan was apparently trying to pin down Agnew on the question of the moral and legal guilt of the National Guardsmen. Agnew succeeded in getting Morgan to agree that

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93 Ibid.
94 Ibid.
95 Ibid.
there had been unlawful conduct on the Kent State campus. After Morgan had admitted this, the Vice President made the following analysis of the tragedy:

There had to be some response to the burning of the ROTC building. The Governor of the State had to take what steps he considered necessary to protect the property of the taxpayers. That's what was on that campus. And protect the rights of those other students. So he sent the Guard in there. The Guard were there.

The Guard are young people like yourselves. They are not people that represent Mr. Nixon or represent me; they are there to do a job of preserving peace and order. And as a result of the conditions that came about because of the violence that began with the actions of some of the students on the Kent State campus—and certainly not all; I don't mean to suppose that they were all involved—this is the result, the deplorable result. I don't excuse what happened. . . .

There had been a long dialogue between Morgan and Agnew about Kent State. Agnew had not condoned the shootings, but had tried to place them in the context of prolonged student violence. Frost now shifted the discussion away from Kent State by asking the Vice President how he felt about a recent incident in which New York hard hats had resorted to some right-wing violence by roughing up a group of students whom they felt were dishonoring the American flag. Again Agnew resorted to a distinction in his answer. While not condoning hard hat fisticuffs, he saw it differing from student violence, particularly because of the

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96 Ibid., p. 98.
97 Ibid.
98 Ibid.
spontaneous nature of the incident:

I think there is a fundamental difference in what happened with the hard hats and what happened with the disruptions on the campus. Let me explain what I mean by that.

First, I think that the campus disruptions were not spontaneous, they were not the result of a rage that swept a person who worked with his hands to build America, to see people advocating that it be torn down. This was a wave in defense of a country, not a wave to destroy a country. It was not a premeditated attack on the institutions of the country.

Now, I don't condone the violence when the certain members of the hard hats lost their temper and resorted to fisticuffs. I don't condone that at all. I think it was wrong. I deplore violence in any form. But it was understandable.

At this point, Rick Silverman seemed to realize that the hour was indeed growing late and that the Vice President was emerging fairly unscathed from the encounter. He launched a final rambling attack which was perhaps the closest anyone came during the debate to "losing his cool." After brief references to hard hats, Vietnam, Guatemala, and Cambodia, Silverman concluded his barrage with the most pointed anti-Agnew comment of the day:

And there's one small failing left out here, and this is the distinction between your being a political joke and your being a very serious man. And that is that you yourself, singularly, are perhaps the greatest precursor of violence in this country. You have done more to build an aura of violence, to build a milieu in which violence is accepted than anyone else I know.

99Ibid.

100Ibid.
Responding to this attack, Spiro Agnew now fired the final volley of the debate. He pointed out that there had been a great deal of national and campus violence before he had become nationally prominent.\textsuperscript{101} He noted that there was student violence today in Germany, Japan and England, countries where his influence was scarcely of any significance.\textsuperscript{102} Perhaps it was chance or the stroke of the clock which enabled the Vice President to terminate this last lively interchange of the debate with a rather forceful response of his own to the rhetoric of Rick Silverman:

Now, to use me as some convenient \textit{bête noire} for the violence that's existed in this country because of the disgusting permissive attitudes of the people in command of college campuses is one of the most ridiculous charges I've ever heard.\textsuperscript{103}

Thus ended the 90-minute discussion between Agnew and the students. This was not a debate in the usual sense of the term, where, for example, precise time limits are slotted to each side. The format here was basically question-and-answer interchange, competently channeled by David Frost who also asked some stimulating questions of his own. The major topics--such as Vietnam, use of violence, and the Kent State tragedy--were some of the very issues causing the most concern in our country today, not only among the youth but for all Americans. On the personal level, Agnew received the most criticism concerning his controversial style of rhetoric which is

\textsuperscript{101} Ibid.
\textsuperscript{102} Ibid.
\textsuperscript{103} Ibid.
often highly critical of his political opponents. The Vice President made effective use of the distinction as a rhetorical technique in explaining his positions. He did not question the patriotism of certain liberal political figures, but he thought they were "terribly wrong." Dissent was legitimate in America, but not the kind that involved violence or deprived other people of their rights. He granted National Guard overreaction at Kent State, but stressed that the tragedy was precipitated by a prolonged atmosphere of campus violence and law-breaking.

Agnew also liked to cite short, specific examples to make a point. He spoke of his own civil rights efforts at Baltimore, referred to an incident at Saginaw, Michigan where he was deprived of his own rights, used the hypothetical example of people disrupting the David Frost Show, and quoted three former Presidents who had used colorful but controversial rhetorical phrases.

The Vice President resorted to plain denial when his position was misunderstood or when he believed a statement of fact was, in reality, an error. Thus, he denied that he was trying to isolate people (Jefferson), that the United States still sought a military victory in Vietnam (Craig), that the CIA was involved in toppling the Diem regime (Silverman), and that any of the lawbreaking at Kent State justified murder (Silverman).

Much of the success in this dialogue depended upon a sound response to the penetrating questions of one's opponent. Agnew caught the brunt of the questioning as was only fair in this situation. It also provided him with the best opportunity to clarify his own position on current issues. He was quite capable of throwing a question back at the students who then faced a similar challenge of competent reply.
Perhaps his best moment came in the use of a hypothetical case concerning the Paris peace talks, which then proved to be the real state of affairs.

Overall, the discussion was quite relevant and came to grips with important issues. The Vietnam dialogue was a good example of this. In this context, such important but lesser known matters were discussed as the 1954 Geneva Accords, the controversial Eisenhower quotation, the ill-fated elections due in 1956, and the existence today of two Vietnams. Just to discuss these more remote aspects of the Vietnam situation intelligently showed a certain competence by the participants in matters which are both complex and not well understood by many Americans.

Speaker image is an important concept in analyzing this debate. It was not too likely that either side would change its commitments solely due to this discussion. But the listening audience, besides evaluating the logos, the logical reasoning, by each participant was also forming a certain image of that person in his own mind. Perhaps the best achievement Spiro Agnew could hope for in this debate was not to force the students to "back down"—an unrealistic goal—or to make them "look bad"—which would rather antagonize—, but merely to project an image of himself as a man competent in discussion, firmly committed to positions, but willing to listen to the other side. It would be by projecting such an ethos that the "Mickey-Mouse-on-the-face-of-a-T-shirt" image would be reduced to fantasy and, on the contrary, the need for taking the Vice President quite seriously would be highlighted. For in that case, Agnew would have demonstrated that he knows what he is talking about (intelligence) and can express himself well (competence). This rhetorical effort by Agnew may be considered self-vindication primarily in the sense of an
endeavor to project a favorable and competent image.

Of course, the students had a similar challenge concerning their own image. There are some today who would dismiss the student group with such epithets as "long hairs," "rabble rousers," and "ingrates."

In this meeting with the Vice President, student leaders had a fine chance to demonstrate not only their concern for national issues but also their competence in discussing these matters at the highest level. Eva Jefferson perhaps expressed herself the best among the students. Rick Silverman showed both aggressiveness and persistence, but his attack was sometimes disorganized and blunted by his own enthusiasm.

It is to the credit of all the participants that the dialogue could become so frank without becoming hostile and offensive. Sometimes the atmosphere got close to becoming heated, particularly at the very end. A wrong move in this area—a loss of temper, for example—could have been very damaging to the image of any participant. A final commendation should be given to David Frost, both for knowing when to stay out of the discussion because it was going well and when to move the discussion forward into some other area.

III. Results and Conclusion

On the day after the debate, the New York Times commented:

A constructive use of television—seen at 8:30 on Channel 5 in New York and at other hours in different sections of the country, was the taped discussion last night between Vice President Agnew and four college students highly critical of the
Administration's domestic and international policies.

... Without either Mr. Agnew or the students budging from their basic convictions, the viewer was afforded an opportunity to hear opinions poles apart. Yet the firmness of the protagonists was conveyed in terms of courtesy and civility. After so much rhetoric from the divided camps, Mr. Frost achieved an orderly and smooth dialogue. A tenuous bridge, to be sure, but at least a start.

Newsweek magazine judged the debate as a success for the Vice President. Commenting on the Frost program, Newsweek stated:

The students were clearly out to draw blood, but if they expected to have an easy time of it, they were sorely mistaken. For their target, sleek in red tie and banker's gray, proved to have a remarkably tough hide and more than enough verbal facility to match his bright and persistent young attackers.

After discussing Eva Jefferson's initial success in refuting Agnew's criticisms about her statements before the Scranton Commission, Newsweek continued:

But then the tide turned. While the students grew increasingly agitated over such issues as Agnew's inflammatory political rhetoric, the war in Indochina, and the Kent State shootings, the Veep became increasingly cool—methodically defending the Administration's tactics in avuncular terms, and occasionally skewering his attackers with quick jocular asides. (That's not my bible, he remarked when a student pulled out a copy of Playboy as a source for statistics on school desegregation.)

Robert Blake, Director of Public Relations for Westinghouse Broad-

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106 Ibid.
casting Company, made the following comments on the debate:

The mail response to the program was heavier than normal. The program was replayed because of audience interest and because of the importance of the guests and the program content. Mr. Frost liked the program, was honored to have the Vice President conduct such an interview, and regarded the whole matter as a gratifying television experience. 107

In the letter already cited from Assistant to the Vice President Herbert L. Thompson, he noted that "the mail response to the program was heavily in favor of the Vice President, both in this office and at the Frost office." 108

As for the Vice President, it did not matter so much that he "won the debate" or "defeated the students." What was more important was to present an overall image of competence and responsibility, to put the blush to those who would mock him by the capability which he demonstrated. Speaking of the Vice President, Herbert Thompson wrote that "he does not feel he 'won', merely that he confronted students that were highly critical of him personally, as well as of the Administration, and that he handled the discussion in a satisfactory manner." 109

In evaluating the final minutes of the debate and its results, Newsweek felt that Agnew emerged much more contented with his performance than the students were with theirs:

107 Personal letter to this writer from Robert F. Blake, Director of Public Relations at Westinghouse Broadcasting Company, dated June 7, 1971.
108 Thompson, op. cit.
109 Ibid.
Such sentiments [about hardhats] infuriated Richard Silverman, a bearded doctoral student at the University of Washington. "You," Silverman told the Vice President, "are perhaps the greatest precursor of violence in this country"—an accusation that Agnew promptly branded "one of the most ridiculous charges I've ever heard." On this note the showdown ended, leaving the students disconsolate over their performance. ("Of course he won," said the Yale law student Gregory Craig) and the telegenic Vice President eager for "another entire program" with his inquisitors. 110

In analyzing why Agnew succeeded in presenting a favorable image, a number of points may be noted:

1. The Vice President never lost his calmness of manner no matter how controversial the issue. He spoke calmly but firmly.

2. The Vice President demonstrated that he was well-versed in the issues of the day by quickly citing detailed facts, for example, on education, the early years of the Vietnam struggle, and the Kent State affair.

3. Agnew showed an ability to admit problems and wrongdoing; he did not insist that everything was fine under this Republican Administration. He regretted the Kent State events, criticized both the right as well as the left wing for using violence, admitted that there was still work to be done concerning national health.

4. On the other hand, Agnew refused to admit that everything was wrong with himself or America. He defended his own right to take on political opponents in lively dialogue, upheld the right of South Vietnam to exist as a nation, and refused to accept that all the blame for Kent State belonged to the National Guard.

5. Rhetorically, Agnew often made well-stated distinctions, used frequent short examples from his own knowledge and experience, and on two

occasions, made effective use of the hypothetical example.

6. Though we may compartmentalize ethical and logical appeal, the fact is that they are closely interrelated. The debate is a good example of this. It was because Agnew knew the facts about these important issues, and how to argue with them—what to concede and what to deny—that he created a favorable image for himself. This image of capability and competence was the best way to achieve self-vindication amid the storm of criticism and ridicule that surrounded the Vice President and his controversial oratory. Instead of becoming flamboyant, the Vice President maintained a calm aura of knowledgeable competence. While determined to uphold his own convictions, he maintained a willingness to listen to student criticisms and frequently to agree with points that they had made.

7. Lastly, it is not to be judged that because Agnew did well, the students did poorly. Both sides showed knowledge of the issues, reasoning ability, and skill at cross-questioning.

The New York Times described Agnew's rhetorical style during the debate as follows:

For this one occasion at least, Mr. Agnew abandoned his addiction to alliteration, perhaps because he was on his conversational own and lacked the benefit of ghost writers. Such a technique may not bestir the Republican faithful on the campaign trail but on TV it makes for a more becoming Mr. Agnew. In the 90 minutes of talk the students didn't raise their voices either.  

When there is a serious controversy between people, it is at least

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a start for them to get together and discuss the problems. One can
grow in respect for another person without necessarily becoming an
immediate convert to his points of view. If a first meeting is suc-
cessful, others can follow and an initial atmosphere of confrontation
may be changed into one of meaningful dialogue.

The New York Times approved of the meeting between Agnew and the
students and suggested further such discussions:

If the Administration is willing, there should be more of
this type of TV, perhaps limiting the area of discussion to fewer
subjects than was the case last night. It was heartening to see
those directly involved sit on a common platform and talk things
over, even if Mr. Agnew and the students departed with minds un-
altered. But at least they met—A step forward.\textsuperscript{112}

A large part of the program's success had to do with the image of
responsible leadership presented by Spiro Agnew. Those who wish to chal-
lenge his intellectual achievements or his oratorical capabilities must
now reckon with the debate on the David Frost Show in defending their
opinion.

\textsuperscript{112}Ibid.
CHAPTER IX

SUMMARY AND CONCLUSIONS

I. Review of the Vindication Studies

The basic objective in this section is to highlight and outline the procedures used by each rhetor in his effort at self-vindication. An emerging pattern is sought which may be expressed in terms of a communication model. We should recall again the Aristotelian insight that the three basic means of persuasion are by ethical, logical, and emotional appeal. These methods, of course, are usually interconnected although one means may achieve primary importance in a certain passage. A summary analysis is now presented of each effort at self-vindication.

MacArthur. — This speech spotlighted both the man and his Korean policies. Using a basic argument from principle, MacArthur stated that "in war there is no substitute for victory." This is the insight underlying his controversial Korean statements and is, furthermore, the basic logic (logos) for his case.

Image (ethos) has a vital role in the General's effort at self-vindication. MacArthur reinforced his strong antecedent ethos during the speech, particularly at the beginning and end. At the start of his address, he denied any bitterness or partisanship in speaking to the nation. Rather he proposed another principle of conduct which was the guideline of
everything he did as a soldier: to serve his country. This explicit statement of objective and ideals was particularly important in terms of the rhetorical situation. Truman had recently removed him from command. MacArthur did not come to criticize or complain but only to serve his country. He employed the vindication of silence in never mentioning the name "Truman" in his speech and by refusing to stoop to any pettiness or appeals to self-pity.

The MacArthur Korean policies remained controversial and the General presented a reasoned statement of his position that our efforts in Korea came down to one objective: to win the war. But primarily the speech is one of self-vindication despite the long analysis of East Asian affairs. After urging the Congress not to scuttle the Pacific—another principle of conduct—MacArthur moved into his conclusion which became the most famous passage in the speech and which is a blending of both ethical and emotional appeal. The recollection that the hero of Bataan and of so many other campaigns was about to fade away moved the audience perhaps more strongly than any other passage studied in this dissertation. Indeed, all Americans owed a debt of gratitude to this soldier, regardless of the rights or wrongs of his Korean policy. For a brief moment of history, the General stood in the public limelight for the last time before retiring. Recalling that he was merely "an old soldier who tried to do his duty as God gave him the light to see that duty," he gave the Congress and the nation one last chance to acknowledge their gratitude publicly. The image created by MacArthur, particularly in his conclusion, proved the dominating factor of the speech in terms of self-vindication. America cheered MacArthur for what he was as well as for what he had done. Momentarily at least, the issues surrounding Korea became
secondary. This speech, therefore, is an excellent example of the importance of image in an effort at self-vindication. MacArthur had a rationale and principles of conduct to justify his position. But more important in the actual rhetorical response was the recollection of who this man was and what he had achieved for his country.

Truman.—Just as the President was in opposition to MacArthur's Korean conduct and policies, so too do his methods of attempted vindication contrast with the General's. Truman relied almost exclusively upon logical reasoning (logos) in justifying his decision. There is some ethical appeal in his frequent efforts to demonstrate his respect and consideration for MacArthur whom he readily admitted to be a great American. This is to Truman's credit but did not come to grips with the real question of why he removed the General from the Korean command. To do this, Truman basically used a four-step analysis, all of which was part of a logical and reasoned approach to this highly controversial situation.

First, the President appealed to argument from principle, stating that in everything he did concerning Korea, he aimed at preventing it from expanding into World War III. Secondly, Truman frankly discussed his policy disagreements with MacArthur. The President considered such disagreements as acceptable and was ready to exchange views with MacArthur. But Truman drew the line when a military leader repeatedly made public criticisms of the President's policies. A great deal of Truman's case, therefore, depended upon this third step: documenting MacArthur's repeated public criticisms. Seven or eight situations were related in which such criticisms by MacArthur became a matter of public
These repeated acts of public criticism, Truman maintained, created an untenable situation and finally he decided to relieve the General from command.

As an additional support for his decision, Truman provided argument from authority. He listed top civilian and military leaders—including the Joint Chiefs of Staff—who supported his decision. Thus, he did not act alone or in a moment of anger. This was a carefully reasoned decision based upon the advice of reliable national leaders.

Truman's whole approach, therefore, relied almost exclusively upon logical appeal. There was little or no emotional appeal; this was a time for cool-headed objectivity. The President should be commended for the repeated respect he demonstrated for MacArthur which is indeed an aspect of ethos. But when Truman answered the basic question of "Why?" he used a four-step logical analysis of the situation.

Nixon.—Perhaps more than any of the other selections, the "Checkers" speech is a threefold blend of ethos, pathos, and logos. Basically, it would appear that Nixon's vindication task involved logos most of all. Hard-nosed politicians from both parties as well as the nation's press corps wanted objective facts to justify this California fund. Indeed, Nixon did rely heavily on the technique of revealing the facts of the case. He even went far beyond the scope of the fund and made a total revelation of his financial status which did, in fact, reveal a man of modest means who actually lacked the resources required to perform fully the obligations of a California senator. Nixon appealed to argument from residues to show that in accepting a fund, he used what he judged to be the most licit and satisfactory means to meet his expenses of office.
There is a logic to the Nixon presentation which was absolutely required by the exigency of the situation. But there was more than that. There is an ethos based upon the revelation of self. Nixon’s use of both logical and emotional appeal tended to create the overall image of a "basically honest fellow scrambling for his political life." This was not the time for loftiness of style and Nixon did not try to achieve it. His homely references to his family, to his very modest financial situation, to his wife, even to the dog "Checkers," border upon sentimentality or corniness, but somehow escape this fate. Nixon’s simplicity on the gut issues appealed to the simple man. His was not the image of a "prince among men" or of one "born to the task of ruling." He presented the image of a down to earth individual who had risen by hard work to high national office despite his modest means. Nixon’s simplicity of style (he calls his listeners "folks"), and his homespun references (the ten dollar check, his wife’s loyalty, his intention to keep the dog) created a favorable image when reinforced—as was absolutely necessary—by satisfactory logos, that is, a reasonable explanation of the controversial fund. Nixon used emotional appeal at least five times, but it should be stressed that a reference to the dog "Checkers" alone was not enough to have saved Nixon: his critics wanted a factual demonstration of his integrity.

Two additional observations are vital to understanding the "Checkers" speech. The speaker also relied heavily upon the counterattack. Refusing merely to defend himself about the fund, he carried the attack to his Democratic opponents in a fashion that demonstrated a certain facility to give as well as to receive. The counterattack was, of course, logical
appeal, although some of the colorful phrases were emotionally charged. Perhaps Nixon's best moment in his counterattack came when he turned the tables on his Democratic opponent and suggested that Stevenson be equally candid in revealing the facts about his own fund.

Lastly, we must recall Nixon's appeal for public judgment. This one factor would prove more decisive than any other. The candidate judged that the public would accept his explanation and his basic honesty. The judgment proved correct as he received an overwhelmingly favorable response. Party skeptics were left in a minority by a public vote of approval.

The "Checkers" speech, therefore, included ethical, logical, and emotional appeal. One's first impression is to stress logos: Nixon had to clarify the facts surrounding his fund. Closer analysis causes one to reconsider the importance of ethos for the candidate. The public response to Nixon's speech was very favorable though the press reaction was more mixed. Even to this day we remain somewhat suspicious of special funds for government officials. The question may be asked, therefore, as to how much of Nixon's success depended upon his presentation—with or without deliberation—of the image of a rather down to earth man of modest means who had acted conscientiously at a time when his personal resources could not meet the needs of his office. Quite possibly the image presented by the candidate did as much to demonstrate his integrity as his revelation of the facts.

John F. Kennedy.—This effort also combined logos and ethos. Kennedy was trying to demonstrate that his personal religion in no way disqualified him for public office. The thrust of his argument was two-
fold. First appealing to logos, Kennedy used a theme by explaining what kind of America he believed in. Kennedy's America upheld the time-honored national principle of separation of church and state, thus rendering a man's religion a matter of private concern which was irrelevant to his quest for public office. The candidate also reminded his listeners quite cogently that if his ideal were not achieved, they might some day find themselves the victims of such discrimination.

The second half of the speech stressed ethos. Kennedy deliberately revealed himself and his convictions, making particular effort to present himself as his own man. Although refusing to repudiate his Church or his religious beliefs, the candidate strove to demonstrate that these personal convictions would not impede his conduct as Chief Executive. While presenting a logical analysis of his understanding of the relationship between church and state (logos), Kennedy was also working to create a certain image of himself (ethos). If the candidate could reveal himself as a man unshackled in his judgments and completely capable of always acting for the good of the nation, he had indeed carried the day; he had removed religion as a legitimate issue in the campaign. Thus, creating the proper image of himself went hand in hand with his logical appeal. The candidates reference to the Alamo before a Texas audience did have emotional overtones, but the point of the story—no religious tests there—contained a very reasonable argument and blended in, therefore, with the logic of Kennedy's case.

Johnson.—This speech contained an explanation of a carefully reasoned decision. The Vietnam war had become far too explosive an issue for the public to accept it merely on one man's word, however strong his
image as a national leader. What was called for from Johnson's point of view was a carefully developed logical analysis of why he had felt it necessary to escalate United States involvement in that distant war. In so far as he succeeded in doing so, Johnson would refute the image of a warmonger of, perhaps, of a man inept at formulating foreign policy. Such was indeed the Johnson image in the minds of many dissenters, if we may believe their chants and slogans. But it was primarily logos, a clear and reasoned explanation of the situation, which might succeed in justifying the Johnson decision to escalate the war. The President's logical analysis had a threefold thrust. First, he recalled America's rejection of any nation's aggression against another and our commitment to the political self-determination of people. Secondly, Johnson argued that the security of the United States was ultimately involved with that of the free nations of Southeast Asia. Thirdly, the President presented one of the longest arguments from authority seen in this dissertation.

Johnson also looked to the future with fortitude and hopefulness. This optimism, of course, depended upon the presentation of objective facts for their credibility. The San Antonio speech, therefore, required an exercise in right reason to be effective. However, image was also a factor in this speech. Johnson presented himself as a man reluctantly performing a painful task. After reading the speech, it would be difficult to argue that the President relished the war or was not sincerely convinced of the justice of our cause. But basically he wished to have his decisions regarding the war to be judged as reasonable (logos), however difficult and unpleasant they might be.

Martin Luther King.—On first analysis, King's major emphasis is
on logos, a thoughtful justification of his commitment to civil rights activity. King used refutation against charges of being an outsider and that his campaign was untimely. He attempted to justify his direct action programs and even the breaking of some laws with a subtle but thought-provoking distinction between just and unjust laws. The letter contains a heavy stress upon argument from example and at least one of these passages is strong in emotional appeal. King also launched a mild but persistent counterattack in discussing his disappointment with the white moderates and the white church.

Most of this was indeed part of logical appeal. But besides this, there is a prevailing mood in this letter—characterized by forgiveness and optimism—which created a strong aspect of ethical appeal. It is not only what was said that is important but how it was expressed. King's was not the rhetoric of bitterness or threat; his demands were tempered by a graciousness of manner and a willingness to let bygones be bygones if racial justice could only be achieved for the present and the future. Had King resorted to intimidation or threatened the imminent commencement of black revolution, his message might well have been either ignored or used against him and his cause. Instead of this, King's image of gentle forbearance rendered the logic of his case more acceptable and helped to gain him an initial hearing. Therefore, "Letter from Birmingham Jail" merits study both as a reasoned presentation of the King civil rights rationale and as an exercise in presenting the proper image for gaining a hearing from those members of the audience who were most hostile to the speaker and his cause.

Dodd.—The three senators considered in Chapter VII each relied
heavily on a technique we may call revelation of their own side of the case. This technique, like a coin, has two sides. In clarifying the truth of the matter, the vindicator can explain what did not happen (refutation) and what really did occur. A man's difficulties can often center around charges and accusations which he regards as untrue. Thus, in refuting these charges, he has partially vindicated himself. What remains to be done is to elucidate clearly the true facts of the situation as opposed to alleged facts and accusations.

Dodd had to respond to both points of the proposed censure resolution. The first had to do with alleged double billing of travel expenses. Arguing, as Dodd did, that it was highly implausible he would risk his career for a mere $1,700 was alone not enough. The question still remained for the Senator: "If you did not cheat, how do you explain these double billings which certainly did occur?" Thus Dodd also presented the positive side of the case: the story of his inept bookkeeper.

In the matter of the second charge—misuse of political contributions—Dodd's explanation had to be necessarily more refined. Some of the literature regarding the testimonial dinners undeniably gave the impression that the money to be raised was for campaign purposes. The Dodd logic in revealing the true situation had a threefold thrust. First, he appealed to the principle that the intention of the donor was the decisive factor in determining the use of a financial gift. Secondly, the Senator produced hundreds of affidavits from participants at the testimonials who stated that they intended the money to be used for whatever purposes Dodd wished. Thirdly, the Senator argued from lack of evidence by his critics. The Ethics Committee did not produce a single witness who had claimed to have been deceived in the matter of his testimonial contributions. All
this, which is a revelation of the true facts of the case as opposed to the allegations, is an aspect of logical appeal.

One of Dodd's greatest handicaps was the relentless attacks he had sustained in the press. Because of this, his antecedent ethos was lowered and there was a certain pressure on Dodd's peers not to be participants in a whitewash. There was little else Dodd could do than to tell what he considered to be the truth and buttress his case with testimony from those involved. This image of integrity had to be based primarily on the facts of the case and logical arguments based upon them.

It is possible that Dodd committed a tactical error in his presentation. At several points, he made rather impassioned pleas that his word be accepted by his peers. This was a blending of both ethos and pathos as Dodd tried to establish his own credibility as a witness and as a man. But perhaps the Senator hurt himself by becoming, at times, a somewhat pathetic figure. Rather than to plead with the Senate, Dodd might have done better to maintain a cool dignity throughout this crisis, if, indeed, this was possible after such a gruelling experience. It might have proved more persuasive to have shown the calmness of a man buttressed by his personal integrity and firm in the conviction that his cause was right and just. This speech, therefore, may indicate the potential dangers of an emotional appeal—though, of course, there were many other factors involved in Dodd's eventual censure.

**Ted Kennedy.**—One of Kennedy's basic problems was the aura of uncertainty and mystery surrounding the Chappaquiddick tragedy. Revelation of the facts of the case was an absolutely necessary technique for Kennedy. Initially, he refuted some ugly rumors about himself. Then the Senator
presented his detailed analysis of what did happen. This was mostly logical appeal although certain aspects of the tragedy were emotionally disturbing of their very nature.

The Senator—as the last of the Kennedy brothers—had tremendous antecedent ethos with the people of Massachusetts. The question remained as to how much or how little the facts of the case, including the Senator's partial admission of guilt, would hurt that ethos.

Vital to Kennedy's vindication effort was his appeal for public judgment. This vote would indeed "make him or break him" and the Senator had not misjudged the opinion of his constituents. Kennedy basically hoped that his candid admission of some error and further elucidation of the Chappaquiddick situation would remove the aura of doubt so as to minimize the damage done to his reputation. He judged correctly that by calling for an expression of opinion by his Massachusetts constituents, they would provide him with the vote of confidence which he so desperately needed.

Tydings.—This is primarily a study in logical appeal. As always, the revelation of all the facts of the case was aimed at restoring a man's character and reputation, illustrating once again the interconnection between logos and ethos. To understand Tydings' methodology, we must understand the nature of the attack against him. The Life article did not deal in generalities but got down to specifics. So detailed is the attack that a reader needs several careful examinations of the text before he can really grasp the full scope of its criticisms. Tydings made two public statements in reply to the article. In the first, shorter statement, the Senator launched a counterattack against Life officials
whom he felt had not given him a fair chance to see and respond to their attack before publication. But after the article had been published, Dodd geared his second statement to responding in detail to each and every point of criticism against him. This approach was wise despite the fact that it would involve a certain heaviness of conduct which might be judged too long and drawn out by the casual reader. The Senator went to great lengths to explain such matters as his relationship with Charter Company and his controversial meeting with Paul Bridston. This involved refutation of accusations plus revelation of the true facts of the matter. The procedure illustrated the basic formula of Tydings' reply. In the second half of his statement, the application of this formula became even more precise. Some twenty-nine times Tydings used the phrase "Life alleges," quoted the article, and promptly responded to the accusation. This formula was rather cut and dried but had the advantage of thoroughness and candor. No sincere critic could claim that Tydings was ducking the issues. The Senator's defense, therefore, clearly emphasized logical appeal though we must always realize that to exonerate oneself by logical arguments and refutation (logos) reflects back favorably on one's character (ethos).

Agnew.—This whole discussion-debate may be regarded as a study in image formation. (The students were also presenting an image of themselves although our study is directed at Agnew.) The Vice President deliberately attempted to establish a dialogue situation with his youthful critics from the college campuses. The question may well be asked, "Just what did Agnew hope to accomplish by this meeting?" It is suggested here that he wanted to improve his image, especially among his student
critics. Because of his controversial antecedent ethos, this talk included a certain amount of self-vindication. We have already suggested that three of the most desirable qualities upon which to base a favorable image are competence, character, and good will. Let us apply this doctrine to Agnew.

The Vice President's competence, or lack of it, would surely be demonstrated in a 90-minute confrontation of this sort. The students had had time to prepare questions concerning those issues which they wanted to discuss. Naturally they chose the more controversial subjects such as Vietnam and Kent State. What we must remember is that in order to demonstrate his competence, the Vice President did not have to "defeat" the students. A more desirable approach for Agnew was to consider this meeting as more of a frank discussion and to concentrate on presenting his own viewpoints clearly and competently during the dialogue.

Agnew had confidence in his own ability to meet this challenge, even with students who were especially chosen because they did, in fact, disagree politically with the Vice President.

To demonstrate character and good will were further challenges for Agnew. One of the reasons for his rather low antecedent ethos with the students was his controversial style of political oratory which seemed to attack personalities as well as issues. Agnew would confirm or repudiate this image by his manner of handling the discussion on the Frost show. Actually, the Vice President has a rather mild way of expressing himself and rarely raises his voice. During the debate Agnew blended this mildness of tone with a perfect frankness in stating his own position. He seemed to take pains to agree with something the students said if at all possible. When it became necessary to disagree, he tried to do so
without being disagreeable. Colorful and controversial alliterative phrases were avoided and if anyone lost his cool, it was one of the students.

After ninety minutes of such dialogue, an image was emerging of the Vice President. He had hoped to appear competent, honest in upholding his own viewpoints, but perhaps not so colorful or so controversial as had been anticipated by his audience. A vitally important factor in forming his image was an ability to listen to other viewpoints. For a man who had been considered as both a Mickey Mouse and a Frankenstein, he tried to demonstrate that neither image was accurate, but for all his antecedent reputation, he was both human and competent. Thus, image formulation is seen as the key to the Agnew appearance on the David Frost Show.

In summarizing our analysis of the vindication studies, they have been considered basically as a twofold study in image formation and logical reasoning. In at least five of our studies--MacArthur, Nixon, John Kennedy, King, and Agnew--the formation of image during the talk was a major factor in the attempt at self-vindication. All of the efforts contained logical reasoning, particularly the revelation of the facts of the case. The third means of persuasion, emotional appeal, has proved--in this study at least--a significant factor, but far less important than ethos or logos. Perhaps this can best be explained with the following insight: a man attempting self-vindication must be exonerated by the quality of his character and the true, as opposed to alleged, facts of the situation. Emotional appeal can tend to obscure the facts of a case and, if overemphasized, may antagonize rather than move the most critical of one's listeners.
Pathos was indeed used effectively by, for example, Nixon and King. But its role should be ancillary. In this day and age, a too strong reliance upon such an approach may well prove ineffective. Nixon is remembered for the "Checkers" reference, but it would be a complete misunderstanding of the situation to think that the dog incident was so touching that Nixon did not have to bother about the hard facts of the case. The closest any emotional reference came to "carrying the day" was MacArthur's concluding recollection that "old soldiers never die, they just fade away." Even this reference has been studied here as primarily ethical appeal; the statement was so effective because of whom MacArthur was and what he had done for his country. It has also been suggested in studying Dodd that perhaps he became a little too emotional defending himself so that he generated pity rather than credibility.

All this is not meant to disregard emotional appeal's effective role as a part of persuasion. But that role is seen as an auxiliary one and to rely on pathos as the primary source of winning one's case appears risky indeed. This leaves the ethos-logos duality as the key to effective self-vindication. We have considered the question of image at length in Chapter II. In the next section of this chapter, we shall discuss some of the other most important strategies and techniques based upon our ten studies of self-vindication.

II. Important Strategies of Self-Vindication

The following techniques are some of the most important found in the vindication efforts considered in this dissertation:
Appeal for Public Judgment.—This strategy was used by only two of the men we have considered, Nixon and Ted Kennedy. It is mentioned first because it is so particularly suited to a man seeking self-vindication. If the public does respond with a heavy expression of opinion—either favorable or unfavorable—this factor alone will probably prove decisive. Both Nixon and Kennedy received strong public support which then became a major asset in their favor. Of course, a man must somehow earn this vote of confidence, a task which may involve many other strategies and techniques. But once the speaker takes the step of appealing to the public, then the decision on his case should be a prompt one. Nixon won overwhelming support which blunted the effect of mixed responses in the press. Ted Kennedy was particularly concerned about the views of his Massachusetts constituents and they rallied to the Kennedy cause. Again this tended to overcome the effect of a rather critical press and the public vote again vindicated Kennedy in the senatorial election of 1970. Such efforts at self-vindication somewhat resemble a courtroom trial in that a defendant presents his case to the public and then awaits the verdict of "Guilty" or "Not guilty."

Argument from Authority.—There is a saying that "no man is a good judge in his own case." While this adage could be taken too literally, it does recall the fact that expert witnesses testifying in approval of a person's conduct or decisions can be extremely helpful to the man seeking self-vindication. At least eight of our ten selection demonstrated the use of this strategy. For four of them, it was a particularly strong aspect of their case. Johnson cited the Senate, three Presidents, and seven foreign leaders to bulwark the necessity of our commitment to Vietnam. Dodd cited expert legal opinion to justify his use of testimonial funds.
He also produced hundreds of affidavits to substantiate his claim that
the intention of the donors was that he use the testimonial money as he
wished. Nixon had a law firm plus certified public accountants examine
his California fund and they declared that he had not misused the contri-
butions or made any personal financial gains. Truman reported seven top
civilian and military leaders whom he consulted before dismissing MacArthur
and who all agreed with his decision. In each of these four cases, the
vindication effort was buttressed by the outside opinion of experts who
supported the contentions of the rhetor.

Revealing One's Own Side of the Case. — If a man has been accused
of wrongdoing and contends that he is innocent, he will almost necessarily
claim that the facts of the situation have been misstated, misunderstood,
or misinterpreted. Nixon announced at the opening of his "Checkers" speech
that "I want to tell you my side of the case." Many of the other men in-
cluded in this study of self-vindication— for example, Truman, Tydings,
Dodd— could make a similar statement. The speaker must take the controver-
sial situation of which he is a part and explain the facts of the case so
as to put the matter in a new and more favorable light. Indeed, if the
facts of the situation— properly explained and interpreted— do not vindic-
cate a man, there is little left upon which he can build his vindication
effort.

Refutation. — Hand in hand with the previous strategy goes refutation.
Just as the majority of our vindication subjects relied upon clarifying the
facts of the case, they also faced the necessity of refutation. The very
exigency for reply had often been created by the circulation of stories or
statements which had hurt the speaker and damaged his image. Besides clari-
fying the facts of the case, the other side of the coin is for the speaker
to refute, to challenge the accuracy, of the allegations made against him. Strictly speaking, if a man could successfully refute every charge against himself, he would have vindicated himself and his conduct. But rather than resorting to a purely negative approach, the speaker will usually have a positive statement of his case as well. The two go hand in hand and are the real heart of the matter of logical appeal in self-vindication.

The Counterattack.—This is related to refutation, but it is not the same thing. In refutation, a man responds to charges against himself. In a counterattack, the speaker proposes new arguments which he believes are damaging to his critics, thus putting them somewhat on the defensive themselves. Nixon, in particular, used the counterattack. Not only did he turn the tables on the Democratic candidate by requesting a candid accounting of the Stevenson fund, but he vigorously attacked the incumbent Democratic administration on such issues as corruption and softness on communism. It was as if he said, "Now that I've clarified my own case, let's consider some the problems of the opposition." This is a special technique of vindication which blunts the attack of the opposition by requiring them to do some defensive work of their own. Tydings challenged the methods used by Life in assembling and publishing their article; Dodd challenged the character and methods of those who had originated the attack against himself. In a gentle way, King expressed disappointment with white moderates for their indifference to the cause of racial justice. Thus, while refutation responds to the critical statements of others, the counterattack introduces new arguments which are damaging to one's critics and which provide them with an exigency for reply.

Argument from Example.—The brief example can often express one's
idea better than straight logic. People grasp the relevancy of a parallel case and see that the point of the example is appropriate in the present case. Thus, John Kennedy noted that there were no religious tests at the Alamo and Agnew cited the example of people stopping the David Frost Show as an illicit type of dissent. King used argument from example more consistently than any of the others and liked to use Biblical examples. Truman cited the conduct of Eisenhower and Ridgway to strengthen his case. The point of argument from example is often its relationship to the present situation which may be one of comparison or contrast. Thus, John Kennedy could argue:

1. "They did not discriminate against Catholics at the Alamo, so why discriminate against me?" (Contrast)

2. "DeGaulle and Adenauer made fine national leaders although they are Catholics so why can't I do the same?" (Comparison)

**Argument from Principle.**—It could be argued that there is no stronger or more fundamental logical argument than argument from principle because human conduct is basically rooted in principles of right reason. Though most human action claims to be rooted in such principles, it sometimes happens that a rhetor has explicitly stated the norm of conduct to which he is appealing as the basis for his action or argument. Once a listener accepts such a principle, then it can serve as a justification of many acts of human conduct. MacArthur argued that "in war there is no substitute for victory." If the listener accepts this principle, the escalation of the war against Red China may then be accepted as logical and necessary. Truman responded by citing another principle, namely, that everything he did during the Korean War was cautioned by the firm intention of avoiding World War III. Readers who accepted this principle had to be very wary of
escalating the Korean conflict. Both Truman and MacArthur, therefore, based their viewpoints on a fundamental principle of conduct. Logically speaking, a student of this matter should decide which principle he finds more fundamental and decisive and how he would respond to the logic of the other man's norm of conduct.

John Kennedy's case was strongly rooted in the principle of separation of church and state. Dodd claimed that the intention of the donor was the decisive factor in determining the legitimate uses of testimonial contributions. The strategy of argument of principle has two steps. First a speaker cites a principle underlying and guiding human conduct. He hopes that the listener will agree that this principle is valid, legitimate, and relevant. In the second step, the speaker argues, "Based upon this principle of conduct which we have both accepted, a certain action or conduct follows as a logical or legitimate consequence."

Emotional Appeal.—This tactic has received rather abbreviated treatment in this study. The intention has not been to eliminate emotional appeal but to place it in a position secondary to ethos and logos. Emotional appeal of itself lacks a certain staying power. Emotions rise and fall very quickly. After the heat of the moment, critics in particular will stand back and evaluate the case with a hard objectivity. This is why logical arguments are so necessary in achieving vindication. But emotional appeal does have an ancillary role which may on occasion help either the speaker's ethos or logos. For most of our studies which clearly used emotional passages, such appeals seemed primarily to strengthen their image. Nixon's references to the Irish never quitting, the ten dollar check, and to "Checkers" bolstered his image of homespun integrity. Dodd's most impassioned pleas were that he be accepted after years in the Senate as a man
of basic honesty and veracity. MacArthur's recollections of the West Point ballad is clearly connected with his ethos as a great American soldier. However, King's emotional reference to the psychological harm done to black children when told, for example, that they are not welcome at a certain amusement park, has a primarily logical appeal in its portrayal that Americans are not treated equally under such an arrangement.

Emotional appeal can indeed move and motivate an audience. But it should be used with discretion and must be coupled with ethical or logical appeal which it serves to support.

Agreeing with or Praising One's Opponents.—This technique is more closely related to ethos than to logos, but merits individual treatment here. When there is strong disagreement regarding some controversial matter, it is of little avail to widen the controversy unnecessarily or to give the impression that one is motivated by a personal antagonism. A reading of the Dodd debate in the Congressional Record provides repeated examples of signs of mutual consideration and respect between the Senator and his peers. This argues against the suggestion that there was any personal hostility motivating the censure. Truman was in a particularly awkward situation in 1956 writing in a critical fashion of MacArthur, the living legend. He sincerely praised the General in more than one place to highlight the genuine reluctance with which he had acted. King is particularly noteworthy for his mood of forgiveness for past injustices; in fact, this was one of the most striking qualities in his image formation during the talk. When bitterness would have begotten a like reaction in certain quarters, gentleness and optimism, in a certain sense, compel the audience to give King a hearing. Agnew began several of his replies
by stating his agreement with something a student had said. This effort
to agree with or praise one's opponent kept the disagreement—if disagree-
ment there must be—on a higher level which tends to eliminate any per-
sonal animosity from the discussion.

To be honest, we should observe that the ten efforts at vindica-
tion also provided some very aggressive attacks on the opposition. Dodd,
while considerate of his Senate colleagues, was far more aggressive in
evaluating his former employees and the columnists with whom they had co-
operated. Nixon lashed out at the Democrats in his counterattack. Agnew
concluded the debate with a rather forceful reply to the *ad personam* attack
of one of the students.

It is not being suggested, therefore, that there was an habitual
air of mildness and mutual rapport in the vindication literature of this
study. We should observe, however, that there are a number of examples
of the technique of establishing rapport by either partially agreeing with
one's opponents or at least demonstrating a certain respect for other par-
ticipants in the rhetorical situation.

Admission of Some Guilt.—This final technique is worthy of note not
so much because of its frequency but because of its special relevance to
the rhetoric of self-vindication. Of course, a man must be very careful
in admitting any of the charges against him. Nixon admitted having a Cali-
ifornia fund, but denied any wrongdoing. Tydings admitted his visit to
Bridston but claimed that it was not unethical and stressed, in particular,
that the visit was before becoming a senator.

On the other hand, our study has provided one striking example where
a man acknowledged some error. Ted Kennedy had pleaded guilty at court to
the charge of leaving the scene of an accident. In his TV speech, the
Senator described this mistake as "indefensible" and wisely shouldered the blame for this error. People tend to respect, even excuse, a man who refuses to alibi.

There was one other small example of this technique in our study. Dodd admitted to a certain carelessness in allowing some $3,100 of campaign money to be spent for private use. But he also denied that this mistake was intentional and moved on quickly to the matter of the testimonials which involved a much larger sum of money. The Senator also accepted responsibility for employing such an inept bookkeeper but again insisted upon his basic honesty. Kennedy, therefore, provides our sole example of admission of some guilt as a major factor in the vindication effort. Any man attempting self-defense might do well to consider at least once during his preparation if any facts of the case argue so strongly against him that his best approach would be an admission of some guilt.

This section has discussed some of those strategies and techniques which were considered to be most representative and most helpful in an attempt at self-vindication. Two points remain to be clarified. First, it is by no means contended that this list is all-inclusive of vindication techniques. Quite the opposite is true, namely, that many more strategies could be illustrated from our ten studies. Furthermore, the conclusion here is that the list is actually open-ended. As many strategies might be employed in self-vindication as could be found in any other attempt at persuasive rhetoric.

Secondly, the following important question remains, "Granted that there are a vast variety of strategies and techniques used in self-vindi-
cation, which of these proved most peculiar to, and best adapted for, the rhetoric of self-vindication?" This question will be answered in the next section.

III. Vindication Summary and a Communication Model

In summarizing the rhetoric of self-vindication, we should recall again that our analysis was originally based on the Aristotelian insight that there are three basic means of persuasion: ethical, logical, and emotional proof. Following this line of analysis, we concluded that image formation was a major technique in at least half of our ten studies. We must realize that this process is often achieved without direct intent. A man can reveal himself during a speech either deliberately or indeliberately and this self-revelation can be a major factor in achieving or failing in his objective. Image, therefore, is the first major which has been emphasized in summarizing the rhetoric of self-vindication.

The second strategy of major importance is revealing one's own side of the case. This strategy was used to some extent by all ten rhetors and almost flows from the nature of self-vindication. If a man is pleading not guilty to charges made against him, there is often a twofold thrust to his response. He uses refutation to deny falsehood and affirmation to reveal truth. Basically, a man must be vindicated by the facts of the case and their proper interpretation. Thus, clarifying the truth is fundamental to self-vindication.

Besides image formation and revelation of the facts of the case, there are a multiplicity of other techniques which can prove effective.
This list is open-ended and as broad as the whole field of persuasion. Such strategies as argument from authority, argument from example, the counterattack, and argument from principle proved particularly effective in our studies.

While there is no limited set of techniques which form the exclusive range of a rhetoric of self-vindication, it is also apparent that several strategies are particularly appropriate for this genre. The first of these is the appeal for public judgment. When a man's reputation has been endangered, there is no more convincing rebuttal to such charges than a strong vote of confidence from the public. The admission of some guilt is another basic tactic to be considered, especially if the facts are clearly against the speaker in certain areas of the overall case. A frank admission of a mistake is much better than an alibi which does not hold water.

In final summation of the conclusions of this dissertation, a communication model is presented on the next page.
Figure II

Communication Model of Self-Vindication

Creation + Restoration of Proper Image

Self-Vindication

Logos

Revealing One's Own Side of the Case

Refutation

Interpreting and/or Revealing the Facts

Pathos

All other Strategies: Authority, Example, Principle, Counterattack, etc.

Ethos
In analyzing this model, two rhetorical strategies are stressed as particularly appropriate to, and effective for, the rhetoric of self-vindication. The first is the creation and restoration of proper image. Image formation is always inherent to any speaking situation inasmuch as the speaker is invariably creating some impression of himself in the mind of the attentive listener. But it is of the nature of self-vindication that the rhetor has been criticized for something he has said or done. He, in particular, must be concerned with repairing this damage to his reputation. This situation has created an exigency for reply.

In addition, we must be careful to realize that image formation can be intentional or unintentional. John F. Kennedy went out of his way carefully to explain his own freedom from restraint despite his Catholic religion. On the other hand, a speaker may have given little advanced thought to the ethical connotations of a particular passage in his speech. But in either case, the formation of a favorable image greatly benefits the speaker in his vindication effort. Nixon related his entire financial history to establish an overall image of personal integrity. King's avoidance of any hostility almost surely helped him in winning a fair hearing from those most critical of his campaign. Thus we see that self-vindication is often vitally connected with the ethos of a man.

It is possible that a speaker may achieve vindication in the area of his immediate goal without the total restoration of a favorable image. Some people might have honestly disregarded the religious issue and still voted against Kennedy. Voters may have absolved Nixon concerning the California fund and still voted Democratic. The point is that total image is often a composite of many factors. A successful vindication effort will
at least rectify the damage done in one controversial area of immediate urgency. On the other hand, we may observe in concluding this point that a successful vindication in one matter could easily render the overall image of a speaker far more favorable in the minds of the listeners.

The second rhetorical strategy intimately connected with self-vindication is a revelation of one's own side of the case. This aspect forms the second angle of the communication model. Revealing the truth may include refutation and a positive statement of fact. For example, Dodd argued that he had not double-billed deliberately, but that an inept bookkeeper had made a long series of errors. Tydings argued that his visit to a government official was not unethical use of political influence because at that time he had not yet taken his oath of office and because the details of his company's business were not discussed at the meeting.

Another aspect of revealing the true situation is to admit certain facts as correct but to interpret the matter more favorably. Nixon admitted that he had a California fund but claimed it was legal and ethical. King admitted getting involved in civil rights activity but denied that his activity was ill-timed or the work of an outsider. Thus, certain facts of the case may be accepted by all and the question comes down to formulating a fair and reasonable interpretation of these facts. In all of these situations, the speaker basically takes the position that the facts of the case, or a reasonable interpretation of these facts, will vindicate him if only the truth is known. Thus, one of the primary objectives of the vindicator is to reveal the true state of affairs regar-
ding himself and his conduct.

It is not being argued here that image formation or revelation of the facts are the only major strategies used in every effort at self-vindication. Rather, our study has shown that many other techniques may form a vital part of the vindication process. The list of strategies which are potentially useful in self-vindication is open-ended. The third corner of the communication model is meant to include all such possible techniques. These strategies, however, are more likely to vary with the situation while the strategies represented in the other two angles are most consistently relevant and important.

Finally, the ideas in the communication model have been structured within the threefold Aristotelian framework of logical, emotional, and ethical proof. This is not to contend that these are the only norms by which to analyze persuasive technique. What is affirmed is that one, two, or all of these elements will surely be present in an attempt at self-vindication and that they will assume a significant role is the persuasive effort.

In recent years, scholars have given increasing attention to the concept of content analysis. The sections in this study dealing with "Strategies and Techniques" may be considered as an aspect of this increasingly important field. The content of the rhetorical efforts was analyzed from the point of view of discovering which strategies and techniques were most important and successful in the rhetor's effort at self-vindication. The communication model indicates several of the most important strategies while acknowledging that there are a very broad number of potentially useful techniques which cannot be limited, for example, to a list of one dozen.
On the other hand, some strategies can be highlighted as most important in the self-vindication efforts which were closely examined in this study.

Further research in self-vindication could be done in several ways. A broad study could be made of earlier efforts at vindication beginning with the ancient world. A specific study of a modern crisis could provide an ample field for rhetorical studies. For example, the anti-communist attacks of Senator Joseph McCarthy might be studied along with the works of other men involved in that particular controversy such as Whittaker Chambers, Alger Hiss, Owen Lattimore, and Dean Acheson. Finally, it seems highly likely that the next decade will provide further examples of the rhetorical genre of self-vindication. Any studies of this new material could be made with the intention of comparing or contrasting the results of that investigation with the study presented here.
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