



WINNING WHILE LOSING



Civil Rights, the Conservative Movement,
and the Presidency from Nixon to Obama



Edited by Kenneth Osgood and Derrick E. White

Winning While Losing

The Alan B. Larkin Series on the American Presidency



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In Memory of Alan B. Larkin (1922–2002)

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PREFACE

This volume explores the paradoxical nature of civil rights politics in the years following the 1960s civil rights movement in the United States. The book originated in the 2009 Alan B. Larkin Symposium on the American Presidency at Florida Atlantic University (FAU), which focused on the impact of the conservative moment on civil rights and the presidency since 1968.

The volume's core theme of progress in the face of defeat, or defeat in the face of progress, was first proposed by Mary Frances Berry, the former chair of the U.S. Commission on Civil Rights. At her keynote address for the symposium, she spoke about how civil rights during the Reagan era followed a pattern of "winning while losing." The other conference participants, who were exploring the civil rights policies of other presidents, agreed that her idea seemed to capture well, if imperfectly and unevenly, the larger trajectory of civil rights in the era that followed the landmark legislative victories of the mid-1960s.

Yet this was an odd moment to be talking about "losing" in the civil rights arena. The planning for the symposium had begun long before Barack Obama emerged as a contender for the Democratic Party's presidential nomination. His victory in the primary and subsequent election to the presidency came as a surprise to the conference participants, who now found themselves discussing the connection between race and the presidency just weeks after the inauguration of the country's first black president. It was a remarkable coincidence. Ultimately, Obama's victory did not affect the historical judgments rendered on the four decades separating his inauguration in 2008 from Martin Luther King's assassination in 1968. The intervening years saw highly visible achievements in the realm of political rights, as Obama himself demonstrated, but persistent setbacks in the quest for full socio-economic equality, as told in the ever grim statistics about black poverty and incarceration. Such a pattern of winning while losing seemed to define the post-1960s

era of civil rights politics. This new era was shaped less by liberal activism than by the broader conservative turn in the American electorate, a mood that constrained the ability of civil rights activists to advance their agenda through public policy. If anything, Obama's victory seemed to accentuate the curious paradox of winning while losing in the realm of civil rights.

We are grateful to the Larkin family for the generosity that made the symposium—and this book—possible. Their gift to FAU's History Department has been a gift to history itself and is a fitting tribute to the late Alan Larkin's personal fascination with America's past. We also thank Zella Linn and Patricia Kollander for their efforts to organize and support the symposium, as well as Jane DeHart and Laura Kalman for their helpful suggestions in the planning stages of this work. We also owe an extraordinary debt of gratitude to Meredith Babb of the University Press of Florida and to Helen Laville, Harvard Sitkoff, David J. Garrow, and the other anonymous readers of the manuscript who offered tremendously thoughtful and insightful critiques. Their responses helped us craft a more sophisticated volume that we hope will frame the debate about civil rights politics in the post-1960s era.

A few months following our symposium, we were saddened to learn of the passing of one of our authors and presenters, Ronald Walters. He was a leading scholar and activist on issues related to civil rights and American politics. He also mentored editor Derrick White and contributor Robert Smith—students who were deeply affected by Walters' scholarship and teaching. We mourn his loss as a colleague and as a thoughtful analyst of American politics. Before he died, Walters attended Obama's inauguration in Washington, D.C., and then spoke to our symposium about the meaning of Obama's victory for the future of American politics. His remarks, which were recorded by C-SPAN and can be seen online, were edited by his student and colleague Robert Smith and are included in this volume.

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INTRODUCTION

THE PARADOX OF SUCCESS

Civil Rights and the Presidency in a New Era

KENNETH OSGOOD AND DERRICK E. WHITE

A year before an assassin's bullet claimed his life in April 1968, Martin Luther King Jr. published his last and most prophetic book: *Where Do We Go from Here: Chaos or Community?* King had just suffered a major defeat in Chicago, where intense northern racism and big-city machine politics thwarted a campaign against housing discrimination. The setback left King wondering about the path forward. Retreating to a small house in Jamaica, with no phone, he put the finishing touches on a manuscript that would receive mixed reviews at the time but would appear ever more prescient with the passage of time. As King wrote, the future of the American civil rights movement looked uncertain indeed. Civil rights activists had just scored their greatest legislative triumphs with the passage of the 1964 Civil Rights Act and the 1965 Voting Rights Act, the culmination of decades of legal and grassroots challenges to the oppressive system of legal segregation in the United States. But the very success of the movement raised a deceptively simple question: What now?

The answer to that question shattered the civil rights consensus. To some—including many white allies of African American civil rights activists—the answer was: Not much. Segregation had ended and it was time to move on. To others, however, it was time for more militant agitation. Years of patient nonviolent protest had yielded too little, too slowly in the areas of economic justice and structural racism. As white liberals abandoned the civil rights movement, black-power activism, urban rebellions, and rioting shattered for good the civil rights coalition King had helped construct over the preceding decade. So when King posited the

question “Chaos or Community?” many reviewers at the time perceived the book as an assault on the separatism and militancy of black power.¹ It was, but it also was much more.

King argued that the civil rights movement had moved into a “new phase.” The fight for racial equality had just begun. The fracturing of the movement and the long-awaited death of Jim Crow were causes for sober reflection and renewed activism, not complacency. It was past time to address the wide-ranging repercussions of centuries of slavery and segregation. “A society that has done something special against the Negro for hundreds of years must now do something special for him,” King wrote. As he well knew, for African Americans the legacy of this discrimination meant inequality at all levels: grinding poverty, substandard education, limited access to jobs, dilapidated housing, a discriminatory criminal justice system, and a disproportionate share of front-line service in the rapidly escalating Vietnam War. King thus argued that the difficult campaign in Selma, Alabama, which had paved the way for the landmark Voting Rights Act, did not mark the end of the civil rights movement but the opening of a new front focused on “the realization of equality.” This would be in many ways a more difficult and divisive battle for economic equality, and King now spoke bitterly about the white allies who “had quietly disappeared.” He saw a movement betrayed. “The Negroes of America had taken the President, the press and the pulpit at their word when they spoke in broad terms of freedom and justice,” King complained, but “the word was broken, and the free-running expectations of the Negro crashed into the stone walls of white resistance.”²

That resistance came from surprising quarters: not just from traditional opponents of racial equality but also from white liberals who had once joined forces with King to oppose racial injustice. The march on Selma now looked like the apex of black and white unity. A core ideological disagreement divided black activists on the one hand from many former white allies and conservative opponents on the other. “Negroes have proceeded from a premise that equality means what it says,” King wrote, “but most whites in America in 1967, including many persons of good will, proceed from a premise that equality is a loose expression for improvement.” Behind these differing definitions of equality stood, according to King, a “fantasy of self-deception and comfortable vanity” that relied on the belief that “American society is essentially hospitable to fair play and to steady growth toward a middle-class Utopia embodying

racial harmony.” For King, the very real persistence of structural racism called for a broad economic program designed to counter the legacy of slavery and segregation. Yet, when faced with the “real costs” of equality—including full employment, the eradication of slums, and truly equal education—many whites rejoined simply: “the Negro has come far enough.”³

Thus when King asked, “Where do we go from here?” he was asking Americans to consider the deeper, more fundamental challenges that would dominate the political debate over civil rights into the twenty-first century. To ensure civil rights, was it enough merely to guarantee individual freedom by stripping away formal vestiges of discrimination in the law? Or were more extensive actions required to remedy centuries of injustice and create genuine economic and social equality? Such questions highlighted significant differences of political ideology and historical interpretations that separated those who wanted equal opportunity, no more and no less, and those who sought equitable results. For those stressing equal opportunity, the years 1964 and 1965 marked the final resolution to Gunnar Myrdal’s “American Dilemma.” Their interpretation of the civil rights movement hinged solely on the elimination of legal racial discrimination. With that task now complete, Americans could be satisfied with their color-blind support of opportunity for all. For King and others, however, the elimination of discriminatory laws was but the first phase of a larger movement for civil and human rights. They pointed to centuries of stolen black labor, through slavery and Jim Crow, and saw much more that needed to be done. Addressing the human and economic costs of this legacy was the next and most important phase of the movement.

These issues defined the political divide over civil rights in the years ahead. They also pointed to a new reality of American politics in an increasingly conservative era. In “the Age of Reagan,” civil rights leaders could reap meaningful victories in one area, the erosion of legalized discrimination that opened the door to freedom and achievement for individual African Americans, while continuing to lose in the other, the elusive search for economic and social equality that would close the door of opportunity for African Americans as a group.⁴ This curious phenomenon of winning while losing took many different shapes in the decades to come, but it nevertheless defined the central paradox of civil rights that came into focus during the last years of King’s life. King’s attempt

to organize the next phase of the movement was cut short by his assassination in April 1968, leaving the civil rights paradox unresolved.⁵

Had King lived to his eightieth birthday on January 15, 2009, he would have seen a world that looked very different—but still uncomfortably familiar. Many euphoric pundits saw that day, on the eve of Barack Obama's historic inauguration, as signifying at long last the fulfillment of King's dream. Yet a few commentators noted that the dream of economic equality, so central to King's activism, remained unfulfilled. The online journalist Sadiq Green was one of the few to dampen the celebrations over Obama's inauguration by noting dourly, "The journey from slavery to Jim Crow to full participation in American society is not yet complete." Too many African Americans, Sadiq Green wrote, "are still trapped by the structural inequalities of American society . . . [and] many appear to be spiraling in the chaos he [King] warned of in his last book." Persistent poverty, unemployment, and a prison system bursting at the seams with incarcerated black men made King's message in *Where Do We Go From Here* "newly resonant," observed *The Nation's* Mark Engler. The message was "especially appropriate right now," added King's former associate Jesse Jackson Sr. after Obama's receipt of the Nobel Peace Prize in December 2009. "Hope is up," Jackson noted ironically, "but unfortunately so is poverty."⁶

Two years later, as President Obama stood beside Jackson and others to dedicate a memorial to King in Washington, Charlene Crowell in the *Philadelphia Tribune* again reminded Americans of King's campaign for economic and social justice and the persistent relevance of *Where Do We Go From Here*. When that book was published in 1967, forty million people lived in poverty, a figure that grew to forty-six million in 2011. "For African Americans one in four people today live in poverty" and unemployment rates are double that of the general population. Add to these facts the "disturbing inequalities, predatory lending with triple-digit interest for payday and car title loans, or dealer-mark-ups on auto financing, and disproportionate foreclosed homes" and it becomes clear that "there is a measurable tax for being Black or Latino in America." Crowell could have mentioned an even more worrying sign. Even as the nation graced King with a handsome memorial on the Washington Mall, fully one half of the country's prison population was black. In light of these worrisome facts, observers could be forgiven for seeing Obama's election not as a dream fulfilled but as a dream deferred.⁷

The sober responses to Obama’s historic presidency highlight the ambiguous nature of civil rights progress after the 1960s. In the four decades separating King’s assassination and Obama’s inauguration, there continued to be notable advances on political civil rights—as Obama himself would symbolize—and in the larger softening of racial prejudice. But there were also meaningful and persistent setbacks on the road to full economic and social equality. To shed light on this phenomenon, this book explores the complex and contested evolution of civil rights priorities by focusing on two overlapping issues: presidential politics and the conservative movement. Bringing together scholars from several different disciplines—history, political science, legal affairs, and sociology—the volume analyzes the impact of conservative trends in American politics on the struggle for racial justice. The authors focus on the civil rights agendas of each administration from Richard Nixon to Barack Obama (with the exceptions of Gerald Ford and George H. W. Bush), analyzing how the broader conservative turn in American life affected their politics and policies. While focusing primarily on the use of executive power, the volume also explores the broader political, legal, and social trends that influenced the national debate on civil rights. The essays collected here are concerned mostly with civil rights for African Americans, although some essays touch on women, Latinos, and others who were affected by, and contributed to, larger conversations about minority rights and equality. While the volume is meant to make a meaningful scholarly contribution to historical understanding of the recent past, the editors also strove to make the volume accessible to a broader audience, including students and the general public, whose popular understanding of these issues is often shaped more by the contemporary political climate than by detailed historical knowledge.

The Conservative Ascendancy

King’s death in 1968 happened to coincide with the beginning of a titanic shift in American politics. The progressive movements for social change that had begun with the civil rights movement moved to new terrain—women’s liberation, gay rights, and environmentalism—but they also encountered a significant counterforce: a burgeoning conservative movement that, by the 1980s, would decisively shift American politics to the Right. This was the era of the “conservative ascendancy,” as the

political historian Donald Critchlow so aptly dubbed it.⁸ It was an era in which presidential politics on civil rights would be both circumscribed and defined by a powerful grassroots conservative movement and by the increasingly conservative mood of the electorate writ large. This right turn bolstered political leaders who wanted to define civil rights narrowly as merely encompassing political rights and equality of opportunity, while constraining those who wanted to broaden the meaning of equality to accord with King's more comprehensive vision of economic and social justice.⁹

Although movements for reform would continue into the 1970s, the 1968 election was a harbinger of the new conservative era.¹⁰ That election saw three major candidates: Lyndon Johnson's vice president, Hubert Humphrey, who ran on the Democratic ticket, Dwight Eisenhower's vice president, Richard Nixon, who ran on the Republican ticket, and the segregationist governor of Alabama, George Wallace, who ran as an independent. Although Nixon secured the presidency by receiving less than 1 percent more popular votes than Humphrey did, his "law and order" platform won him electoral votes from thirty-two states. Tellingly, Wallace, who ran a virulently racist campaign, garnered nearly 14 percent of the vote and carried five southern states—a remarkable feat considering that no subsequent third-party candidate has won an entire state's electoral votes. Together, the two conservative candidates, Wallace and Nixon, secured nearly 57 percent of the popular vote and carried thirty-seven states. This was a sign of things to come. Beginning in 1968, Republicans would capture seven of the next ten presidential elections.

The entire political landscape had changed. Southern discontent over liberal activism on civil rights meant that the South, which had been a stronghold of the Democratic Party since the Civil War, defected to the Republicans. A new coalition took shape. The Republican Party displaced the New Deal Coalition that dominated American politics from the 1930s through the 1960s. For the next forty years, conservatives held the upper hand in Washington. With a vibrant intellectual base and committed grassroots organizations, the conservative ideology of the Republican Party emerged as the dominant force in the closing decades of the twentieth century—so much so that even Democratic politicians like Jimmy Carter and Bill Clinton were forced to adopt center-right positions on many key issues, especially on social welfare, racial integration, affirmative action, and poverty.¹¹

Epitomized by Ronald Reagan's transformative presidency in the 1980s, the conservative ascendancy was fueled partly by a desire to roll back government activism in civil rights.¹² As Thomas B. and Mary D. Edsall argued in their landmark study *Chain Reaction*, race and taxation issues were central components of the Republican Party's successful bid to create a new electoral majority in the 1980s.¹³ Resentment over civil rights remedies like affirmative action, school busing, and welfare helped fuel the conservative movement. Many Americans came to believe that the government was trampling on individual rights in the name of rectifying past wrongs. Accordingly, the New Right coalition sought to limit the impact of civil rights initiatives, especially affirmative action, by championing an idea of individual rights to supplant that of "group rights" for minorities.

This volume, then, engages not just debates about civil rights and the presidency but also conversations about the larger meaning of the conservative movement, which shaped much of the political agenda of post-1960s America. It addresses a fast-growing body of work on the conservative movement, much of it focused on grassroots activism and the intellectual foundations of modern conservatism.¹⁴ In exploring the roots of the conservative revival, some authors stress the importance of social and cultural issues, like abortion and the Equal Rights Amendment, while others emphasize national security concerns and conservative opposition to détente in the Cold War.¹⁵ A common thread in the scholarship points to the importance of race and civil rights in forming the modern conservative coalition, which was based in no small part on Republican control over the South and the rural heartland.¹⁶ Constituents from these regions had once been at odds, but they now became linked by concerns about racial status. As Mary Frances Berry points out, the new conservative coalition appealed to both "southern whites' concerns for their region's racial status quo" and "northern whites' fear for their economic status and their all-white neighborhoods and schools."¹⁷

Nevertheless, scholars debate just how significant a role race played in the conservative revival. Because retrenchment on civil rights was a crucial issue to the new southern base of the Republican Party, and because politicians like Richard Nixon deliberately courted southern resentment in their electoral strategizing, some scholars explain the American Right turn by emphasizing the white backlash against civil rights policies as well as the "southern strategy" employed by conservative politicians to

win Dixie's disaffected whites. Scholars such as Dan T. Carter and Kevin Kruse, for example, document the impact of backlash politics on the South as the new base for the Republican Party.¹⁸ James T. Paterson's authoritative history of the period similarly points to Richard Nixon's "genteel" catering to the growing backlash as key to his campaign for the presidency, concluding: "Backlash was indeed the dominant force in the exciting campaign and the election of 1968."¹⁹ Other scholars, however, have raised questions about the significance of the backlash phenomenon and the extent to which race or racism was instrumental in the rise of the Right. Matthew D. Lassiter, for example, argues that instead of a southern strategy that relied on explicit racial hostility to fuel the white backlash, white suburbanites employed a color-blind "suburban strategy." In exploring the rise of the Right in the suburbs and the sunbelt, Lassiter documents a grassroots politics that "charted a middle course between the open racism of the extreme right and the egalitarian agenda of the civil rights movement, based in an ethos of color-blind individualism."²⁰ Consequently, by the mid-1970s politicians of both parties supported versions of the color-blind suburban strategy, as in their opposition to the busing of children to achieve school integration. Whether motivated by backlash appeals, implicit racism, or color-blind individualism, the paradigm for civil rights gradually evolved away from King's broad-ranging definition of equality of economic and social justice to a more restrictive notion of civil rights that reinforced the status quo by avoiding any analysis of structural racism, the lasting legacy of segregation and white supremacy. The result was a conservative turn in attitudes toward civil rights that allowed for what some scholars call "racism without racists."²¹ Policies that were framed as color-blind in principle were anything but color-blind in impact.

The Presidency and Civil Rights after the 1960s

Over the course of the closing decades of the twentieth century, the debate about civil rights gradually but fundamentally changed. The political battles revolved less around whether or not to have civil rights protections enshrined in the law and more around how far those protections should go. This volume suggests that the executive branch played a critical but evolving and inconsistent role in these debates. It explores the ways in which conservative attempts to contain or roll back civil rights

measures succeeded in some areas but failed in others, while also detailing the mixed achievements of black activists and their liberal supporters. The core political and legal rights won in the 1960s were sharply contested in the ensuing decades, yet they also managed to remain mostly intact—a modest but important victory for civil rights advocates. At the same time, however, the economic policies promoted by Republicans and Democrats alike failed to address racial disparities in wealth and opportunity that were legacies of past discrimination. Progress was stymied by an illusion of victory. Not only did the end of formal segregation and legalized disfranchisement fail to produce full economic and social equality, but the perception of political equality that those developments engendered may also have impeded progress toward economic equality by suggesting to some that civil rights had been achieved. This was precisely the paradox of success that King confronted so forcefully in his last book.

While this overarching argument is not new in itself, the volume does complicate our understanding of recent civil rights politics by detailing how various presidential administrations confronted civil rights in the post-1960s era as well as how the conservative movement affected those policies. It also suggests new ways of thinking about post-1968 political history, particularly about issues pertaining to the presidency, civil rights, and conservatism. The essays in this volume examine these issues from differing perspectives, with judgments that are sometimes contradictory but mostly complementary. Five key themes permeate the essays.

First, the authors explore the ways in which racial and civil rights issues fused with political ideologies in the post-1960s era. Conservatives played a key role in redefining the ideological context in which civil rights policies were debated and formulated, but it was not a linear or monolithic process. The 1970s were a period of political learning for both Republicans and Democrats as they sought to adjust to a landscape transformed by the passage of civil rights legislation. Over time, and especially during the Reagan Revolution of the 1980s, conservatives influenced the public debate through a multifaceted approach that involved the redefinition and restriction of civil rights policies and programs. The conservative movement's strength stemmed from its ability to rearticulate opposition to government efforts to promote racial equality in ways that were not explicitly racist and had broad appeal to Americans across the political spectrum. They redefined the meaning of civil

rights to the narrowest possible framework of individual rights, leaving broader notions expressed by King to rest meekly on the margins of public debate. The core rhetoric of conservatives—stressing “states’ rights” and “law and order,” while opposing “big government” and “government intrusion in our private lives”—comprised key themes of an emotional political language that served to restrict government involvement in promoting racial equality while at the same time masking the racialized implications of many conservative objectives.²² As the explicit racism of segregationists like Wallace became discreditable, a new political language coalesced around retrenchment on civil rights that was subsumed by a broader assault on government itself.²³ Opposition to big government and regulation grew symbiotically with opposition to government activism to promote racial equality. These were not identical processes, but neither again were they separate. Each was pivotal to the rise of the other.

Yet, as a second theme, the essays also complicate the simple picture of a “liberal” or “conservative” approach to civil rights at the level of partisan politicking. There was more fluidity across party lines and political ideology than conventional wisdom suggests. Both ideology and policy evolved over time. The essays in these pages do not tell a simple story of Democratic support for civil rights and Republican opposition to it, nor merely of liberal defeat and conservative success. The story is messier and less partisan, with ebbs and flows, battles won and lost. There was considerable inconsistency. Even conservative presidents, as John Skrentny suggests, pursued liberal “zigs” and conservative “zags” in their approach to civil rights. To be sure, the years of Ronald Reagan’s presidency marked a low point for civil rights reform, as his administration had a dramatic and long-lasting impact on the restriction of the civil rights agenda. (The administration’s impact was so significant that three essays address different facets of the issue.) Yet this volume also reveals, for example, that Republican presidents Richard Nixon and George W. Bush may have had a more significant, if not also flawed, impact on racial equality than Democratic president Bill Clinton, despite reputations to the contrary. Similar surprises emerge in the legislative arena. Liberal Democrats like Senator Joe Biden—later to become vice president to the first black president—were at the forefront of efforts to combat the use of busing to desegregate schools, pushing back hard against Jimmy Carter on the issue. Conversely, moderate Republicans like Senator Bob

Dole joined forces with Democrats to oppose Ronald Reagan's efforts to weaken civil rights enforcement and emasculate the U.S. Commission on Civil Rights. There may have been a conservative-liberal divide on civil rights, but it did not always break down neatly along party lines.

This seeming contradiction—that the conservative movement restricted civil rights in key ways while some conservatives expanded or defended them in others—is addressed by the volume's third theme: often, but not always, political pragmatism did more to influence civil rights policies than political ideology. Although personal conviction had some impact on how individual presidents approached such issues as affirmative action, welfare reform, school integration, and judicial action on civil rights, electoral maneuvering and the broader political context had a greater impact on presidential decision making. Admittedly, presidents were affected and constrained by the larger conservative ideological currents in the body politic. Yet, for both Democrats and Republicans, official ideologies mattered less than rudimentary political calculations—a factor that mitigated against both conservative retrenchment on and liberal expansion of the civil rights agenda. Partly as a result, civil rights attitudes and policies changed incrementally rather than dramatically. If there was a trend of “winning while losing” on civil rights policies, then it applied in differing ways to liberals and conservatives alike.

This points to a fourth theme of the volume, which emerges implicitly rather than explicitly in several of the essays: the remarkable extent to which the presidential impact on civil rights took place below the proverbial radar screen. In the aftermath of the landmark legislation of the mid-1960s, complex issues of enforcement, interpretation, and implementation of civil rights laws would comprise the key terrain on which civil rights battles were fought. The presidency could exert great influence here without necessarily attracting great attention. Although some issues like affirmative action and school desegregation through busing aroused considerable controversy and played out visibly in mainstream political debates, oftentimes presidential administrations exerted the greatest impact on civil rights policies through actions executed in the shadows. Conservatives found, in the Reagan period especially, that frontal assaults on civil rights could provoke formidable resistance. But opponents of civil rights reform could still restrict and reconstruct the civil rights environment through complex administrative mechanisms, judicial rule-making and appointments, and the rhetorical redefinition

of civil rights policies as “reverse discrimination” or “government intrusion” on individual freedom. Such measures effectively stymied the further expansion of the civil rights agenda without at the same time provoking a mainstream national debate about their racialized impact. Likewise, hot-button issues such as taxation, welfare, and health care were often discussed and pursued with little meaningful consideration of their effect on civil rights and racial equality. Race and the legacy of discrimination were often marginalized in the public debate. As a consequence, civil rights advocates and their liberal supporters were often unable to get meaningful traction.

The fifth theme of the volume is one foreshadowed by King’s last book: the persistent tension between two differing definitions of civil rights—economic equality versus political rights. These were the issues around which many of the policy debates revolved. Success in the move toward legal and political rights created an illusion of broader equality that counterintuitively undermined the movement for economic and social equality. As King foresaw, winning in one area, political rights, in fact and paradoxically made it harder to advance in the other area, economic rights.

Civil Rights in a New Era

As the civil rights movement fractured in the last years of King’s life, many Americans grappled with the question King asked in his last book: Where do we go from here? When Richard Nixon triumphed in the 1968 election, he faced the difficult task of defining the political meaning of civil rights in a new era, one transformed by the end of legalized segregation and black disenfranchisement. In this new era, would the presidency become a focal point for continuing civil rights reforms or for retrenchment? For Nixon’s political advisors the answer was both.

In the first chapter, the sociologist John Skrentny reveals that Nixon based his approach to civil rights, as he did for so many of his policies, on cold political calculations. His presidency marked a period of ideological transformation as both liberals and conservatives sought to stake out new positions in a country transformed by civil rights reforms. Nixon’s first term, Skrentny writes, “was a period of tremendous policy development, but it was also a period where conservatives and liberals were negotiating the role and meaning of ideology in a new and important policy

area.” The meaning of civil rights was in flux. In sharp contrast to Ronald Reagan, who would draw from personal convictions to redefine the conservative approach to civil rights, Nixon personally and politically lacked an ideological stance. His pragmatism produced both surprises and contradictions. Nixon, who transparently pursued a “southern strategy” through carefully calibrated appeals to white southern resentment over desegregation, also endorsed affirmative action and federal support to develop economic self-sufficiency among minority communities. He left unadulterated the civil rights reforms enacted by his liberal predecessor while appealing rhetorically to white resentment over those same reforms. Moreover, it was the Republican Richard Nixon who crafted several of the key civil rights policies—such as using the IRS to go after discriminatory private schools—that would, with great irony, later mobilize conservative attacks on the Democratic Party and Jimmy Carter.

Political opportunism dictated Nixon’s approach. While conceding the African American vote to the Democrats, Nixon maneuvered his civil rights policies to attract greater numbers of women and Latinos to the Republican fold. Thus, for example, Nixon adopted a sluggish and half-hearted support for affirmative action for blacks while vigorously promoting—“with little restraint”—affirmative action for Latinos as part of a concerted effort to woo them to the Republican Party. Similarly, the Nixon administration directed federal funds for minority business development to Latino business owners as part of an overarching effort to construct a new conservative coalition. In the case of women, Nixon had no specific plan. He struggled to find a conservative stance on women’s rights, but—in striking contrast to his approach to African Americans and Latinos—was unable to formulate a coherent political strategy. Gradually, political realities helped produce a new conservative approach to civil rights as “the Nixon administration and future Republicans learned what conservatives should say and believe about civil rights in America.” By the end of Nixon’s second term, conservatives had realized that opposition to policies that sent categorical benefits to minorities would constitute the new orthodoxy on civil rights.

The uncertain and experimental aspects of civil rights policy continued during the Carter administration. The president from Plains, Georgia, recognized both individual and institutional forms of racism but pursued an inconsistent and at times contradictory approach to civil rights in response to an evolving political climate. During his presidency,

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