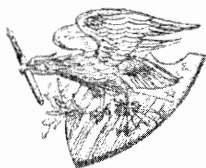


The
PRESIDENTIAL
PARDON

The SHORT CLAUSE
with a LONG,
TROUBLED HISTORY

Saikrishna Bangalore Prakash



HARVARD UNIVERSITY PRESS

Cambridge, Massachusetts • London, England

2026

Copyright © 2026 by the President and Fellows of Harvard College

All rights reserved

Printed in the United States of America

First printing

Publication of this book has been supported through
the generous provisions of the
Maurice and Lula Bradley Smith Memorial Fund

EU GPSR Authorized Representative

LOGOS Europe, 9 rue Nicolas Poussin, 17000,

La Rochelle, France

E-mail: contact@logoseurope.eu

Library of Congress Cataloging-in-Publication Data

Names: Prakash, Saikrishna Bangalore author

Title: The presidential pardon : the short clause with a long,
troubled history / Saikrishna Bangalore Prakash.

Description: Cambridge, Massachusetts : Harvard University Press, 2026. |
Includes bibliographical references and index.

Identifiers: LCCN 2025032460 (print) | LCCN 2025032461 (ebook) |
ISBN 9780674303201 cloth | ISBN 9780674303881 epub | ISBN 9780674303898 pdf

Subjects: LCSH: Pardon—United States | Presidents—United States |

Executive power—United States | LCGFT: Law materials

Classification: LCC KF9695 .P73 2026 (print) | LCC KF9695 (ebook) |

DDC 345.73/077—dc23/eng/20250904

LC record available at <https://lccn.loc.gov/2025032460>

LC ebook record available at <https://lccn.loc.gov/2025032461>

Contents

Preface: Twenty Words

ix

1. An Eighteenth-Century Clause

i

2. Parsing the Pardon Power

16

3. Washingtonian Mercy

33

4. Politics by Other Means

45

5. A Tale of Two Clemencies

64

6. Our Pardon Dystopia

82

7. The Future of Twenty Words

120

Notes

133

Acknowledgments

167

Index

169