Failed Rhetoric:

Why No One Can Recall a Single Sentence of Richard Nixon's Speech Announcing the End of the Viet Nam War

[To make the best use of this article, you would do well to listen to this speech on line. It is 9.5 minutes in length.]

On January 23, 1973, President Richard Nixon gave a televised address to the nation, announcing the end of the Vietnam War. At that gut-wrenching moment, he had a golden opportunity to begin the healing process for the most serious public wounds of the 20th century. In trying to appeal to both sides of a bitterly divided nation, all he need do was to solemnize the moment, in the highest of styles, by summoning a powerful rhetoric devoted to closure. Over the decades, I have asked many people if they can quote me one sentence from that speech. Not a single person has been able to do so. Why? And how can understanding this help you avoid making the same errors when addressing a jury at a momentous moment?

To put it bluntly, he blew it. The speech was not well written; but Nixon's delivery of it was even worse. His voice was down; his speed was down; his energy was down; his head was too often down; and he created no recognizable music. He gave us no indication that there was anything in which we should rejoice. And yet this President had always been able to deliver political speeches – campaign addresses, acceptances of nominations, and inaugural addresses -- that were completely competent, energetic, and forceful. In this essay, I will try to demonstrate for you why he failed to produce rhetoric in a high oratorical style when he most needed it. In my next essay *On the Papers*, I will try to demonstrate why at another crucial moment for him, the "Checkers" speech (which allowed him to stay on the ticket with Eisenhower in 1952), he was completely able to summon a perfect rhetoric of ordinary conversation to take the country by storm, thus maintaining his rising political career.

Compare the entirety of Nixon's speech to a single moment in Gerald Ford's public remarks when he became President in Nixon's stead. Ford had the identical opportunity to begin the possibility of healing. After taking the formal oath of office, President Ford handled the problem in a single sentence: "My fellow Americans, our long national nightmare is over." You could feel the entire country exhale.

That is memorable. We needed to feel we could trust and relate to him. We needed to feel he could lead us out of the darkness. He uttered what we needed, succinctly, confidently, and musically. Four beats:

Our **LONG NAT**ional **NIGHT**mare is **O**ver.

The line comes to a musical end that both echoes and stands for the end of the nightmare. To make it more memorable, the alliteration of the two "N" sounds provides balance and supports a forward motion toward the end of the sentence. Even the progression of the vowel sounds has a rising motion from the dark "o" to the flatter "a" to the highpoint of the long "i" to the closure of the long "o." Read it aloud. You will hear what I mean.

The Vietnam war started with Kennedy, ruined Johnson, and was inherited by Nixon, who told us in his 1968 campaign for the presidency that he had a plan to bring it to a successful conclusion. The longer it lasted, the more he expanded it, and the deeper the country became divided. The American public was split into conservative and liberal camps – hawks and doves – more severely than at any time in the 20th century; it would not again reach that level of angry self-assured divisiveness until the time of President Donald Trump.

When Nixon and his advisors finally accepted that the Vietnam War could not be "won" in traditional terms, and had to announce it, they needed to find a rhetoric for convincing the public that we were doing "the right thing" by ending the conflict. To accomplish that, and to demonstrate caring leadership, the President's public oration needed to be earnestly inspirational, needed to be able to soar, needed to be able to sing.

But did the man Richard Nixon have any relationship with or affinity to music? He certainly did. When he was a boy, his mother demanded he practice the piano on a daily basis. He also learned to play the accordion, the saxophone, the violin, and the clarinet.

He was proud of his musical abilities. When he ventured forth into the public eye after losing the 1962 gubernatorial race in California, he arranged an appearance on the Jack Parr Show, one of the first nightly talk shows, during which they wheeled out a piano on stage so he could play for us a song of his own composition, with string accompaniment added by Parr's staff. It was called Nixon's "Piano Concerto #1." (It was just a song.) He once accompanied Pearl Bailey in a song and played "Happy Birthday" for Duke Ellington, both on television.

In addition, he naturally spoke in balanced rhythmic units in conversations when the public was not listening. We discovered this in the infamous Watergate Tapes, which led to his political downfall. In 1974, when the first tapes were released to the public, Jack S. Margolis heard these rhythms and published a 22-page paperback booklet entitled *The Poetry of Richard Milhous Nixon*, in which he printed very short excerpts from the Tapes divided into poetry-length lines representing Nixon's musical delivery of the quotations. Here is a particularly arresting example concerning the Watergate burglars. The numbers in parentheses indicate the number of prose "beats" he used in speaking each line.

The Jackasses in Jail

It is going to cost a million dollars (4)
To take care of the jackasses in jail. (3)
That can be arranged. (2)
That could be arranged. (2)

But you realize that after we are gone, (3)
And assuming that we can expend the money, (3)
Then they are going to crack (3)
And it would be an unseemly story. (3)

Frankly, (1)
All the people (2)
Aren't going to care (2)
That much. (1)

He turned out to be wrong about that last prediction.

If you read the lines aloud, giving to each its number of accents indicated, the "music" of his conversational speech will display itself. He knew how to balance balanceable units. He knew when to decrease the number of beats in a unit to support the increase in its intensity.

Music he had; but none is to be found in the speech ending the Viet Nam War.

So Richard Nixon was by no means an incompetent speech-giver. Go listen to his first inaugural speech from January 20, 1969. It was adequately written for him, with rhythmic units balancing against each other in an uncomplicated manner that allowed his listeners constantly to have a sense of progression towards the next triumphant resting place. You will hear energy, spirit, fortitude, and confidence. He is secure in reading parallel lines in a parallel fashion. He has a sense of each sub-unit of a sentence driving towards its mini-conclusion, while keeping the energy pressing forward to the major conclusion at the sentence's period.

Take a look at a bit of the beginning of his 1968 speech accepting that year's nomination for the presidency. The numbers in parentheses again indicate how many prose stresses he actually gave in each mini-unit – units that I have separated into separate lines, corresponding to when he significantly paused, double-spacing at the end of each sentence.

Eight years ago, (3)
I had the highest honor (3)
of accepting your nomination (3)
for President of the United States. (3)

Tonight, (1)
I again proudly accept (3)
that nomination for President of the United States. (4)

But I have news for you. (3)

This time there is a difference. (3)

This time we are going to win. (4)

Nixon sang this song with all the verve it deserved. It is no accident that after a string of 3-beat lines he twice brought that moment to a climax with an extended, 4-beat line. That additional beat supported a sense of arrival, a feeling of triumphant closure. His speech-writers knew what to write; and he knew how to read it.

If you trace the force of his speeches through the years, you can notice a slow but steady declination of energy and volume. There was good reason for this: Once President, he did not have to thump on the table nearly as much to claim authority.

In his 2nd Inaugural Address, January 20, 1973, he tried to retain the sound of a statesman – calm, confident, and not rushed; but he also at times sounded tired, weary, and hesitant. The difference, most likely, was Watergate – even though the major upheaval would not begin for another six months, when the tapes were revealed. The 2nd Inaugural had many predecessors that suggested a template for what should be said and the manner in which it should be said. He tried to follow that template.

The Vietnam War speech was delivered only three days later. It had no template: There were no precedents for how a President should tell the country we were giving up on a war we could not win. The speech writers would have to come up with something new. They made some bad choices.

The worst of those choices was to devote the entire first half of the speech to repeating the formal announcement of the end of the conflict by quoting, in full, press releases at that time, which colorlessly cited the date of the signing, and the identities of the signers, and other dreary details, which made the speech drag on in much the way this sentence has been dragging on. A bad beginning: There was no presidential voice here. This was something Walter Cronkite could have read on the 6:00 news – and probably did.

Let us look at his opening statement.

> I have asked for this radio and television time tonight for the purpose of announcing that we today have concluded an agreement to end the war and bring peace with honor in Vietnam and in Southeast Asia.

Here is how this sentence *could* have been read:

> I have asked for this radio and television time tonight (5)
> for the purpose of announcing (2)
> that we today have concluded an agreement (4)
> to end the war and bring peace with honor (4)
> in Vietnam and in Southeast Asia. (4)

There is little music in this statement. There are no curves, no crescendos, and not enough sense of arrival at its end. But, had it been read this way, it at least could have communicated competence and confidence.

Instead, Nixon read it with even worse music, his pauses producing a stumbling rhythmic progression that can only just barely be called a progression. It exuded no competence and inspired no confidence. The following represents the way he actually read this sentence, pausing at the end of each of these lines.

I have asked for this radio and television time (4)
tonight (1)
for the purpose of announcing (2)
that we today (2)
have concluded an agreement (2)
to end the war (2)
and bring peace with honor in Vietnam (5)
and in Southeast Asia. (2)

Lame, at best. The awkward rhythms make him sound pained to have to read the sentence.

The one positive phrase, "peace with honor," (which he will repeat five times in the speech), should have been his rhetorical goal: We, my fellow Americans, have been able to achieve that all-important goal, "peace with honor." But the speech hides that phrase here, denying it emphasis; and the President's voice gave it no extra emphasis.

It would not have taken much re-writing to make this same information glow with achievement. All we have to do is (1) allow a stress position by ending a sentence with "end the war"; (2) create a stress position possibility for emphasizing "peace with honor"; and (3) use another stress position at the end of another sentence to spread the peaceful conclusion from small Viet Nam to all the rest of Southeast Asia. Here, with

an attention to a simple balancing of rhythmic stresses (indicated by the parenthetical numbers), is that possible revision:

I have asked for this radio and television time (4)

for the purpose of announcing that we today (4)

have concluded an agreement to end the war. (4)

We thus bring peace with honor – (3)

not only to Vietnam, (3)

but to all of Southeast Asia. (3)

It sounds not only confident but almost triumphant. It would leave us ready to hear uplifting statements of what a relief this is and how it resolves all sorts of conflicts – not only on the battlefields, but also at home. This war has torn us apart. Now we both can be proud and can start to heal.

We could make it even better (1) by adding a couple of upbeat words, (2) by making the music support us all the way through a single sentence, and (3) by bringing it to emphatic closure with the all-important phrase

"peace with honor." Here it is in colometric form. (Give a prose beat of emphasis for each unit separated from the next one by additional space.)

I have requested this radio and television time tonight

to communicate to you some joyful and historical news:

Today we have concluded an agreement to end the war,

thus bringing to Viet- Nam

and to all of Southeast Asia

a lasting peace with honor.

Nixon's opening paragraph was a wasted opportunity; but the waste bled over into the next three paragraphs, in which we hear only more news release type information concerning when the formal agreement would be signed.

Happily, at that point, after 176 words (14% of the 1,250-word speech), the 5th paragraph begins with "That concludes the formal statement." At last, we were finally going to hear our President talk about this wrenching moment. But no, not really.

Here, in the 5th paragraph, "peace with honor" arrives in a stress position:

> "Throughout the years of negotiations, we have insisted on peace with honor."

But even this chance for emphasis is undercut, as he repeats it, again in a stress position, in the following sentence:

> "In my addresses to the Nation" (pause)
> from this room (pause)
> of January 25 (pause)
> And May 8 (pause)
> I set forth the goals that we considered
> essential (pause)
> for peace with honor.

Neither articulation of the key phrase was given oral emphasis by his voice. The second sentence seemed uttered only to justify the first. As a result, the repetition sounds more like weakness rather than re-affirmation.

Surely *now* we will hear the president address our hopes and fears and anxieties. But no; seven more paragraphs follow that spell out conditions in the

treaty. By the time the President actually addressed the people in his own words, (which is what we all supposed he would be doing from the start), he had delivered 560 of his 1,250 words – 45% of the speech.

At no time in this first 45% of the speech did the President smile. "Peace with honor" was not uttered, in any of its three appearances, as something fine, uplifting, nor even to be desired. Instead, it was just to be required.

In what ways does the second half of the speech differ from its first, unmusical, unemotional half?

Suddenly there is something in the text of balance -- some rhythms that can speak to each other. This could have conveyed a firmness and a confidence that would have befit the moment. With these words, written by his speech writers, he could have told us we have won something. Here is one of those paragraphs, arranged by me into simple rhythms inherent in the prose, with a pause at the end of each line. It could have been read this way:

First, (1)
to the people and Government of South Vietnam: (4)

By your courage, by your sacrifice, (4)
you have won the precious right (3)
to determine your own future, (3)
and you have developed the strength to defend that right. (4)

We look forward to working with you in the future — (4)
friends in peace as we have been allies in war. (4)

The first two 4-beat lines establish a default value. Either (1) we expect another 4-beat line, or (2) if the next line differs in beats, there should be a good reason for it.

The next two lines have 3 beats, suggesting an intensification, an urgency: The three beats stretch out to occupy the length and weight of the 4-beat lines that precede them. The next 4-beat line brings the sentence to an end with the rhythm with which it had started, but now with a sense of expansion towards closure. It is a nicely turned sentence.

The two lines of the next sentence, calmer than the material in the sentence before it, could have been uttered in a solid, reliable, expectable four beats – back to the default value. Nothing too fancy – no alliteration or figures of speech like chiasmus or epistrophe; but solid, noble, appropriate music.

But President Nixon ruined what could have been accomplished here by his unfortunate delivery of these lines. Here they are again, arranged by the pauses he actually took to end each small unit. The number of beats he actually used within each unit are again in parentheses:

First,	(1)
to the people	(1)
and Government	(1)
of South Vietnam:	(2)
By your courage,	(2)
by your sacrifice,	(2)
you have won	(3)
the precious right	(2)
to determine your own future,	(3)
and you have developed the strength	(3)
to defend	(1)
that right.	(1)
We look forward to working with you	(4)
in the future —	(1)
friends in peace	(2)
as we have been allies in war.	(2)

What we get here is hesitancy and insecurity, a stumbling procession of words that almost seem like they do not want to associate with each other. He tries to look into the camera, but looks down every few words

– in accordance most often with his pauses. He seems more concerned that he not get any of the words wrong, instead of trying to get the speech right. And again, no smile, no look of confidence, no hint of leadership. No music.

The exact same thing happens in the paragraph that follows. It is squarely and competently written, with rhythms that neatly define units and allow them to talk to each other. Here it is, with the rhythms that could have controlled and supported both the speaking and the listening.

To the leaders of North Vietnam: (3)
As we have ended the war through negotiations, (4)
let us now build a peace of reconciliation. (4)

For our part, (2)
we are prepared to make a major effort (4)
to help achieve that goal. (3)

But just as reciprocity was needed to end the war, (5)
so too will it be needed to build and strengthen the peace. (5)

Again a pair of 4-beat lines begins this passage addressed to the North Vietnamese leaders. With a 2-beat introduction, our efforts to achieve the goal are presented first with a 4-beat line, as we might expect, and then, again, with a slightly dramatic shift to the

more intense 3-beat line. Then, to heighten the importance of the final sentence, the writer reaches for what is usually the ultimate rhythm of 5 beats, reserved for the most important of moments. The neat parallelism helps: The two halves are grammatically parallel, neatly balancing the ending of the war with the building of the peace. But because“reciprocity” did not have to be repeated in the second line, being replaced by the smaller word “it,” there was room left for two verbs instead of one – “”build and strengthen” – which would have made the peace-making sound more important than the war-ending. These final two lines could have made good use of their 5-beat nobility, creating a climax for the whole passage. Neatly done. Read it aloud, with the beats I have suggested. It can sing.

But once again, our President, still looking depressed and defeated, destroyed all that the rhythms could have achieved by destroying all the rhythms. This is how he performed it, in terms of units and rhythmic beats he actually used:

To the leaders of North Vietnam:	(3)
As we have ended the war	(3)
through negotiations,	(3)
let us now build a peace	(4)
of reconciliation.	(2)
For our part,	(2)
we are prepared to make a major effort	(5)
to help achieve	(2)
that goal.	(1)
But just as reciprocity was needed to end the war,	(6)
so too	(1)
will it be needed	(1)
to build	(1)
and strengthen	(1)
the peace.	(1)

The number of beats no longer has anything to do with the arranging of the material or the progress of anything like a musical statement. Note especially how he wrecked the potential nobility of what was written as two final 5-beat lines. It is no wonder that we cannot hold this speech in memory.

Perhaps you have seen the movie "The King's Speech," about a British monarch with a severe speech defect who learned how to give speeches effectively. A moment before he is to give the big speech toward the end of the film, we are allowed a glimpse of the text

from which he will read. There are red vertical marks at every point when he has been instructed to pause. Those pauses would then enable the communication of the music to his audience – even when uttered by a notably unmusical voice. For these two paragraphs of Nixon's speech (and for the rest of the speech as well), red marks like those could have saved the day. Though still no rhetorical masterpiece, it would have allowed him to speak to us, to engage us as listeners. It would have allowed him to bring some end to the end of the War.

There were two separate forces weighing in on this speech and weighing the President down while he delivered it. First, as noted already, it was impossible to declare a victory for the Viet Nam War. Unhappy to be the first American President to lose a war, Nixon tried to put the best face he could put on this moment by repeating the phrase "peace with honor." It appears five times in the speech – but never in a moment one could call climactic. At one point, he tries to articulate our accomplishment in more detail: "The important thing was not to talk about peace, but to get peace — and to get the right kind of peace. This we have done." And, at that point, that was all he could do.

The other weight on this man's shoulders, of course, was Watergate. But why should a scandal that began

in June of 1972 and was not finally resolved until August of 1974 be weighing on him particularly on January 23 of 1973? This was the month of the legal procedures of the seven Watergate burglars. It began on January 8 of 1973. Howard Hunt pleaded guilty on January 11; the four burglars pleaded guilty on January 15; Nixon gave this speech on January 23; and both Liddy and McCord were found guilty on January 30. The situation was starting to get out of hand. As he said in the supposed privacy of the oval office,

> "But you realize that after we are gone,
> And assuming that we can expend the money,
> Then they are going to crack
> And it would be an unseemly story."

One can only wonder why the White House staff failed to anticipate or at least understand how shaky the President must have been as he approached the hour of giving this speech. Good coaching might have saved some of this day.

As a practicing trial lawyer, what is to be learned from this look at rhetorical failure? First, start to take this prose rhythm issue seriously. Depositing all the right information and the relevant precedents in a brief is essential but not by itself sufficient. The prose rhythms will either help or burden your reader. The former is

more desirable.

Second, when addressing a jury, the sound of your voice, the forceful control of your rhythms, and the very look on your face, taken together, will have profound effects on your jury. The better structured your prose, the better its music can be extracted from it. But if you are not aware of the music thus created, you can suffer from destroying your audience's listener expectations.

Next time, we will explore the causes for the great success of Senator Nixon's famous "Checkers" speech.