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Desegregation Misdirection: A Rationale for Richard Nixon's March 24, 1970, Public Statement Opposing *De Jure* Segregation

Richard Nixon entered office in a cultural moment that demanded action in some direction on civil rights, yet Nixon's civil rights policies were perennially enigmatic. After what was perceived to be a progressive Republican campaign, the Nixon Administration settled on a conservative agenda regarding, in particular, the desegregation of schools. But in a perplexing public statement on March 24, 1970, Nixon announced to the nation that he demanded desegregation, with expediency. This statement was prototypical of Nixon Administration domestic policy, which saw frequent sudden shifts in agenda that failed to map to any one party. It is easy to reduce the Administration's unpredictable domestic policy to the whims of the neurotic Nixon. But I argue that the confusion that shrouded Nixon's domestic policy was intentional, motivated by the pragmatic desire to appease his constituency. To this end, Nixon approached the desegregation issue with nuance, ambiguity, and a façade of indecision that placated the public on a divisive issue. This explains his sudden embrace of desegregation in March 1970.

Domestic Policy was of secondary importance to Nixon. In his Republican National Convention Speech, he spoke of bold plans for foreign policy, pledging to bring "an honorable end to the war in Vietnam," yet in the way of domestic policy he offered little but vague

platitudes. Evans and Novak in their contemporary book that during Nixon's campaign, "On the economy, the environment and civil rights, there was a total absence of planning."

Nixon is generally regarded as a domestic pragmatist, which accords with his hierarchy of political interests. Because domestic policy was of secondary importance to Nixon, he approached it with the goal of efficiency and adhered to a principle of pragmatism, aiming to keep the public content. Accordingly, he spoke of civil rights in the way that most appeased the public at the time. Initially, in the spirit of the "Southern Strategy", Nixon focused on the issue of busing, proudly opposing the use of buses to facilitate integration to the delight of many conservative whites. Nixon said of busing in a public statement: "I am opposed to busing for the purpose of achieving racial balance in our schools. … what we need now is not just speaking out against more busing, we need action to stop it."

Nixon, however, never opposed amending de jure segregation itself, but merely focused on the issue of busing because it was a way to dodge a more divisive issue. Nixon was principled and held respect for the Supreme Court, once telling a reporter, "whatever I have said that is inconsistent with the Supreme Court's decision is now moot and irrelevant." There was thus no benefit to taking a position on de jure segregation: To oppose this form of desegregation would betray his principles, but to embrace it would only alienate his southern constituency. There was no sudden shift in policy that occurred in 1970. Rather, a slew of Supreme Court cases in the late 1960s that demanded desegregation forced Nixon to address an issue that he had previously dodged to maintain approval ("Brown v. Board").

So Nixon endorsed de jure desegregation in March 1970, appropriating the language of the Supreme Court while doing so: "Deliberate racial segregation of pupils by official action is unlawful … it must be eliminated 'root and branch'—and it must be eliminated at once." But it

was still incumbent upon Nixon to find a way to appease his constituency. To this end, the Nixon Administration surrounded this requisite endorsement with ambiguity, nuance, and intentional confusion.

Nixon and his advisors knew that, when dealing with such a divisive issue, adopting an ambiguous stance allowed Nixon to court both sides of the political spectrum. As Dr. McAndrews notes, Nixon deliberately advised his Administration in a January 1970 meeting with HEW Secretary Robert Finch on desegregation policy to "keep it confused.". A month later, the Nixon Administration was dealing with the proposed Stennis Amendment, a proposal to increase de facto desegregation efforts in the North. The White House spoke on the Stennis Amendment in February, writing that "The President indicated support of the concept of Senator Stennis' amendment … but … other approaches would also accord with the President's basic object," which was establishing consistency in the treatment of de facto segregation across the country. Nixon's proposal here is technically sound but remains ambiguous. He did not care whether the policy was stringent or lenient regarding desegregation, so long as it ensured equal treatment of the South and a consistent approach to de facto segregation. In this way, Nixon presents himself as sympathetic to desegregation efforts while also establishing support of the South and maintaining confusion regarding specific policy goals on divisive issues.

He approached his March 1970 statement with the same tactic, attempting to appeal to both sides of the political spectrum. Nixon proclaims, "This issue [desegregation] is not partisan. It is not sectional. It is an American issue, of direct and immediate concern to every citizen." Nixon hoped to convince those conservative whites whom he courted on the campaign trail that he was still on their side, hoping that, maybe, with enough ambiguous language, they may not

realize he was betraying them. It was, as one Nixon aide put it, "a calculated waffle" (McAndrews 194).

The question remains if Nixon's intentionally fickle, pragmatic approach to desegregation was effective. Nixon saw his approval rating drop about ten points in early 1970 when he began issuing a flurry of statements regarding desegregation policy. However, it remained above fifty for the year, which, historically, is very good. Even more impressive is that Nixon maintained impressive approval ratings while navigating an inevitably controversial policy issue. Concerning public approval, I argue Nixon's desegregation approach was generally very effective. He was bound to alienate some of the electorate amid desegregation policy; that he maintained majority approval is a testament to his strategic finesse.

But there is a lesson here in that presidents can leverage opacity to increase, maintain, or minimize fallout in public approval, perhaps the first step toward corruption in the White House, as we saw with Nixon. But perhaps, too, there is some merit to the pragmatic approach Nixon took to civil rights, with the chief goal of pleasing the public. At a time when a large portion of Americans wanted hasty cultural revolution and another desired the status quo, Nixon's slow cruise down the highway of progress was a healthy, stable compromise that allowed legislation and policy to evolve parallel to public sentiment.

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