

The 50th Anniversary of Nixon's Resignation and Pardon: A Historical Inquiry

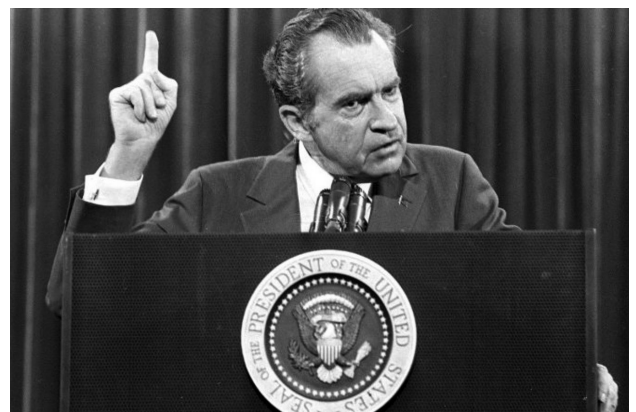
Katherine Perrotta

In the summer of 1972, *Washington Post* journalists Carl Bernstein and Bob Woodward uncovered a break-in at Democratic headquarters in the Watergate Hotel carried out by members of the Committee to Re-Elect the President (CREEP). The news story set off a scandal that would rock Washington and the country. That year, incumbent Republican President Richard Nixon defeated Democrat George McGovern in a landslide, on a platform of ending the Vietnam War and touting diplomatic successes with China and the Soviet Union.¹ Following the arrest of the CREEP burglars, media scrutiny of the Department of Justice's investigations exposed connections between the break-in and the Nixon administration. Congressional hearings from 1972-1974 revealed the president's involvement in covering up the break-in, which led to resignations of high ranking officials, including Vice-President Spiro Agnew, due to corruption investigations, and massive loss of Republican support for Nixon.

Despite Nixon's assertion that he was "not a crook" during a 1973 press conference, he became the first president in U.S. history to resign, effective noon on August 8, 1974, thus avoiding impeachment and removal from office.² In his speech to the nation, Nixon said:

I have concluded that because of the Watergate matter I might not have the support of the Congress that I would

consider necessary to back the very difficult decisions and carry out the duties of this office in the way the interests of the nation would require. I have never been a quitter. To leave office before my term is completed is abhorrent to every instinct in my body. But as president, I must put the interest of America first. America needs a full-time president and a full-time Congress, particularly at this time with problems we face at home and abroad.³



Then-president Richard Nixon proclaims "I'm not a crook" in Orlando, Fla., on Nov. 17, 1973

Gerald Ford, who had replaced Agnew as vice-president, became president the next day,

stating, "My fellow Americans, our long national nightmare is over. Our Constitution works; our great Republic is a government of laws and not of men."⁴

Despite these sentiments, Ford faced significant challenges establishing the legitimacy of his presidency; because Nixon could be charged for his crimes as a civilian, the Watergate affair could be prolonged for years. As a result, Ford announced on September 8, 1974, that he was granting "a full, free, and absolute pardon unto Richard Nixon for all offenses against the United States which he, Richard Nixon, has committed or may have committed or taken part in during the period from January 20, 1969 through August 9, 1974."⁵ Nixon's pardon was controversial, particularly regarding the function of a president's pardon power in Article II of the Constitution, and whether a sitting or former president could be charged criminally or civilly for a crime. Fifty years later, the pardon still evokes legal and civic questions concerning the limits of presidential power and whether an elected official can receive a fair trial when accused of a crime.

Historical Inquiry of the Resignation and Pardon

Ford's decision to issue Nixon the pardon has been hotly debated over the past 50 years. During the 1970s, ordinary citizens, government officials, academics, and public figures such as renowned pediatrician Dr. Benjamin Spock argued that the pardon "condones Nixon's monstrous crimes" and shows that "there is one law for top leaders, another law for the rest."⁶ However, those who supported Ford's decision believed that the pardon was a show of "compassion" and that America was tired of the Watergate story.⁷ People from all walks of life had differing opinions about Watergate. Gallup Polling, in August 1974, showed that 57 percent of respondents believed Nixon should be removed from office.⁸

Over time, many views on the pardon changed from a sense that it had been detrimental to the country to a sentiment that it had been the politically and moral thing to do. At a *Washington Post* panel discussion on the 40th anniversary of Watergate, Bob Woodward referred to Ford's decision to pardon Nixon as an "act of courage."⁹



Wikimedia Commons

President Gerald Ford announces his decision to pardon former president Nixon, Aug. 9, 1974.

How do such perspectives change? Why do they change? Why is Watergate still of significance today? These are the types of questions historians engage in to analyze the significance of historical events such as the Nixon resignation and pardon. On the eve of another presidential election, having students also grapple with the historical ramifications of Nixon's resignation and pardon can deepen their understanding of contemporary events.

The following inquiry-design model (IDM) lesson plan—which incorporates primary and secondary sources from the Nixon Presidential Library, the Ford Presidential Library, and the National Archives—is intended to promote deep analysis about the historical contexts of the Nixon resignation and pardon, and its implications concerning whether all citizens are treated fairly under the law.¹⁰

The lesson can be implemented over several days in order for students to deeply engage in primary and secondary source analysis about this political milestone. I piloted this lesson with a small group of high school students (one sophomore, two juniors, and two seniors) who attend schools in a metropolitan district in the Southeast of the United States. Two students were in AP U.S. history, one student was in AP U.S. government, and one student was in AP world history. Because these students attend different schools, I emailed the activities in Google Docs for them to complete. I held a focus group session once the activities were completed to learn more about the students' inquiries, observations, and thoughts on what they learned about the historical significance of the Nixon pardon.

C3 Framework Lesson - Grades 10–12 U.S. History and Civics

Dimension 1	Staging Inquiries
Big Idea	Fairness
Compelling Question	Can all citizens be treated fairly under the law?
Supporting Question #1	What were the causes of the Watergate Scandal?
Supporting Question #2	How did Nixon respond to the revelations of the Watergate Scandal?
Supporting Question #3	Why did Nixon resign from the presidency?
Supporting Question #4	Why did Ford grant Nixon a pardon, and what were the outcomes of that decision?
Essential Understandings	The 50th anniversary of Nixon's resignation and pardon highlights the issue of whether a sitting or former president can be criminally or civilly indicted. As the nation grapples with similar issues today, examining the historical contexts, perspectives, and impact of Nixon's resignation and pardon may elucidate whether all citizens are treated fairly under the law.
Dimension 2	Content Standards
D2.Civ.4.9-12	Explain how the U.S. Constitution establishes a system of government that has powers, responsibilities, and limits that have changed over time and that are still contested.
D2.Civ.8.9-12	Evaluate social and political systems in different contexts, times, and places, that promote civic virtues and enact democratic principles.
D2.His.1.9-12	Evaluate how historical events and developments were shaped by unique circumstances in time and place as well as broader historical contexts
D2.His.5.9-12	Analyze how historical contexts shaped and continue to shape people's perspectives.
D2.His.14.9-12	Analyze multiple and complex causes and effects of events in the past.

Dimension 3	Examining Primary and Secondary Source Evidence
Formative Performance Task #1	<ul style="list-style-type: none"> Students brainstorm in a Know-Want to Know-Learned (KWL) chart what they “know” and “want to learn” about the Watergate Scandal, Richard Nixon, and the pardon. They should leave the “L” column blank. Next, show National Geographic Education’s short documentary clip about Gerald Ford’s Nixon pardon https://education.nationalgeographic.org/resource/pardoning-nixon. Invite students to reflect on the compelling question, “Can all citizens be treated fairly under the law? Why or why not?” and write their responses based on the clip and their Know-Want to Know columns. (See student sample p. 217)
Dimension 3	Examining Primary- and Secondary-Source Evidence
Formative Performance Task #2	<ul style="list-style-type: none"> Ask students to think about where they can find secondary source information about the causes of the Watergate Scandal, Nixon’s resignation, and Ford’s pardon. Record responses on the board. Responses might include government websites (.gov), encyclopedias (.com), documentaries, historical books, biographies, magazine articles, and historical societies (.org). Next, create four groups of students for secondary source research to answer their assigned question. Have students write answers in their graphic organizers, and share responses with the whole group. Students complete a short exit ticket reflection of the compelling question, “Based on what you learned today, can all citizens be treated fairly under the law? Why or why not?”

Dimension 3	Examining Primary- and Secondary-Source Evidence
Formative Performance Task #3	<ul style="list-style-type: none"> • Ask students whether they think people had different perspectives on the Nixon resignation and the Ford pardon. List student ideas about different points of views on the board. Potential answers might include that Nixon was guilty; that Nixon should not have resigned; or Ford should not have pardoned Nixon. • Next, ask students why finding out different perspectives on issues such as Watergate, the resignation, and pardon are important. Responses might include: to understand current events, to learn from past mistakes, and to make good decisions when voting. • Ask students where they can find evidence of different perspectives from primary sources. Invite students to brainstorm responses, which might include newspapers, political cartoons, speeches, legal documents, trial transcripts, letters, diaries, and photographs. • Have students return to their groups and create a list about which perspectives related to the Nixon resignation and Ford pardon they want to learn more about when examining the compelling question. Among the perspectives included on this list might be Richard Nixon, Gerald Ford, journalists/the news media, U.S. representatives, and ordinary citizens. • Have students research primary sources that exemplify these differing perspectives from the suggested list (of primary sources, see sidebar on p. 217) and record their findings and response to the reflection question on the graphic organizer.

Dimension 4	Communicating Conclusions & Taking Informed Action
Summative Performance Task	<ul style="list-style-type: none"> • Randomly pair students together in preparation for their “snowball discussion.”¹¹ • Ask students “Do you think President Ford did the right thing by pardoning Nixon? Why or why not?” • Invite students to discuss responses in their pairs, based on their prior research, and record answers in the first circle of the graphic organizer (see example on p. 217). • After 5 minutes, have each pair join another pair (a group of 4 total) to deliberate on the discussion question. Students should record responses of the new people in their group in the second circle of the graphic organizer. • After another 5 minutes, have the groups join another group, so that each group now has 8 students. Students share their responses to the discussion question and record new responses in the third circle. Additional circles can be added depending on the size of the class. (See example on p. 217) • Once the entire class is joined together, have students write their responses to the final question, “Based on what you researched, do you think all citizens can be treated fairly under the law? Why or why not? How can you apply what you learned to an area in your life (e.g., school, community, etc.)?” and share either with the whole class, in smaller groups, or in pairs. • Debrief with students by asking them to complete the “L” column in the KWL chart from Day 1 of the lesson.

Summative Performance Task

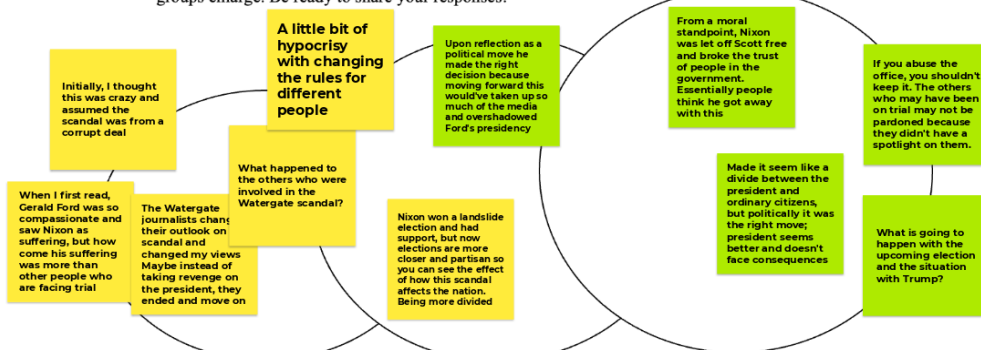
Know	Want to Know	Learned
<ul style="list-style-type: none"> Nixon resigned due to the Watergate Scandal, his men broke into the Democratic Party office. He faced impeachment, so he resigned in order to avoid it. He was pardoned by his successor President Ford. 	<ul style="list-style-type: none"> How did public trust in the government deteriorate after this incident? Why did President Ford pardon Nixon and disregard the need for a trial? How did this event impact the United States' presence on a global scale? 	<ul style="list-style-type: none"> I learned Ford's rationale behind pardoning Nixon and how that changed the course of the Watergate scandal. I also learned how public trust in the government declined after the event and contributed to polarization despite the pardon. I was able to realize how government transparency became a key issue for voters in the coming elections.
<p>Reflect: Answer the question in at least 3 sentences: Can all citizens be treated fairly under the law? Why or why not?</p> <p>The supreme law of the land, the Constitution, is an inherently unequal document at the time it was written. Constructed by framers who were elites, it possessed components such as the Three-Fifths Compromise and disregarded women. However, as the nation grew older, amendments were added to make it more equal and just document. Using these principles, it is fair to assume that citizens can be treated fairly under the law. However, the reality is that they are not since much of these principles are not enforced. Furthermore, entities like the Supreme Court have different ways of interpreting the Constitution, and this can lead to decisions that disproportionately affect certain groups of people, often times negatively.</p>		

Featured Primary Sources

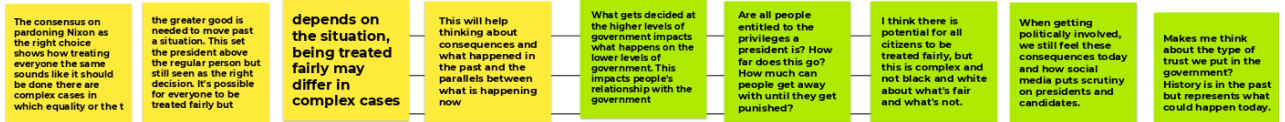
- Watergate Oval Office Tape Transcript, Richard Nixon Presidential Library: www.nixonlibrary.gov/sites/default/files/forresearchers/find/tapes/watergate/trial/exhibit_01.pdf
- Photograph, Watergate Hotel, Bill of Rights Institute: <https://billofrightsinstitute.org/essays/richard-nixon-and-watergate>
- Interview, Elizabeth Holzman about Serving on House Judiciary Committee during Watergate Investigations: <https://history.house.gov/Oral-History/Events/Watergate>
- Rep. Barbara Jordan's Articles of Impeachment, U.S. House of Representatives. <https://history.house.gov/HouseRecord/Detail/15032449722>
- Richard Nixon Speech Defending Administration during Watergate Investigation, DocsTeach: www.docsteach.org/documents/document/nixon-defends-watergate
- Richard Nixon Resignation Letter, National Archives: <https://catalog.archives.gov/id/302035>
- Richard Nixon Resignation Speech (Text) PBS News Hour www.pbs.org/newshour/spc/character/links/nixon_speech.html?ref=quilette.com
- Richard Nixon Resignation Speech (Video) CBS News: www.cbsnews.com/video/richard-znixons-resignation-speech
- Gerald Ford Pardon, Gerald Ford Presidential Library: www.fordlibrarymuseum.gov/the-fords/gerald-r-ford/key-speeches-and-writings-gerald-r-ford
- NBC News Meet the Press Interview with Woodward and Bernstein: www.nbcnews.com/meet-the-press/video/all-the-president-s-men-woodward-and-bernstein-report-on-nixon-watergate-scandal-149847109658

Snowball Discussion

Directions: With a partner, discuss your response to the discussion question, *do you think President Ford did the right thing by pardoning Nixon? Why or why not?* Write your answer and your partner's answer in the smallest circle. Next, join another pair and discuss the discussion question. Write the other students' answers in the middle size circle. Join another group of four students. Write the other students' answers in the largest circle. Add circles as groups enlarge. Be ready to share your responses!



Final response: Based on what you researched, do you think all citizens can be treated fairly under the law? Why or why not? How can you apply what you learned to an area in your life (i.e., school, community, etc.)? Write your answer to these questions in at least 3 sentences total.



Summary

Students who participated in this lesson exhibited an evolution in their understanding of the Watergate Scandal. Students noted that they had initial misconceptions about Nixon being directly involved in breaking into the Democratic National Headquarters.¹² As students delved into primary and secondary sources, they saw that the reasons for the pardon were nuanced. One student found it “fascinating” that while in the past the American public and the media disapproved of the pardon, it was now more generally viewed by scholars and journalists as the right thing.¹⁴ Furthermore, students discussed how examining the big idea of “fairness” by analyzing different perspectives about the pardon helped them to “learn about ordinary people...and [why there is] distrust in the government” that can impact the outcome of elections today.¹⁶

Conclusion

Nixon’s resignation and pardon set major historical and legal precedents regarding presidential powers, the responsibility of branches of government, the role of the media in investigating public officials, and the responsibilities of citizens in holding leaders accountable. Fifty years later, on the eve of the 2024 presidential election, the question of whether all citizens can receive a fair trial for civil or criminal charges, particularly if they are elected officials, still endures. Examining the Watergate Scandal, Nixon resignation, and pardon can provide students as they near voting age with new insights and considerations on selecting public officials and holding them accountable under the law. ■

Notes

1. David S. Broder, “Nixon Wins Landslide Victory; Democrats Hold Senate, House,” *The Washington Post* (Nov. 8, 1972), A01.
2. Carol Kilpatrick, “Nixon Tells Editors ‘I am not a Crook,’” *The Washington Post* (Nov. 18, 1973).

3. Richard Nixon Resignation Speech, PBS NewsHour, Aug. 8, 1974, www.pbs.org/newshour/spc/character/links/nixon_speech.html.
4. Gerald R. Ford, Remarks Upon Taking the Oath of Office as President, Aug. 9, 1974, www.fordlibrarymuseum.gov/library/speeches/026901551-001.pdf.
5. Gerald R. Ford, Remarks on Signing a Proclamation Granting Pardon to Richard Nixon, Sept. 8, 1974, www.fordlibrarymuseum.gov/library/speeches/740061.asp.
6. Dr. Benjamin Spock, Letter to President Ford, nd, www.fordlibrarymuseum.gov/library/exhibits/pardon/005900000-008.pdf.
7. Robert McNeely, Letter to President Ford, Sept. 9, 1974, www.fordlibrarymuseum.gov/library/exhibits/pardon/005601018-011.pdf.
8. Andrew Kohut, “From the Archives: How the Watergate Crisis Eroded Public Support for Richard Nixon,” Pew Research Center, Sept. 25, 2019.
9. Bob Woodward, *Washington Post Panel Discussion on 40th Anniversary of Watergate*, www.youtube.com/watch?v=6uUzrvjtZps.
10. The Inquiry Design Model, Four Support Question Template, C3 Teachers, <https://c3teachers.org/inquiry-design-model>.
11. Jennifer Gonzalez, “The Big List of Class Discussion Strategies,” *Cult of Pedagogy* (Oct. 15, 2015), www.cultofpedagogy.com/speaking-listening-techniques.
12. Focus Group Session, Dec. 13, 2023.
13. Focus Group Session, Dec. 13, 2023.
14. Focus Group Session, Dec. 13, 2023.



Katherine Perrotta is an Assistant Professor of Middle Grades and Secondary Education at Mercer University Tift College of Education where she teaches social studies methods. Her research on historical empathy, social studies teaching methods, history of education, and pre-service and in-service social studies teacher professional development has been published in numerous journals. She would like to acknowledge Kobe Chernushin, David Cooper, Rohan Mistry, Yaashmita Senthilnathan, Leah Sharpe, and Irene Sanders for their contributions to this article.