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Law and Order: Nixon's Rhetoric and the Southern Strategy

Today's familiar Democratic and Republican party coalitions have not always existed; rather, they began to emerge in the 1960s as demographic and geographic groups shifted party alliances. This paper focuses on one factor in the party realignment: Richard Nixon's 1968 presidential campaign. Nixon's 1968 campaign was characterized by a balance between appeals to conservative, anti-integration Southern white voters and the risk of alienating Northern liberals. To implement this "Southern strategy," Nixon employed ostensibly race-neutral language that actually had coded racial meaning. This color-blind rhetoric was belied by the actions of the administration and Nixon's rhetorical shift to the right after taking office.

The 1960s were a deeply tumultuous time, particularly in regards to race. Many Southerners continued to oppose federal mandates to desegregate schools, accusing the federal government of overreach in implementing the 1954 *Brown v. Board of Education* decision. Widespread protests against segregation inflamed sentiments on both sides: while many were sympathetic to the plight of African-Americans and shocked by the violence they encountered during demonstrations, others were appalled by what they saw as unnecessary chaos created by African-Americans pushing too hard for equal rights. Furthermore, the fissure within the movement for racial equality alarmed many whites, who saw the emergence of the Black Power movement as a radical threat to American society. As a "New Left" composed of students—many of whom were sympathetic to the

civil rights cause—emerged, so did a backlash composed of what Nixon would come to call the “silent majority.”¹

As American culture experienced deep conflict and change, so did the two major political parties. Nixon’s 1968 campaign was the culmination of a party shift that can be traced back two decades: in 1948, Strom Thurmond had led many Southern Democrats to defect from the party in opposition to the pro-civil rights stance of the party platform; in 1964 even more Southerners left the Democratic Party, inspired by Goldwater’s far-right campaign for president.² The Democratic Party was splintering, particularly in the South. Nixon saw the “resentment of domestic opposition to the Vietnam War, urban unrest, campus protest or youth rebellion, and drugs” among working class whites and Southern conservatives as an opportunity for the Republican Party to expand its coalition.³ Nixon’s 1968 campaign strategy was specifically targeted to take advantage of the Democratic coalition’s breakdown by exploiting racial issues and racist sentiment among white voters.

Nixon’s 1968 campaign strategy was based on a multitude of factors. First was the breakdown of the Democratic coalition. Another critical factor was the rise of George Wallace and Nixon’s fear that Wallace would capture the conservative Southern vote, which he saw as a crucial group in his path to victory. One *LA Times* article describes Nixon as wanting to gain “support from the people whose racial fears and prejudices have steadily swelled the Wallace percentage in the opinion polls.”⁴ Since the Democrats’ support for civil rights legislation had destroyed their alliance with the “Dixiecrats”—Southern segregationist Democrats—and Wallace had little party or campaign infrastructure and no chance of winning the presidency, Nixon saw the South as his for

the taking, with the caveat that he would have to appear racially conservative enough for Dixiecrats to see him as an electable alternative to Wallace.⁵ Paradoxically, Nixon thought that governing would be difficult if he couldn't win both the African-American vote and the racially conservative vote.⁶

Nixon's rhetoric was a key part of his 1968 presidential campaign, particularly when it came to his "Southern strategy": his attempt to gain the support of the Dixiecrats, who might otherwise vote for Wallace. Nixon also chose his running mate, Spiro Agnew, and made alliances with powerful Southerners such as Strom Thurmond to appeal to Dixiecrats, but it was his careful rhetorical strategy that became the centerpiece of his campaign. Indeed, Wallace later accused Nixon and Agnew of co-opting his rhetoric: "I wish I had copyrighted my speeches. I would have been drawing immense royalties from Mr. Nixon and especially Mr. Agnew," he said.⁷ Nixon was careful to make his appeals moderate on the surface, while using language that made it clear to Southern conservatives that he was their ally. He tried to associate the Johnson administration with what he called civil rights "extremism," referring to what many Southerners saw as aggressive federal government support for civil rights, particularly efforts to integrate public schools.⁸ His use of terms such as extremism made it difficult for liberals to attack him as a segregationist, while simultaneously signaling to conservatives that he would oppose integration. Nixon also accused civil rights leaders of using "irresponsible tactics" and creating "an atmosphere of hate and distrust."⁹ This language echoed the sentiments of many moderate and conservative white Southerners who felt that the tumult of the past several years could be attributed to too radical pushes for racial equality.

Nixon never outright said that he opposed integration—in fact, he often emphasized his opposition to *de jure* segregation—but he used the rhetoric of conservatism and slow change to indicate to Southerners that he would back off the Johnson administration’s policy of proactively integrating schools. In a speech, he indicated that he opposed “[forcing] integration in an artificial and unworkable manner.”¹⁰ Most of his campaign speeches and answers to reporters’ questions contained similar non-answers where integration was concerned: he was careful to never say anything that would allow Democrats to accuse him of being a segregationist, but he still wanted to appeal to Southern voters with segregationist sympathies.

When asked about equal educational opportunities, Nixon said he was “for programs that will expand educational opportunities, that will give to all Americans their equal chance for education.”¹¹ Yet when pressed more specifically about what his administration’s stance would be on policies that actually made it possible for African-Americans to have equal access to education, he was far less resolute, saying that “The Federal Government would give assistance to those districts who do want to integrate their schools.”¹² This statement is clearly meant to reassure moderates and liberals that he will not try to re-segregate schools, yet what is not said is far more important: he never voices support for integrating schools that don’t want to be integrated, and his use of the term “assistance” leaves substantial room for interpretation.¹³ This statement, on the surface supportive of federal enforcement of *Brown v. Board*, is also a signal to Dixiecrats that the administration’s policy will be closer to the states’ rights position of Wallace: if a district doesn’t want to integrate, the government won’t force it to.

Nixon also employed the rhetoric of school choice and Constitutional constructivism to appeal to Dixiecrat-segregationists. During his campaign, he repeatedly voiced his intention to nominate “strict constructionists” to the Supreme Court, a choice imbued with significant meaning against the background of a liberal court that was responsible for several significant civil rights decisions.¹⁴ Without ever having to explicitly come out against these decisions, Nixon’s opposition to the liberal court was a powerful signal to Southern conservatives that he sought to turn the tide away from integration towards a conservative, states’ rights approach. His advocacy of school choice served a similar purpose: while on the surface, school choice and integration were not in opposition, the implementation of school choice always served to maintain segregation.¹⁵ The policy implications of school choice served as another signal to Dixiecrats that Nixon was their ally in opposing integration, and thus “choice” became another racially coded rhetorical strategy aimed at capturing Southern white votes.

Nixon also used rhetoric about crime, specifically the term “law and order,” to appeal to some Southerners’ racist sentiments. Nixon himself was adamant that law and order was not a code word for racism.¹⁶ However, calls for law and order were inextricably linked to white opposition to protest, especially protests for racial equality. Nixon framed the issue as one of contrast: his voters were on the side of the law, while civil rights activists were ““blamed” for disrupting more traditional ways of life” and Democrats were responsible for crime and riots.¹⁷ African-American activists accused Nixon of having a “special meaning” for law and order: one NAACP official remarked that he was trying “to get the support of the white backlash people.”¹⁸ Calls for increased law and order allowed Nixon to clearly voice opposition to civil rights protests without

actually having to say anything about civil rights. Rather than risk losing Northern moderates and liberals by explicitly opposing the demands of civil rights leaders, he could discredit their demands by criticizing their methods as radical and disruptive and thus appeal to Dixiecrats who opposed racial equality. This was an effective strategy: a *New York Times* article describes Nixon's mentions of law and order as "music to his Southern audience."¹⁹

Nixon's use of race-neutral language to communicate racial messages did not end with his campaign. From the beginning of his administration, his color-blind rhetoric was coupled with policies that appeared moderate on the surface, but were actually meant to stoke Southern racial sentiment while redirecting benefits from poor African-Americans to the white working class.²⁰ Furthermore, he kept his campaign promises to Dixiecrats by attempting to slow down school integration in the South and nominating two strict constructionist, anti-integration justices to the Supreme Court (both nominations failed).²¹ He used the rhetorical strategies that he had employed during his campaign to justify these policies to moderates and conservatives. Although he initially tried to appeal to African-American voters through business affirmative action and union quota policies, these plans were almost universally opposed among African-American leaders and disliked by many union leaders who accused Nixon of attempting to prevent a civil rights-labor alliance against him.²² Seeing this opposition, Nixon modified his political and rhetorical strategies to appeal directly to working-class white voters, saying "I intend to begin this administration by telling black Americans and the rest of Americans the truth . . . I am going to propose new programs the purpose of which will be to get people off welfare rolls and onto payrolls."²³ The language of welfare reform indicated Nixon's

commitment to decrease federal dollars to poor African-Americans and redistribute them to working-class whites.²⁴

Nixon's administration also used the rhetoric of civil rights leaders against them: after a NAACP leader commented that the delay in school desegregation was "almost enough to make you vomit," one of Nixon's aides reported to him that the South's reaction to the delay "was good – very good – in large part because of the adverse reaction from opponents of change, particularly Roy Wilkins' 'vomit' comment."²⁵ After his Supreme Court nominees failed, one of Nixon's speechwriters distributed remarks on the Senate floor that drew an analogy between the failure of the Supreme Court nominees and the loss of Robert E. Lee.²⁶ This rhetoric was clearly intended to inflame Southern sentiments by drawing a line between the humiliation that the former Confederacy felt after Reconstruction and how many segregationists felt about federal support for civil rights.

Nixon's seemingly race-neutral rhetoric was actually imbued with racial meaning. Racially coded rhetoric was the centerpiece of his 1968 presidential campaign, specifically his "Southern strategy" appeal to conservative Dixiecrats and an important political strategy for his administration. He used the language of civil rights "extremism," Constitutional conservatism, and welfare reform to court Southern conservatives and segregationists. His strategy took advantage of the splinters already occurring in the Democratic Party as the "New Left" emerged and created a rift with white working class voters and unions in the party. This approach was key in creating a demographic and geographic party realignment, and these Nixon-influenced coalitions have affected party and electoral dynamics since then.

¹ S. J. Spitzer, "Nixon's New Deal: Welfare Reform for the Silent Majority," *Presidential Studies Quarterly*, 42, no. 3 (July 2012): 455-481.

² Bruce H. Kalk, "Wormley's Hotel Revisited: Richard Nixon's Southern Strategy and the End of the Second Reconstruction," *The North Carolina Historical Review*, 71, no. 1 (1994): 85-105.

³ Spitzer, "Nixon's New Deal: Welfare Reform for the Silent Majority."

⁴ Joseph Alsop, "Nixon's Southern Strategy" *LA Times*, August 13, 1968, A5.

⁵ Kalk, "Wormley's Hotel Revisited: Richard Nixon's Southern Strategy and the End of the Second Reconstruction."

⁶ Harrison E. Salisbury, "Nixon Then and Now: Contrast With 1960 Campaign Is Marked," *New York Times*, September 16, 1968, 1.

⁷ Roy Reed, "G. O. P., Aided by Agnew, Surges in South." *New York Times*, December 7, 1969.

⁸ William White, "Nixon's Right Turn on Race Issue," *LA Times*, February 18, 1964, A5.

⁹ White, "Nixon's Right Turn on Race Issue," A5.

¹⁰ White, "Nixon's Right Turn on Race Issue," A5.

¹¹ David G. Holmes, "Affirmative Reaction: Kennedy, Nixon, King, and the Evolution of Color-Blind Rhetoric," *Rhetoric Review*, 26, no. 1 (2007): 25-41.

¹² Holmes, "Affirmative Reaction: Kennedy, Nixon, King, and the Evolution of Color-Blind Rhetoric."

¹³ Holmes, "Affirmative Reaction: Kennedy, Nixon, King, and the Evolution of Color-Blind Rhetoric."

¹⁴ E. W. Kenworthy, "Nixon Strategy in South: Humphrey Attack on Wallace Causes G.O.P. Nominee to Shift His Tactics" *New York Times*, October 5, 1968, 20.

¹⁵ Kalk, "Wormley's Hotel Revisited: Richard Nixon's Southern Strategy and the End of the Second Reconstruction."

¹⁶ Kenworthy, "Nixon Strategy in South: Humphrey Attack on Wallace Causes G.O.P. Nominee to Shift His Tactics," 20

¹⁷ Paul Frymer & John David Skrentny, "Coalition-Building and the Politics of Electoral Capture During the Nixon Administration: African Americans, Labor, Latinos," *Studies in American Political Development*, 12 (April 1998): 132.

Kalk, "Wormley's Hotel Revisited: Richard Nixon's Southern Strategy and the End of the Second Reconstruction."

¹⁸ Thomas A. Johnson, "Negro Leaders See Bias in Call of Nixon for 'Law and Order'," *New York Times*, August 13, 1968, 27.

¹⁹ Kenworthy, "Nixon Strategy in South: Humphrey Attack on Wallace Causes G.O.P. Nominee to Shift His Tactics," 20.

²⁰ Spitzer, "Nixon's New Deal: Welfare Reform for the Silent Majority."

²¹ Frymer & Skrentny, "Coalition-Building and the Politics of Electoral Capture During the Nixon Administration: African Americans, Labor, Latinos."

²² Frymer & Skrentny, "Coalition-Building and the Politics of Electoral Capture During the Nixon Administration: African Americans, Labor, Latinos."

²³ Spitzer, “Nixon's New Deal: Welfare Reform for the Silent Majority”

²⁴ Spitzer, “Nixon's New Deal: Welfare Reform for the Silent Majority.”

²⁵ Frymer & Skrentny, “Coalition-Building and the Politics of Electoral Capture During the Nixon Administration: African Americans, Labor, Latinos.”

²⁶ Kalk, “Wormley's Hotel Revisited: Richard Nixon's Southern Strategy and the End of the Second Reconstruction.”