# Nixon's Civil Rights Legacy: A Re-Evaluation

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I grant approval for publication of this thesis
Chapter One: Introduction

Nixon as Enigma

In an interview with Nixon Library Director Tim Naftali, Richard Nixon's recently deceased speechwriter William Safire utilized the analogy of a layer cake to describe the presidency and personality of Richard Nixon. In describing the enigmatic, often contradictory president, Safire argued that the many layers of Nixon were both good and bad--and that to understand Nixon, one must "take a fork and cut down...the layers."\(^1\) Nixon could not be fully described by noting, as many did, that he was extraordinarily kind to those around him--nor could he be fully described by saying that he was intensely paranoid throughout his political career. Despite his escalation of the war in Vietnam, he was not simply a hawk on foreign policy, and his progressive policies on issues including environmental protection surely did not make him a liberal. Nixon was all of these things all at once: a contradiction who has puzzled historians since Watergate brought down the Nixon presidency in 1974. With regards to Nixon's Presidency in full, and his personality, Safire is right: when analyzing Nixon, it is not permissible to eat a layer of his presidency or of his personality off of the top of the cake, or in the middle--to understand Nixon, all of the contrasting layers must be experienced simultaneously. But in analyzing his motivations for his civil rights policies, it is not so clear that the "layer cake thesis" applies.

Historians, however, have used analogies similar to Safire's layer cake to describe Nixon's civil rights policies. Scholars have struggled to comprehend and

make sense of a legacy that offers both examples of great achievement in civil rights, as well as instances of apparent regression in this area. In 1973, as the burgeoning Watergate scandal began to suffocate the White House, Nixon himself wrote that he believed that the "historical record" of his presidency would "show that [his] Administration did far more in the fields of civil rights and equal opportunity than its critics were willing to admit." Nearly forty years later, the historiography is still conflicted regarding the accuracy of Nixon's assertion--that his administration accomplished more in civil rights than his contemporaries acknowledged. However, this thesis will argue that whatever the accomplishments and setbacks of the Nixon Administration with regard to civil rights, all of Nixon’s civil rights policy can be best explained through Nixon’s attempts to use civil rights issues to help his administration politically.

This Thesis: Goals, Limitations, and Structure

This thesis will seek to utilize a variety of materials, some previously examined, to re-analyze the motivations behind the decisions made in the Nixon White House on several civil rights issues. Specifically, this paper will use the Nixon White House tapes, which provide a unique look at the inner workings of the Nixon administration (for a further explanation of the history of the tapes and how this work will seek to utilize said tapes, please see the next section) in conjunction with both primary and secondary sources to construct the argument that Nixon’s civil rights policy was politically driven.

Specifically, the thesis will be organized into four chapters with various subheadings. The rest of this, introductory chapter will first provide a preview of the rest of the thesis. It will follow with a discussion of the historical record concerning Nixon and civil rights, and the various scholarship that has already been done on the issue. Finally, the chapter will conclude by explaining the Nixon White House tapes: how and why they came to be, how this thesis will utilize them, and why they are an important and unique resource.

The second chapter will examine Nixon and the busing issue. This chapter will begin by establishing the narrative of Nixon’s busing positions over the course of his presidency. While his opposition to busing remained a constant throughout his administration, his specific positions on busing issues—such as whether or not to support a Constitutional Amendment—changed over time. This chapter will therefore begin by examining the ways in which Nixon’s relationship with the busing issue changed over the course of his presidency.

Next, the chapter will move into the possible motivations for Nixon’s busing positions. It will consider the evidence that Nixon’s opposition to busing was based on principle, and weigh this argument against the evidence that his busing positions were based primarily on political calculations. Particular attention will be given to Nixon’s personal attention to the busing issue, and what this means for how we can view Nixon’s potential motivations for how he viewed busing. In addition, case studies of how the Nixon Administration approached the busing issues will be utilized to examine the potential motivations for the Nixon White House’s positions on busing. Finally, the chapter will conclude by arguing that Nixon’s opposition to
busing was primarily politically motivated, as demonstrated by further changes to Nixon’s positions later in his presidency.

The third chapter will analyze the Nixon Administration’s policies with regards to both the promotion of minority business and historically black colleges and universities (HBCUs). The chapter will begin by examining the historical record concerning Nixon, minority business, and black colleges, as on these issues historians tend to view Nixon as something of a civil rights pioneer. The chapter will then describe the development of minority enterprise during the Nixon Administration, followed by the development of policy towards HBCUs. The evidence presented will demonstrate that Nixon is deservedly lauded in these areas: his commitment to both minority enterprise and black colleges was real and substantial, and significant achievements were seen during the Nixon Presidency in both of these realms of civil rights policy.

Next, the chapter will discuss the argument, offered by several scholars, that the Nixon Administration's work on minority enterprise and black colleges forms a coherent civil rights agenda based on principles of black middle-class advancement. The chapter will utilize primary sources, including the White House tapes, to suggest that progress in these areas was motivated less by a coherent and explainable civil rights agenda than by the fact that Nixon saw political opportunity in supporting these programs. In essence, the chapter will argue that Nixon was able to position himself as something of an anti-liberal—someone who effectively antagonized liberals at every turn—by investing in minority entrepreneurship and

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3 Kotlowski, *Nixon’s Civil Rights*, 125.
black colleges. The chapter will finally suggest that this vision of Nixon as an anti-
liberal, rather than as a principled conservative, moderate, or anything else, best
explains Nixon’s civil rights policies not only on minority business and HBCUs but
also on busing.

The fourth and final chapter of the thesis will seek to tie together the other
sections into a more holistic interpretation of Nixon’s civil rights legacy. Specifically,
this section will lay out the argument that the Nixon legacy on civil rights is not as
contradictory as previous historians have concluded. On civil rights, Nixon’s
motivations can sometimes present themselves as a complex mix of principle,
timing, and politics. However, this thesis will argue that political concerns were the
chief consideration for the Nixon White House across multiple areas of civil rights,
including both opposition to busing and support for HBCUs and minority business
enterprise.

Additionally, the final chapter will examine the extent to which the
conclusions reached in this thesis are applicable to Nixon’s broader civil rights
policy. The chapter will conclude, without having done extensive research into other
areas of Nixon’s civil rights legacy, that it is still safe to say that Nixon was most
likely primarily motivated by politics in pursuing his broader civil rights policy. In
other words, the Nixon civil rights legacy is complicated in that it presents instances
of genuine progress paired with examples of retreat. However, the evidence points
to a politically driven explanation for the entire Nixon civil rights record, both for
good and bad.
Nixon and Civil Rights: The Historical Record

Initial scholarship on Nixon and civil rights largely characterized the administration as one that rolled back the accomplishments of the Lyndon Johnson era. Nixon entered the presidency amid skepticism of his commitment to civil rights causes; after nearly six years of what many saw as a progressive Johnson administration, many civil rights leaders were wary of Nixon’s commitment to further advancing civil rights causes.⁴ According to many of the initial histories of the Nixon administration, civil rights leaders were right to be worried about Nixon in this area. One major shot at the Nixon civil rights legacy came three years before Nixon even left office. *Bring Us Together: The Nixon Team and the Civil Rights Retreat* marked the first significant historical accounting of the Nixon civil rights legacy. Authors Leon Panetta and Peter Gall, two liberals who had left the Nixon administration in 1970, argued--much as the title implies--that Nixon had attempted to roll back the enforcement and progress of civil rights, primarily through his pursuit of the so-called "Southern Strategy."⁵

This thesis, which emphasized Nixon’s civil rights retreat as a politically motivated stance designed to appeal to southern voters, gained traction and became the generic interpretation of the Nixon record on civil rights for some time. Other authors, including journalist Jonathan Schell and historians Harvard Sitkoff and Robert Weisbrot, echoed Panetta and Gall’s argument, as they argued that Nixon’s pursuit of voters from the old George Wallace coalition--which was based primarily

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on a continued defense of segregation--made him unable to achieve real progress on civil rights. In these interpretations, the "Southern Strategy" negatively impacted the Nixon administration’s legacy in all areas of civil rights including busing, affirmative action, and a host of other areas.

But it did not take long for others to challenge this initial thesis of a politically motivated civil rights retreat. Many of these counter-histories started by emphasizing the difficult political situation that Nixon was thrust into as he assumed the presidency. For Nixon, it was vital to be able to continue desegregation and civil rights progress while avoiding antagonizing or demonizing the southerners, many of whom had felt persecuted by the federal government during the 1960s. In his own memoirs, which presented one of the first major rebukes to the "civil rights retreat" thesis, Nixon argues that the statistics demonstrate his effectiveness in the area of school desegregation: by 1974, at the end of his presidency, only "8 percent of black children were attending all-black schools, down from 68 percent in the fall of 1968." Other authors who were unaffiliated with the Nixon White House built upon this criticism of the initial scholarship of Nixon's civil rights legacy and created a fully formed "revisionist" counter-thesis. In her work *Nixon Reconsidered*, Joan Hoff argued for a new interpretation of Nixon's legacy in several areas, including civil rights. Hoff wrote that Nixon proved an "unexpected agent for change" on civil rights, and cited his accomplishments on school desegregation as well as affirmative

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action. An even more generous interpretation can be found within Tom Wicker’s *One of Us: Richard Nixon and the American Dream*, which attempted to make the case that, at least on domestic policy, Nixon could rightly be considered something of a liberal. Wicker wrote that despite Nixon’s political motivations for appeasing southern segregationists, the "indisputable fact is that [Nixon] got the job done," meaning that Nixon had achieved civil rights triumph, particularly in the area of school desegregation, where "no one else had been able to do it." In this telling, then, the Nixon era did not merely represent something other than civil rights retreat. Rather, Hoff, Wicker, and historians like them argue that the Nixon presidency was in fact an underappreciated high-water mark for civil rights achievement in this era.

Hoff and Wicker come to the study of the Nixon White House from distinct viewpoints that are worth noting. As the first historian to seriously consider the revisionist perspective with regards to the Nixon Presidency, Hoff had a vested interest in magnifying the positive aspects of the Nixon Administration. As she writes in her introduction, "there is much to be said in favor" of Nixon that is "long overdue." In other words, the positive aspects of Nixon’s years in the White House had been neglected by previous histories, and Hoff saw it as her job to emphasize these parts of the Nixon Presidency. As for Wicker, he notes at the outset of his work that he makes no attempt to present his book in the "comprehensive manner of a

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8 Hoff, *Nixon Reconsidered*, 77.
formal historian."\textsuperscript{11} He notes that his book is not a comprehensive account of either Nixon's career or his presidency; rather, he had intended to make a book more generally about "American politics, American lives, American dreams, American reality."\textsuperscript{12} He does so, but perhaps at the expense of providing the reader with a more balanced view that would be afforded by a more traditional approach to examining Nixon's Presidency.

Recent portrayals of Nixon's civil rights legacy have tended be somewhat more nuanced, as they view the Nixon presidency as a period of both positive change and missed opportunities. In Melvin Small's \textit{The Presidency of Richard Nixon}, Nixon is cast neither as a civil rights hero nor as a failure; instead, Small acknowledges Nixon's flaws while still maintaining that his record on domestic policy was "surprisingly progressive."\textsuperscript{13} The most notable entry into what could be called the "holistic" perspective on Nixon and civil rights came from Dean Kotlowski and his 2001 work \textit{Nixon's Civil Rights}. The book, which provides the most detailed account of Nixon's actions on civil rights, argues that Nixon balanced his own principles with some concern for the politics of civil rights, attempting to create progress while maintaining his own electoral viability.\textsuperscript{14} According to Kotlowski, Nixon is neither the hero that Wicker and Hoff make him out to be, but neither is he the bigot and segregationist that Panetta and others portray him as. He is as Safire

\textsuperscript{11} Wicker, \textit{One of Us}, xiv.
\textsuperscript{12} Wicker, \textit{One of Us}, xiv.
\textsuperscript{14} Kotlowski, \textit{Nixon's Civil Rights}, 10.
contends: a layer cake, with the good layered on top of the bad, each layer inseparable from the next.

**The Nixon Tapes: A History and Explanation**

The Nixon White House tapes were initially set up in early 1971 for several reasons, according to accounts by President Nixon and his advisors. First, Nixon was concerned with preserving an accurate historical record: the administration believed that others would distort what was said in private conversations in the White House, and that the recording system would be an way to ensure accuracy in the reporting of these conversations.\(^{15}\) Additionally, Nixon favored meeting with as few people as possible in order to preserve the intimacy and confidentiality of his meetings. While smaller meetings worked in service of these goals, they did not lend themselves to a long or accurate paper trail. This worried Nixon and some of his advisors, who were again concerned with presenting an accurate history of the dealings that occurred within the White House. Ultimately, the desire to preserve an accurate historical record prevailed over concerns over the potential privacy breaches of Nixon and of others in conversations with the president, many of whom did not know they were being taped, and the decision was made to install the tapes.\(^{16}\)

Nixon was not the only president to decide to record White House conversations. Presidents Eisenhower, Kennedy, and Johnson all left historians with


\(^{16}\) "Nixon Tapes: Overview."
White House tapes, but none left close to the approximately 3,700 hours of recordings compiled by the Nixon administration.\textsuperscript{17} The conversations recorded on the tapes took place from February 1971, when the tapes were installed, to July 1973, when the tapes were removed amid the rapidly intensifying Watergate investigation.

The tapes were installed in five locations throughout the White House and elsewhere. The Oval Office and Cabinet Room were the first rooms to be set up for taping, followed in April 1971 by the Old Executive Office Building and the White House telephone system, and finally in May 1971 by Camp David.\textsuperscript{18} The taping system in all locations was sound activated, meaning that any sound, not just voices, could activate the taping system. This has led to many of the tapes being difficult to listen to due to background noises and problems with microphones. Additionally, there are hours of recorded tapes with no conversations at all: sounds such as someone entering a room or even the flush of a toilet could activate the tapes in non-conversational settings.\textsuperscript{19}

In particular, my research found that tapes from recordings on the White House telephones (WHT) were generally easy to listen to, while tapes from the Oval Office (OVAL), Executive Office Building (EOB), and Cabinet Room (CAB) were more difficult to make out. The inability to hear what is going on in a large portion of the tapes limits their potential use, as a good portion of the released tapes are, quite simply, unintelligible. It is impossible to know, without finding the specific tape one

\textsuperscript{17} "Nixon Tapes: Overview."
\textsuperscript{18} "Nixon Tapes: Overview."
\textsuperscript{19} "Nixon Tapes: Overview."
is looking for, whether participants on a given tape will be audible or not. Therefore, researchers who are new to the tapes are likely to have trouble making use of this resource initially.20 However, the tapes are a useful enough resource that they merit inclusion in any new history of the Nixon Presidency, whatever research challenges they may present.

The extent to which the tapes ought to be released has also been a subject of some controversy. Until his death in 1994, Nixon worked strenuously to oppose the release of the tapes to the general public; after his death, his family took up the fight.21 After initially losing several court cases, the Nixon family won the right to keep as their own property conversations on the tapes that were personal or private in nature (which accounts for many of the removed conversations on the tapes).22 However, the bulk of the tapes have slowly been released to the public. There are currently approximately 2,300 hours of tapes that were made available to the public through various chronological releases from 1997 to 2009.23 Currently, the tapes are under the control of the Richard Nixon Library and Museum, which plans to continue to release the remaining tapes periodically to the general public.24

20 I found that after several hours of listening to various tapes, it became gradually easier to learn how to go about finding the specific conversations I was looking for. But it was certainly a process that took a good deal getting used to.
Initially, the Nixon tapes were primarily used in the Watergate investigation that led to President Nixon's resignation. The most famous of the Nixon tapes was, and remains today, the so-called "smoking gun" tape, in which Nixon can be heard asking the director of the CIA to interfere with the FBI's ongoing investigation into Watergate, which helped lead to Nixon's resignation in early 1974. This tape, and others having to do with the Watergate investigation, unsurprisingly received the most initial coverage from historians due to their pertinence to what many believe is the greatest scandal in American political history.

As more tapes have been released, some historians have utilized them in broader histories of the Nixon administration in both foreign and domestic affairs. Still, Kotlowski notes that as more tapes are made available (which remains an ongoing process), historians will have an additional tool to shed a clearer light on Nixon's decision-making. Kotlowski's *Nixon's Civil Rights*, which provides the most recent accounting of Nixon's civil rights policy, is the only significant work that utilizes the tapes in this area. However, he largely relies on written documentation with limited use of the taping system. Additionally, fewer tapes were available to Kotlowski when he compiled his work (which was published in 2001) than are currently available, making a re-analysis of the tapes a worthwhile enterprise.

The White House tapes represent an important and irreplaceable resource for several reasons. They are a unique source of what the president, and many of his

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27 Kotlowski, *Nixon’s Civil Rights*. 
advisors, thought and said in private moments when they thought no one was listening. In other primary sources, even private memoranda, the participants are typically aware that they might be held accountable for what they write, and therefore are more tempted to couch their opinions and limit how much they reveal about what they really believe. The tapes circumvent this problem, and provide an unvarnished but clarifying look at what Nixon and his subordinates discussed in their most private moments.

This is not to say that the tapes always contradict other primary sources. Much of what is on the tapes is already known; for example, Kotlowski was right when he said in a recent article that further releases of the tapes would “no doubt expose more of the president’s bigotry.”28 But as Kotlowski insinuates, this is already known to most historians. It comes as no surprise that Nixon is seen often on the tapes being either racially insensitive or outright racist. But in cases like this, the tapes serve as a complement to these already existing primary sources. Often in my research, the tapes confirmed what the primary sources already indicated to be true about one argument or another. This serves as an important function of the tapes: providing depth to the conclusions that one can draw from previously available primary and secondary sources. In this way, the tapes are useful not only when they contradict existing evidence, but also—as is more often the case—when they support such evidence.

Because of the enormity of the tape collection and the limits (both of time and space) inherent in this thesis, it would be impossible to attempt to go through

all of the tapes looking for information on the president's civil rights policy. Instead, this thesis attempts to examine several of the tapes in depth to analyze Nixon's (and his advisors') motivations behind their decision making on civil rights. In order to determine which tapes to examine, both secondary and primary resources were utilized in order to find spaces where it would be likely that Nixon and his advisors would be discussing civil rights in a manner relevant to this project. Then, I listened to the tapes from before, during, and after the relevant events, in order to try and track President Nixon's decision-making process throughout these events. For example, when analyzing the tapes connected with Nixon's March 1972 busing speech, I went through the Daily Diary from the weeks prior to and after the speech to attempt to find moments where Nixon was likely to talk about the speech, and listen to the portions of the tapes that could correspond with these events.

The functioning and viability of the tapes is worth teasing out because it demonstrates that there is still much to learn from the Nixon tapes, very much including the area of civil rights. By analyzing several pertinent sections of the Nixon tapes in depth in conjunction with other primary sources, this project provides a unique perspective on the process behind several of Nixon's civil rights decisions, one that cannot be created without the use of the tapes. The final chapter will spend time detailing how other historians could further utilize the tapes for research in various areas of Nixon's civil rights policy, including those not discusses in this thesis. In general, the Nixon White House tapes remain an underused resource with enormous potential to add to further research of the Nixon Presidency in general and of Nixon's civil rights policies in particular.
Nixon Re-Examined

"From a political standpoint," writes Nixon in his memoirs on the question of civil rights, "I was in the unique position of being politically unbehinden to the major pressure group involved, and this meant that I...had more flexibility and freedom to do solely what I thought was the right thing."\(^{29}\) This seems to be something of a rejection of the thesis of Nixon's complexity on civil rights: Nixon, in his own telling, did not have complicated motivations for his civil rights policy. According to the president, he was able to act in accordance with his own principles and country's best interests regardless of the political implications of his decisions.

But John Ehrlichman, in his memoir *Witness to Power*, paints a very different picture. The first thing that the president had to do on racial issues, writes Ehrlichman, is make sure that he is "positioned where the majority of Americans would agree with him."\(^{30}\) This characterization also rejects the complexity thesis, but in a much different manner: in Ehrlichman’s telling, Nixon is driven primarily by political motivations, with little regard for principled decisions.

For decades, historians have tried to reconcile these two competing theories. This thesis will suggest that such a reconciliation is unnecessary because Ehrlichman is almost entirely right: that in areas of progress, as well as in areas of retreat, Nixon’s policy on civil rights was driven primarily by political as opposed to practical concerns. In other words, at least in this area, Nixon’s motivations cannot be said to be a complex layer cake. The Nixon administration's civil rights policy was

\(^{29}\) Nixon, *RN*, 435.
driven by political, not practical goals, and whatever practical goals were achieved were primarily in service of Nixon’s political standing.
Chapter Two: Nixon and Busing

Busing Positions Over the Course of the Nixon Presidency

To say that Nixon was a political creature is not to suggest that he changed his positions frequently. This is particularly true on the issue of school busing--Nixon opposed busing during his campaign for the presidency, throughout his time in office, and after his resignation. And yet, the interaction between Nixon and busing--the ways in which, and the reasons why, he opposed the practice--is one that changed over time, and is difficult to fully untangle.

In the 1968 campaign, Nixon positioned himself as something of a moderate on the busing issue. Running against liberal Democrat Hubert Humphrey and racial reactionary and third-party candidate George Wallace, Nixon aimed to find a middle ground on racial issues that attracted moderate, largely suburban voters. At a campaign rally in Charlotte, Nixon endorsed the concept of school desegregation, but reiterated his previously announced opposition to busing as means of achieving racial balance.31 Nixon's message was one of color-blindness; in one campaign advertisement, Nixon's voice was heard narrating: "I see the face of the child. What his color is, what his ancestry is, doesn't matter."32 The Nixon campaign was an argument that racial tension and segregation were hurting the country, but that these were problems that ought to be solved gradually, without trying to use legislative or judicial power to create racial balance.

32 Lassiter, The Silent Majority, 234.
These positions fit into Nixon’s broader attempt to portray himself as the "law and order" candidate. Nixon recognized that suburban, moderate voters were looking for a candidate who would promise to uphold the law without creating racial turmoil.\textsuperscript{33} Nixon’s moderate stance on busing put him in position to win those voters, a bloc that he would later famously call the "silent majority" for their support of his policy in Vietnam. Much of the populace was worried by the potential for turmoil caused not only by race, but also riots over Vietnam and other elements of the "New Left" perceived as being opposed to law-abiding citizens. By positioning himself as the "law-and-order" candidate on busing and other issues, Nixon was able to appeal these moderate voters, the bloc that helped him win the presidential election in 1968 and that would be crucial throughout the rest of his presidency.\textsuperscript{34}

Nixon, though, entered office in a difficult moment in civil rights history. Johnson had accomplished much during his presidency, as the landmark Civil Rights Act of 1964 and Voting Rights Act of 1965 advanced the cause of civil rights more than any other pieces of legislation since the abolition of slavery.\textsuperscript{35} As a result, Nixon was left with less of an opportunity to push for historic civil rights legislation, and was forced instead preside over the less glamorous--and in many ways more difficult--task of enforcing existing anti-discrimination law. It was in this unenviable situation that Nixon assumed the presidency, and he would quickly find that on

\textsuperscript{33} Lassiter, \textit{The Silent Majority}, 234.
issues like busing that he was fated to address due to the timing of his assuming the presidency, it was easier to campaign than to govern.

Once in office, Nixon found it difficult to satisfy the various interests on both sides of the busing issue. In 1969, Nixon was faced with a difficult situation: federal law (per *Brown v. Board* and subsequent decisions) required his administration to begin the task of desegregating public schools, but Southern voters and politicians assumed that Nixon would instead work to undermine the desegregation process. Nixon charted a middle course: he continued to desegregate schools, as the Johnson administration had done, but also instructed his team to accomplish the desegregation through Justice Department litigation rather than federal mandate.\(^{36}\)

Though both options satisfied the letter of the law, the litigation process was significantly slower than the federal decision-making process favored by the Johnson administration. Nixon’s decision in this instance, therefore, had the net effect of slowing down the desegregation process while still ensuring that the administration’s actions were legal.\(^{37}\)

But both sides of the busing issue were dissatisfied with Nixon’s approach. Dropping Johnson’s commitment to hard, set deadlines infuriated civil rights activists, with NAACP executive secretary Roy Wilkins complaining, “it’s almost enough to make you vomit.”\(^{38}\) But it was not just civil rights activists who were disappointed with the administration. Southern politicians, who had hoped that Nixon would actively roll back desegregation, expressed the discontent at what they

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\(^{37}\) Kotlowski, *Nixon’s Civil Rights*, 27.

saw as a capitulation by the Nixon White House. To many southerners, it mattered not that Nixon was delaying the process of desegregation. That he was allowing it to continue—as he was forced to, under the law—was enough to lead segregationists to believe that the new administration was continuing to wreck southern schools through integration.39

The battle over busing raged within the Nixon administration as well. Inside the White House, liberals fought with conservatives over how far Nixon ought to go in endorsing or pushing back against busing. Liberals like Robert Finch, Nixon’s Secretary of the Department of Housing, Education, and Welfare (HEW), squared off with conservatives like Attorney General John Mitchell on busing, attempting to chart the president’s course on the issue. Nixon’s 1969 revisions to desegregation guidelines, for instance, were a source of much controversy within the administration. The guidelines were first edited by liberals Ray Price and John Ehrlichmann, then by a (likely conservative) assistant to Mitchell. Ultimately, Nixon grew tired of the back and forth and cut off the process; he made changes to the final document and sent out the guidelines that, as covered above, were neither far enough left to please liberals nor far enough right to please conservatives.40 That the Nixon administration’s civil rights policy seemed to constantly fall in between the preferences of liberals and conservatives was therefore a function of the internal battles in the Nixon White House between these same groups.

Court decisions, however, would lead Nixon to eventually take a firmer stand against busing. In particular, the 1971 Swann v. Charlotte-Mecklenburg Board of

39 Kotlowski, Nixon’s Civil Rights, 30.
40 Hoff, Nixon Reconsidered, 88.
Education case, in which the Supreme Court affirmed the 1969 decision of Federal Judge James McMillen that mandated busing as a means of racial desegregation so that the "quality of public education...did not depend on the economic or racial accident of the neighborhood in which a child's parents have chosen to live," forced Nixon's hand on busing. Specifically, the court’s decision compelled Nixon to reaffirm that he stood in opposition to busing. In a March 1972 speech, Nixon reiterated his stance against busing, while simultaneously claiming that funding lower income and majority-black schools would do more to ease racial problems than busing would. In the speech, however, Nixon did not advocate for a Constitutional amendment to ban busing, instead choosing to favor Congressional action, noting that the fatal flaw of a Constitutional approach was that it "takes too long." Nixon understood that with the mandates coming from the courts, action needed to be taken against busing quickly or it would be too late to slow the process.

Nixon structured the argument for asking Congress to stop busing on the theory that it was better for Congress, acting deliberately, to act to settle the busing issue than to leave it up to the courts. In a conversation with John Ehrlichmann, Nixon said that he wanted to appeal to people's "frustration at the unequal treatment between districts [and] between states" that had been created by a

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41 Lassiter, The Silent Majority, 137.
43 Nixon, "Address to the Nation."
myriad of different court decisions at the local, state, and federal level.\textsuperscript{44} In creating his March 16, 1972 speech to the American public on the busing issue, he emphasized to his advisors that a major reason for American discomfort with busing was because of the "maze and morass" of rules that had been created by the courts.\textsuperscript{45} He felt that he was forced into action by court decisions (in particular the \textit{Swann} case) and that Americans wanted the legislature to take action to impose a moratorium on court-ordered busing.

Nixon's bill, entitled the "Student Transportation Moratorium Act," was ultimately not passed in 1972, but the battle over busing was further reshaped by the courts several years later. In the 1974 case \textit{Milliken v. Bradley}, the Supreme Court found that busing in Detroit was impermissible across district lines because it was unclear that Detroit had engaged in systematic segregation.\textsuperscript{46} Nixon believed that the verdict validated his position on the busing issue, writing in his memoirs that the \textit{Milliken} decision "endorsed my position" on busing. Nixon, like the Burger Court in the Supreme Court, strongly believed in the local control of schools, a concept that the court explicitly cited in rejecting Detroit's busing plan.\textsuperscript{47} By the end of Nixon's term, the President felt that history would look kindly on his civil rights legacy, as both the courts and public opinion largely stood with him on busing.

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\item \textsuperscript{44} WHT 21-47; March 12, 1972; White House Tapes, Richard Nixon Library and Museum, Yorba Linda, CA.
\item \textsuperscript{45} OVAL 685-12; March 14, 1972; White House Tapes, Richard Nixon Library and Museum, Yorba Linda, CA.
\item \textsuperscript{46} Lassiter, \textit{The Silent Majority}, 314.
\item \textsuperscript{47} Nixon, \textit{RN}, 445.
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\end{footnotesize}
**Possible Motivations for Nixon’s Busing Positions**

In his own telling of his presidency, Nixon writes that his opposition to busing was motivated by principle—that, as he put it after the court decision in *Milliken*, local control of schools was the motivation for his anti-busing stance. This is the position somewhat—though not entirely—echoed by Dean Kotlowski, who writes of Nixon that "politics alone never determined...civil rights policy."48 Joan Hoff argues that Nixon’s civil rights policy actually served to make him less popular politically, writing that his civil rights "achievements did not endear Nixon to the conservatives of either party," and therefore hurt his political standing.49 In other words, Nixon’s argument that his opposition to busing was primarily based on principle as opposed to politics has been echoed and argued by several scholars.

But the politics of the busing issue were clearly on Nixon’s side. A 1971 Gallup poll found that 76% of Americans opposed busing to achieve racial balance.50 In the column, George Gallup notes the overwhelming disapproval of busing and writes that “the busing issue is political dynamite and could be a key factor in next fall’s campaign.”51 Nixon was surely aware of the potency of busing as a political issue, and knew that his opposition to busing could be utilized as a political strength. Moreover, the specifics of the poll show that in the South, fully 82% of voters (black and white) were opposed to busing—an important indicator that some have argued Nixon used in what is called the “Southern Strategy.”

49 Hoff, *Nixon Reconsidered*, 113.
The "Southern Strategy" describes the main thesis advanced by scholars as an explanation of how Nixon used civil rights issues to his political advantage. This is the concept, advanced by several scholars, that Nixon was less bullish on desegregation than he might have otherwise been because he was so dependent on Southern voters for his electoral successes. Certainly, Nixon attempted to appeal to the South. In 1960, as Vice President, he announced that it was "time for the Republican candidates to quit conceding the South to the Democrats."\(^5\) In his 1968 campaign for the presidency, Nixon—in an effort to secure the support of powerful Southern Senator Strom Thurmond—indirectly came out in favor of delaying desegregation, while strongly opposing busing as a means of desegregation.\(^5\) In his memoirs, he writes that he believed that the South had become "a scapegoat for Northern liberals" on the busing issue, and that one of the goals of his civil rights policy was to avoid singling out the South for punishment.\(^5\)

On the White House tapes, Nixon echoes this view. In a March 12 discussion of his March 17 speech to the Congress against busing, Nixon takes the time to tell Ehrlichmann that he is worried that the speech as written is "too much aimed at the South" and that "we may well be entering a period where the primary problem [on

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\(^5\) Kotlowski, *Nixon’s Civil Rights*, 18. Nixon came out in favor of "freedom of choice" plans, which allowed students (both white and black) to choose where to go to school. The plans, however, tended not to be an effective combatant against segregation and therefore merely delayed the desegregation process. For more on these plans, see the Supreme Court decision *Green v. County School Board of New Kent County* (1968), which mandated additional action beyond freedom of choice to combat desegregation.
desegregation] may be the North, rather than the South."\textsuperscript{55} This suggests that Nixon wanted to ensure that his busing policy did not focus solely on the South. However, it is unclear if he genuinely believed that the South was being unfairly prosecuted, or if he wanted to focus more on the North as part of a political strategy.

Whatever the case, Nixon's electoral success in the South would seem to indicate that if there was a "Southern Strategy" pursued, it certainly worked. In 1968, Nixon received a narrow plurality of a three-way vote in the South, winning 34.7\% of voters and the states of Virginia, North Carolina, South Carolina, Tennessee, and Florida.\textsuperscript{56} Though just shy of 35\% of Southern voters would be a lackluster total for a Republican candidate today, in 1968, this represented a coup for Nixon, as the Republican Party was historically not a party that ran strong in the South; moreover, the South was a particularly strong area for Independent George Wallace. In 1972, Nixon carried all of Southern states (along with every state except for Massachusetts) by an even more convincing margin, and his victory marked the first time in history that a Republican had carried every Southern state.\textsuperscript{57}

These numbers, which represent a clear shift of Southern voters to the Republican column, have led many to conclude that the Nixon's anti-busing positions were in pursuit of Southern electoral gains. In an article explaining the party identification changes of Southern whites in the last half-century, author Jonathan Knuckey writes that there is a "consensus that Southern Republicans used

\textsuperscript{55} WHT 21-47; March 12, 1972; White House Tapes, Richard Nixon Library and Museum, Yorba Linda, California.
\textsuperscript{56} Lassiter, \textit{The Silent Majority}, 237. The other two candidates were Democrat Hubert Humphrey and Independent (and notorious racist) George Wallace.
\textsuperscript{57} Lassiter, \textit{The Silent Majority}, 312-313.
racial issues to appeal to Southern whites at the zenith of the civil rights era, and cites Nixon's Southern Strategy as a primary example of this phenomenon (see appendix 1.1). Though consensus is an overstatement, Knuckey does cite a variety of authors who have argued for the importance of the Southern Strategy to changes in Southern white voting patterns.

Correlation, however, does not necessarily imply causation, and several authors have pushed back against the "Southern Strategy" thesis as an explanation for Nixon's position on busing and other civil rights issues. Lassiter argues that the one time that the Nixon Administration actually employed a genuine Southern Strategy--for the midterm elections of 1970--the strategy backfired, as the Democrats were able to "steal the center" and consolidate electoral gains in the face of Republican race-baiting. Lassiter holds that in the elections of 1968 and 1972, Nixon utilized a more effective moderate strategy, one designed to appeal to the center of the electorate on racial issues, including busing.

Other authors have cast Nixon as a principled desegregationist, a characterization at odds with the pursuit of a race-based Southern Strategy. Tom Wicker argues that not only was Nixon not attempting to halt desegregation, but that it was "Richard Nixon personally who conceived, orchestrated and led the administration's desegregation effort." Wicker's analysis notes the incongruence between the idea of Nixon as a Southern white vote-courting race-baiter, and the

59 Knuckey, "Explaining Recent Changes," 59.
60 Lassiter, Silent Majority, 272.
61 Wicker, One of Us, 487.
fact that more schools were desegregated under Nixon than under any other
president. Wicker argues that there was a Southern Strategy in the Nixon White
House, but that it did not affect the President’s positions on civil rights issues, nor
does it damage Nixon’s legacy as a civil rights leader.62

Moreover, Wicker notes that Nixon actually took political risk in pursuing a
fair civil rights agenda, and that he recognized that such a risk existed. Before a
meeting in New Orleans in 1970 with state advisory committees on desegregation,
Nixon said that he knew that appearing at such a meeting would be "politically
harmful," but "it will help the schools so we’ll do it."63 Nixon echoes this sentiment
in a November 1970 memo sent to his counsel John Ehrlichmann. In the memo,
Nixon emphasizes the importance of separating the "political goals from the
Presidential goals" with regards to treatment of minority groups. Nixon writes that
it is important that members of his administration "understand clearly that we will
not gain politically from [civil rights initiatives]," but that there is a "Presidential
responsibility" to help African-American groups.64 In other words, Nixon believed
that there was little to gain politically from meeting with black leaders, but felt that
it was his Presidential responsibility to do so regardless.

But although Nixon judged that he was unlikely to win "any significant
number of Negro votes," it is clear that his efforts in the civil rights arena were
driven by political concerns. In the same memo to Ehrlichmann, Nixon said he

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62 Wicker, One of Us, 492-502.
63 Wicker, One of Us, 487.
64 Memo; Richard Nixon to John Ehrlichmann; 30 November 1970; folder
Presidential Memos 1970; Box 68; Staff Member and Office Files: H.R. Haldeman;
Richard Nixon Presidential Library and Museum; Yorba Linda, CA.
would "approve a limited number of meetings with Negro groups and a few
symbolic appointments" as a means of knocking down "the idea that the President
and his Administration are anti-Negro." In the same memo that he claims that his
administration would not gain politically from meetings with black groups, he wrote
that in the area of civil rights, "symbolism is vitally important." Nixon, despite his
protestations to the contrary, was extremely concerned with the politics of civil
rights. For Nixon, the actual policy of civil rights mattered less than the perceptions
of his administration--an elevation of political concerns over policy convictions.

Further, it was not just Southern votes that Nixon stood to gain by opposing
busing. The Gallup Poll found that while busing was particularly unpopular in the
South, it was unpopular throughout the country, including in northern cities like
Boston and Detroit. In Boston, anti-busing advocates took strength from the Nixon
Administration's stance. Ronald Formisiano, in his narrative of the debate over
busing in Boston, notes that Nixon's anti-busing stance was designed not only to
appeal to southern voters but also to "traditionally Democratic northern voters
cought up in the backlash." Nixon had little chance of winning a solidly Democratic
state like Massachusetts (it was the one state he lost in 1972), but in other northern
areas, he stood to benefit more from his busing positions. In a May 1972 memo to
Ehrlichmann, Nixon instructed his subordinate to "hit busing hard in Michigan," as
he thought that his anti-busing stance could help him in the midwestern swing

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65 Memo; Nixon to Ehrlichmann; 30 Nov. 1970.
67 Formisiano, Ronald P. Boston Against Busing: Race, Class, and Ethnicity in the 1960s
state. Nixon's anti-busing stance, therefore, had the potential to help him electorally outside of the south--and he knew it.

Nixon's silent majority--the white-collar, often suburban families that became staples of the Nixon coalition--was not just located in the South. They were legions of concerned parents throughout the country who were tired of the federal government pushing around "law abiding, tax paying white middle class" people in favor of what they saw as a manufactured racial equality. By opposing busing, Nixon tapped into this sentiment within the American electorate, and knew that he stood to gain if he could maintain his coalition of white, suburban, white-collar voters.

A close analysis of the ways that Nixon altered his speech to American public on March 16 lends texture to his goals on the busing issue. The first draft of the speech, written by Pat Buchanan, included a key paragraph early in the speech in which Nixon would emphasize his personal opposition to busing in extremely strong terms. Buchanan wanted Nixon to say that though he personally found busing laws "distasteful" and considered them to be a "social policy in which [he] deeply disbelieved," he had been forced to follow the law because it was his duty as president. 

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70 Speech; Pat Buchanan to Richard Nixon; folder School Busing (1/2); Box 73; President’s Personal Files; Richard Nixon Presidential Library and Museum; Yorba Linda, CA.
But Nixon disliked this paragraph. In his edits to the speech, he first replaced the words "deeply disbelieve" with the softer "chagrin." Ultimately, however, he elected to cross out the entire section, writing in the margins that it would be better to have a section that simply mentioned that he had "faithfully carried out the decisions of the courts."\(^71\) For Nixon, Buchanan's rhetoric was too strong, and would likely represent him as more virulently anti-busing than he wanted to be portrayed. In the final speech that was delivered to the public on March 16, Buchanan's paragraph is absent, replaced with a simple reminder to the country that Nixon had "spoken out against busing many times over many years."\(^72\) In toning down the language in the speech, Nixon could be seen as taking a more responsible position on busing, as he does not want to seem overly aggressive towards those who support the practice.

On the other hand, one could also read Nixon's changes in a way that demonstrates his concern for his political fortunes. Ehrlichmann writes that in all of Nixon's public statements and speeches, there existed a "subliminal appeal to the antiblack voter."\(^73\) According to Ehrlichmann, Nixon’s opposition to busing was largely an attempt to subtly reach out to those who were uncomfortable with the civil rights movement in general. Seen through this lens, Nixon’s changes to the speech might have simply been an attempt to make his appeal to these voters subtler. In this view, Buchanan's rhetoric was aggressive enough that it gave the

\(^{71}\) Speech; Pat Buchanan to Richard Nixon; folder School Busing (1/2); Box 73; President’s Personal Files; Richard Nixon Presidential Library and Museum; Yorba Linda, CA.


\(^{73}\) Ehrlichmann, Witness to Power, 222.
president cause for concern not on principle, but because it could damage the
perception of Nixon politically by not sufficiently hiding his appeal to anti-black
teel voters.

In a short conversation with an unknown staffer on March 13, Nixon
mentioned an earlier talk with Ehrlichmann in which Ehrlichmann had informed
him that some in the Congressional Black Caucus (CBC) were planning to come out
against busing. Nixon ought to have been heartened by the news—after all, it was
evidence that his anti-busing position potentially had appeal across the political
spectrum, and even to black voters. But instead, an exasperated Nixon called the
news the “silliest thing” he had ever heard, and expressed his frustration to the
staffer.74 Implied in the conversation is that the voters that anti-busing (and
possibly anti-black) voters Nixon was seeking to reach with his speech would likely
see an endorsement of Nixon’s position by some in the CBC as a negative thing,
which could potentially harm the President’s political standing.

Nixon’s focus after the speeches to the public and to the Congress gives
further indication of his priorities. In conversations with Haldeman and others,
Nixon focused primarily on how his addresses will impact his Presidential approval,
noting the importance of such metrics during an election year.75 Further, his focus
after the speeches was on how the South will react. In a conversation with a staffer,
Nixon asked the staffer’s opinion on whether the “hard-right will be with” the

74 OVAL 683-3; March 13, 1972; White House Tapes, Richard Nixon Library and
Museum, Yorba Linda, CA.
75 EOB 323-33; March 17, 1972; White House Tapes, Richard Nixon Library and
Museum, Yorba Linda, CA.
President on the busing issue, particularly after they see how “the left attacks us.”

This provides evidence that Nixon was not aiming to appeal to the broader electorate with his message, but was instead trying to cobble together a coalition of supporters from the center-right to the far-right. Although those on the far right might be “reactionary,” as Nixon called them, they still voted—and Nixon wanted them to vote for him.

**Nixon’s Personal Attention to Busing**

In assessing Nixon’s busing record, it is also important to consider how much he personally cared not only about busing, but also about civil rights issues in general. There exists a widespread impression that Nixon was largely unconcerned with domestic policy, and that he preferred to focus his time and energy on foreign affairs. And according to Ehrlichmann, this notion is somewhat accurate.

Ehrlichmann writes that "the truth is that Nixon liked foreign affairs better," as foreign policy activities served to "massage [Nixon's] ego" in ways that domestic affairs could not. Ehrlichmann admits that on a number of issues, including the environment, health, and housing among others, Nixon preferred to delegate to subordinates, taking little personal interest in these areas.

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76 EOB 323-33; March 17, 1972; White House Tapes, Richard Nixon Library and Museum, Yorba Linda, CA.


But Ehrlichmann argues that on some domestic issues, including racial issues, Nixon "insisted on personally making all of the decisions."\[^{80}\] This paints a different picture of Nixon’s approach to civil rights--one of the President as a decision-maker who cared about the outcome of busing and other racial issues. This would appear to be an argument in Nixon's favor. Certainly, the idea that Nixon cared about civil rights issues personally is a more attractive portrayal than the traditional historiographical view of dispassionate detachment.

The tapes surrounding the Nixon’s speech to the American public on March 16 and his message to Congress on March 17 support Ehrlichmann's view that the President was personally involved in the details of racial issues. Far from delegating the task of formulating the speeches to his subordinates, Nixon instead devoted a great deal of time to combing through every aspect of both speeches, making sure to get the details and exact wording right. His focus on the speeches was detailed enough that he felt the need to apologize multiple times to Ehrlichmann in one conversation for harping on what Nixon admitted were "small things."\[^{81}\] But for Nixon, it is evident from the tapes that he considered the busing issue to be of vital importance, and worthy of his time and effort.

But just because Nixon was personally involved in the issues does not mean that he was personally involved for principled reasons. Ehrlichmann writes that to Nixon, racial issues had the potential to be "potent political medicine;" in other words, the President thought that a deft handling of these issues could serve

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\[^{80}\] Ehrlichmann, *Witness to Power*, 207.
\[^{81}\] WHT 21-47; March 12, 1972; White House Tapes, Richard Nixon Library and Museum, Yorba Linda, CA.
primarily to help him politically. Moreover, Ehlichmann’s contention that many of Nixon’s speeches and policies were designed around a appealing to anti-black voters in an attempt to support the Southern Strategy support the notion that Nixon was focused on civil rights issues for political purposes. That Nixon was personally involved in civil rights legislation, therefore, does not indicate that he was personally invested in the outcomes of the policy, except for how these outcomes impacted his political fortunes.

In Nixon’s private conversations, he elaborates upon his concern for the politics of the busing issue on various occasions. In one conversation with William Safire, the President notes that the timing of his speech to the American people will coincide nicely with the Democratic Florida Primary, which would force the Democratic candidates to address busing--an issue that the President was convinced was a political loser for them. This echoes his message in a memo to Ehrlichmann in May 1972, in which he notes that re-introducing the busing issue will have the "added advantage or drawing the line with whatever Democratic candidate they finally select." Haldeman further confirms the importance of making the Administration look good in comparison to the Democrats in his diary entry discussing Nixon’s decision to go on television for the busing statement. He noted that going on television would put “the Democrats in the position of asking for equal time, which we’d be delighted to have them get, since they can do nothing but hurt

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82 Ehlichmann, Witness to Power, 207.
83 WHT 21-66; March 14, 1972, White House Tapes, Richard Nixon Library and Museum, Yorba Linda, CA.
84 Memo; Richard Nixon to John Ehrlichmann; May 1972; folder Memos; Box 4; President’s Personal Files; Richard Nixon Presidential Library and Museum; Yorba Linda, CA.
themselves on this issue." For Nixon and his advisors, the busing issue was one on which they could corner the Democrats and therefore presented a fantastic political opportunity.

Moreover, Nixon relentlessly focused on how his busing positions would be perceived by the media and general public. Before the speech, he spent a conversation with White House Press Secretary Ronald Zeigler discussing the politics of the speech, ending his talk by stating his approval that the timing and message of the speech would make it a “good play” in the media. In a conversation with H.R. Haldeman just before he gave his March 16 address to the public, Nixon was focused primarily on the reaction that the speech was likely to receive from both the press and various special interest groups. And immediately after the speech, in talking with advisor Robert Finch, Nixon attempted to gauge what the reaction to the speech would be in various parts of the country. Nixon talked with Finch about how the speech would be received by voters in specific, politically important states such as California and Wisconsin. Rather than discussing the policy implications of the speech, Nixon is focused on the political ramifications—how the speech will “play,” rather than how the bills he proposed would fare in Congress.

85 Diary; Daily Diary of H.R. Haldeman; 14 March 1972; President’s Personal Files; Richard Nixon Presidential Library and Museum; Yorba Linda, CA.
86 OVAL 683-3; March 13, 1972, White House Tapes, Richard Nixon Library and Museum, Yorba Linda, CA.
87 WHT 21-92; March 16, 1972, White House Tapes, Richard Nixon Library and Museum, Yorba Linda, CA.
88 WHT 21-100; March 16, 1972, White House Tapes, Richard Nixon Library and Museum, Yorba Linda, CA.
Conclusion

After Nixon’s March speeches, the legislation he proposed banning busing was quickly bogged down in Congress. Here, the policy affected the politics: Nixon realized that because he was unable to get anything through Congress, the public was increasingly viewing his Administration as “impotent,” which was something he could not tolerate.\(^8^9\) He therefore expressed his belief that although he had taken the “responsible position” of calling for regular legislation to slow busing, he had come around to the belief that the Administration was “going to have to come to a Constitutional Amendment.”\(^9^0\) This, despite the fact that just months earlier, he had pointed out the fatal flaw—speed, or lack thereof—of exactly the kind of Constitutional Amendment he was proposing.\(^9^1\)

The truth was that Nixon probably did not believe in a constitutional amendment any more than he believed in the importance of his Congressional legislation to begin with. In his memoirs he flips his position again, writing that “although I considered the idea of a constitutional amendment...I now believe that it would have exacerbated the already volatile issues of integrated education” that the White House was dealing with at the time.\(^9^2\) For Nixon, the idea of promoting a constitutional amendment was fueled by the same reasoning as promoting his stance against busing in the first place: politics. He wrote to Ehrlichmann that with just months until the 1972 elections, it was imperative to “get the troops working”

\(^8^9\) Memo; Nixon to Ehrlichmann; May 1972.
\(^9^0\) Memo; Nixon to Ehrlichmann; May 1972.
\(^9^2\) Nixon, RN, 444.
on a new proposal so that they could "sell it all over the country." To Nixon, the issue of most importance on busing was not how his policy proposals would actually be implemented into law, or how they would affect the nation once they were passed. Rather, his positions on the busing issue were driven by political expediency, as he sought to maximize his potential political gains by utilizing anti-busing positions, rhetoric, and tactics that appealed to both the center-right and far-right.

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93 Memo; Nixon to Ehrlichmann; May 1972.
Chapter 3: Nixon, Historically Black Colleges, and Minority Business

The Historical Record

The historical consensus surrounding Nixon on the busing issue is entirely different than the one that has developed on the issues of HBCU's and minority business enterprise. On busing, whether based on principle or politics, Nixon is widely viewed as standing athwart the civil rights momentum of the Johnson era. As demonstrated in the previous chapters, there is disagreement over whether Nixon’s positions were driven by principle or politics—but there is little argument that his opposition to busing stood against the general tide of civil rights progress that had preceded his Presidency.

But on other civil rights matters, the historiography is nearly the opposite. Specifically, with regards to policies on HBCUs and promoting minority business, Nixon is seen as something of a pioneer, and as a President that did more in these areas for black Americans than perhaps any other President. Historian Hugh Graham writes that among the “strange accumulation of civil rights policies” formed by President Nixon, the “high priority” given to black enterprise stands out as unique. And according to Dean Kotlowski, Nixon’s support of black colleges became a trademark of his administration, with the President emphasizing the degree to which the success of HBCUs was important to him personally.

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95 Kotlowski, Nixon’s Civil Rights, 154.
The question, then, is why this was the case. Why was a President so diametrically opposed to some aspects of civil rights so supportive of others? What drove Nixon to consider a Constitutional Amendment that banned busing, yet also promote Affirmative Action programs to the left of anything that most liberals supported at the time? Did these decisions reflect a certain coherence, as Kotlowski alleges, within the Nixon civil rights agenda? Or was Nixon driven by politics—and willing to support whatever policies that would help himself get re-elected?

**Development of Minority Enterprise During the Nixon Administration**

Nixon was a supporter of minority entrepreneurship from the beginning of his Presidency, and even during the 1968 campaign. Nixon saw the need to combat the racial unrest that was building throughout urban America, and wanted a companion policy to satisfy blacks as he became known as the “law and order” candidate among whites. In promoting minority business, Nixon found this policy. During the campaign, Nixon proposed tax exemptions for companies investing in urban neighborhoods alongside government loans to minority business owners and entrepreneurs. Casting himself against his liberal opponent Hubert Humphrey, he claimed to offer black Americans not “dependency” but a chance to make a better life for themselves on their own terms. According to then-candidate Nixon, supporting minority enterprise had the potential to help black Americans more than programs that made these individuals reliant on government largesse, while also falling more comfortably within the American tradition of free enterprise.

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97 Kotlowski, *Nixon’s Civil Rights*, 129.
98 Kotlowski, *Nixon’s Civil Rights*, 129.
Once in office, Nixon attempted to capitalize on his promises to minority businesses by establishing the Office of Minority Business Enterprise (OMBE). The office was tasked with making Nixon’s promises to the black community a reality. In theory, OMBE would serve to make the goals of the Nixon administration with regards to the black population in America—namely, helping to “give the black middle class a cultural legitimacy”—a reality.  

However, effectively delivering on the promises of campaign proved to be a challenge for the administration once Nixon took office. The OMBE suffered from a lack of presidential leadership, as Nixon chose to delegate the responsibility for carrying out the office’s mission to subordinates rather than focus on the project himself. This, and the program’s initial inability to reach the high goals it had set for itself, led to an overall failure to “impress minorities” with regards to the results of the program in its nascent stages. Overall, there existed a “widespread suspicion and distrust” within the minority community over the overall commitment to the agency’s goals within the administration, and the feasibility of creating real change from within the office. According to one black business executive, Darwin W. Boldin, the general consensus among black entrepreneurs was that the OMBE was a “tragic failure” that could not be saved.

But the OMBE became more effective later in the administration. There were several reasons for the turnaround: for one, the agency became more focused in its

\[99\text{ Kotlowski, }\textit{Nixon’s Civil Rights}, 135.\]
\[100\text{ Kotlowski, }\textit{Nixon’s Civil Rights}, 137.\]
\[101\text{ Kotlowski, }\textit{Nixon’s Civil Rights}, 140.\]
\[102\text{ Kotlowski, }\textit{Nixon’s Civil Rights}, 140.\]
goals, and therefore more realistic in what it could accomplish. Additionally, Nixon’s subordinates—including Secretary of Commerce Maurice Stans, as well as White House aides Leonard Garment and Robert (Bob) Brown—pushed Nixon to endorse and fight for more money for the Office’s programs. This effort was met with general success, leading to several meaningful achievements for OMBE. For one, the agency was able to increase the dollar amount of goods purchased from minority businesses 265% to $475 million. In addition, OMBE worked to increase the amount of money deposited in minority banks, and ended up securing close to $200 million in these banks—far exceeding their initial goal of $100 million.

However, the OMBE was not Nixon’s only, or even most significant, legacy with regards to supporting minority enterprise. The Philadelphia Plan, Nixon’s pursuit of an affirmative action plan for urban minorities, both garnered more attention from Nixon and was a bolder plan to bolster the black middle class. The Plan, which applied not only to Philadelphia but also to other cities including St. Louis, San Francisco, and Cleveland, was a policy that mandated a review of low bidders for federal employment contracts before the contracts were awarded. The process was intended to review affirmative action plans and ensure an acceptable level of diversity was being promoted by the contracting company or union.

Although the program was established by the Johnson Administration, it flourished during the Nixon Presidency. Under Nixon, the executive branch took a more hands-on role in the program, as Nixon directed several prominent aides to oversee the

\[104\] Kotlowski, *Nixon’s Civil Rights*, 141.
\[105\] Kotlowski, *Nixon’s Civil Rights*, 144.
\[106\] Kotlowski, *Nixon’s Civil Rights*, 145.
\[107\] Hoff, *Nixon Reconsidered*, 91.
In his memoirs, Nixon cites the Philadelphia Plan as a prime example of his own determination to “do something about racial discriminations in jobs...by the major labor unions.”

The Plan, though initially delegated to Secretary of Labor George Schultz, truly gained momentum when it was taken over by black businessman Arthur Fletcher, whom Schultz had appointed as his assistant secretary for Wage and Labor Standards. Fletcher coordinated a redesign of the Plan in 1969, which resulted in a robust mandate for the federal government to specify a range of diversity standards that employers had to achieve in order to secure federal contracts. The range, designed to avoid the politically dangerous and constitutionally questionable use of racial quotas in hiring, nonetheless represented an aggressive attempt to force employers to hire minorities in order to do business with the government. Although the Plan faced both Congressional and legal opposition, with Nixon’s backing and tireless work from subordinates including Schultz, Fletcher, and others, the Plan stood and became an effective mechanism for increased minority employment in middle class jobs.

Between the OMBE and the Philadelphia Plan, the Nixon Administration demonstrated its commitment to building the black entrepreneurial community. As Kotlowski notes, it was due to the efforts of the Nixon White House that the “concept of minorities owning businesses gained currency,” and as the true “sire of affirmative action,” Nixon deserves much credit for gains among black workers as

110 Graham, *Civil Rights Era*, 327.
well.\footnote{Kotlowski, \textit{Nixon's Civil Rights}, 124 and 150.} In these initiatives, Nixon had put his own indelible stamp on the civil rights movement, as these programs represented a limited but real effort to create change and usher in diversity in black employment and entrepreneurship.

**Nixon and Historically Black Colleges and Universities**

Support for Historically Black Colleges and Universities, or HBCUs, could be considered something of a surprising legacy of the Nixon Administration. After all, within the broader scope of civil rights, HBCUs occupy a relatively small and (at least at the Presidential level) oft-neglected niche. Yet, it was an area that Nixon himself paid personal attention to: in one memo, aide Len Garment relays a message to his assistant Bradley Patterson that the President had "personally told him...that black college aid is one of his priorities" and that Nixon wanted emphasis placed on helping HBCUs.\footnote{Memo; Leonard Garment to Bradley Patterson; 30 January 1973; Box 68; Staff Member and Office Files: Bradley H. Patterson; Richard Nixon Presidential Library and Museum; Yorba Linda, CA.} But while Nixon’s commitment to HBCUs might appear curious, it was one of the most consistent aspects of his civil rights record.

While Presidential support for black colleges did not begin with the Nixon White House—the Kennedy and Johnson Administrations both offered support to HBCUs—the Nixon Administration was unique in the extent to which it specifically supported HBCUs.\footnote{Kotlowski, \textit{Nixon's Civil Rights}, 152-153.} Nixon’s 1973 directive to Garment was not out of character; as early as 1970, the President had asked Haldeman and Ehrlichmann to send the message “I care” to black colleges.\footnote{Kotlowski, \textit{Nixon's Civil Rights}, 152.} Nixon set aside time at several points during
his administration, including late in 1973 when much of his attention was focused on the growing Watergate scandal, to meet with the presidents of black colleges and reiterate his support for HBCUs.\textsuperscript{116}

Moreover, Nixon's support for HBCUs was not merely rhetorical. In 1970, Nixon directed his aides to find more funding for black colleges, a directive that resulted in $29 million being allocated to HBCUs by the Department of Housing, Education, and Welfare (HEW).\textsuperscript{117} By 1973, federal aid to black colleges had more than tripled from its level at the start of the Nixon Administration, from $30 million to nearly $100 million.\textsuperscript{118} Perhaps most importantly, Nixon’s support for black colleges—both rhetorical and fiscal—helped to “shape an emerging national consensus in favor of black colleges.”\textsuperscript{119} Before Nixon came into office, the growing push for integration had black colleges fearing for their collective future; after the Nixon Administration, public support for black colleges ensured that these institutions would survive and often thrive for decades to come.

A report commissioned by Nixon on black colleges summarized the President’s view. The report, filed by the Federal Interagency Committee on Education, found that black colleges were a “valuable national resource” and deserved “special attention and require special funding from the Federal Government.”\textsuperscript{120} It was a matter not only of social policy but also of “moral” policy to strengthen black colleges, so as to provide more opportunities for black students

\textsuperscript{116} Kotlowski, *Nixon’s Civil Rights*, 154.
\textsuperscript{117} Kotlowski, *Nixon’s Civil Rights*, 152.
\textsuperscript{118} Kotlowski, *Nixon’s Civil Rights*, 154.
\textsuperscript{119} Kotlowski, *Nixon’s Civil Rights*, 155.
\textsuperscript{120} Report; “Black Colleges: A National Resource;” Box 49; Staff Member and Office Files: Leonard Garment; Richard Nixon Library and Museum, Yorba Linda, CA.
and black educators.\footnote{Report; “Black Colleges.”} Echoing Nixon’s view, the report cast supporting black colleges as an important priority and a policy for which the benefits far outweighed the possible problems.

Despite this support, the relationship between Nixon and leaders of HBCUs was not always rosy. In part because of Nixon’s support of their institutions, presidents of black colleges felt that they could ask much of the Nixon White House. Haldeman complained after one meeting between Nixon and HBCU presidents that although the meeting “went well,” the presidents “opened with their usual list of attacks and demands” in an attempt to corral more federal support.\footnote{Diary; Daily Diary of H.R. Haldeman; May 1970; President’s Personal Files; Richard Nixon Presidential Library and Museum; Yorba Linda, CA.} Nixon Administration officials were therefore frustrated by the fact that seemingly nothing they did could fully satisfy HBCU leaders. Additionally, a 1970 \textit{New York Times} article highlighted complaints from heads of black colleges, who said that Nixon had “failed to support black education” to any significant extent.\footnote{Wooten, James T. ”Negro College Heads Say Nixon Ignores Their Plight.” 14 Sept. 1970. \textit{The New York Times}, sec. A: 1+. ProQuest Historical Newspapers. Web. 24 Apr. 2012.} The Nixon Administration took notice, as aide Agnes Waldron sent a memo to Ron Ziegler about the black college presidents “bitterly complaining of Administration neglect.”\footnote{Memo; Agnes Waldron to Ron Ziegler; 14 September 1970; Box 18; Staff Member and Office Files: Ronald Ziegler; Richard Nixon Presidential Library and Museum; Yorba Linda, CA.} Waldron subsequently informed Ziegler of the measures that the
Administration had taken to support black colleges so as to demonstrate that the
*Times* story was off-base.\(^{125}\)

These spats aside, however, Nixon generally enjoyed a positive relationship
with black college presidents. In commenting on the task Federal Interagency
Committee on Education’s report, Benjamin Mays, the former President of
Morehouse College, welcomed “the positive thrust, the affirmative tone, the sense of
understanding of the history...that I see in this document.”\(^{126}\) When Arthur Fletcher,
formerly a member of the Nixon Labor Department, left his post in 1971 to head the
United Negro College Fund, Nixon personally awarded him a check and reiterated
his support for HBCUs.\(^{127}\) Nixon, in doing so, mentioned to Fletcher that he fully
supported the goals of black colleges, and rejected the claim that a lack of
integration, or his Administration’s support for black colleges, constituted any sort
of “reverse racism.”\(^{128}\) Nixon’s strong relationship with black college leaders,
therefore, reflected his continued commitment to valuing these institutions both in
policy and in rhetoric.

**A Coherent Civil Rights Agenda?**

In the pairing of support for minority business enterprise and black colleges,
Kotlowski sees coherence within the broader Nixon civil rights agenda. He writes

\(^{125}\) *Memo; Waldron to Ziegler; 14 September 1970.*
\(^{126}\) *Comments, “Excerpts from Comments by Benjamin E. Mays on an Earlier Version of this Report;” Box 49; Staff Member and Office Files: Leonard Garment; Richard Nixon Library and Museum, Yorba Linda, CA.*
\(^{127}\) *Memo; Ken Cole to Richard Nixon; 2 December 1971; Box 86; President’s Office Files; Richard Nixon Presidential Library and Museum; Yorba Linda, CA.*
\(^{128}\) *OVAL 628-13; Dec. 2, 1971; White House Tapes, Richard Nixon Library and Museum, Yorba Linda, California.*
that both policies reflected “their self-made, moderate Republican backgrounds” as ways to “enhance training and economic opportunity for minority groups.”\textsuperscript{129} In this view, Nixon eschewed the melting pot for a certain version of Black Power, one which rejected the paternalistic assumption that “it is...in the best interests...for black people themselves for everything to be in the hands of white people.”\textsuperscript{130} Instead, Nixon believed that his policies of minority empowerment could help “blacks develop the capacity to run something themselves,” which was far superior to the liberal model that focused on the seemingly helpless poor.\textsuperscript{131} Nixon’s bolstering of minority businesses and employment therefore dovetailed naturally with his support of HBCUs, as both policies supported black empowerment without mandating, or even favoring, integration.

Joan Hoff sees a similar pattern in Nixon’s civil rights policies. She bemoans the lack of credit given to Nixon on civil rights, and argues that the evidence demonstrates “the consistency of Nixon’s views on civil rights over his entire political career.”\textsuperscript{132} Between the Philadelphia Plan and advocacy for minority business, Hoff holds that Nixon’s support of the black middle class made Nixon, rather than Johnson, the “unanticipated hero” of the civil rights movement.\textsuperscript{133}

These arguments create a vision of Nixon as a President who, unlike his predecessors, cared more about the black middle class than the black lower class. The evidence supports this claim. In a March 1970 memo to director of the

\textsuperscript{129} Kotlowski, \textit{Nixon’s Civil Rights}, 155.
\textsuperscript{130} Comments; “Excerpts from Comments by Benjamin E. Mays.”
\textsuperscript{131} Kotlowski, \textit{Nixon’s Civil Rights}, 153.
\textsuperscript{132} Hoff, \textit{Nixon Reconsidered}, 91.
\textsuperscript{133} Hoff, \textit{Nixon Reconsidered}, 91.
Department of Housing, Education, and Welfare (HEW) George Romney, Nixon notes a report that had argued for $50 million to be pumped into low income housing. But Nixon objected, writing that “as I am sure you know, I don’t care whether [the money] goes to high income or low income, just as long as we get more units.” In other words, Nixon was less concerned about exactly how money for housing integration was allocated, a position that represented a marked departure from the “War on Poverty” rhetoric of the Johnson years. A 1970 meeting with professors from Harvard, Columbia, and UC Berkeley echoed this position, as the academics advised the President to “shift...policy to helping and backing the strong, instead of putting all effort into raising up the weak.” In Kotlowski and Hoff’s view, Nixon took this advice to heart, choosing to focus on the black middle class as part of a policy-based, rational civil rights program.

But a closer look suggests that the story is not so simple. Rather than a coherent plan, Hugh Graham views Nixon’s civil rights policy, even on issues—such as minority business and assistance to black colleges—that are generally viewed as positive pieces of the Nixon legacy, as convoluted and devoid of clear purpose. According to Graham, Nixon “seemed to have no clear substantive theory of domestic policy” in general, nor of civil rights policy in particular. Graham does not deny the successes of the OMBE and the Philadelphia Plan, but attributes them to Nixon’s staffers taking responsibility for these programs themselves; he writes

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134 Memo; Richard Nixon to George Romney; 2 September 1970; Box 2; Folder: Memos; President’s Personal Files; Richard Nixon Presidential Library and Museum; Yorba Linda, CA.
that with “no one clearly in command,” the success of various civil rights initiatives was left to Nixon’s subordinates. Without taking away the accomplishments of the Administration, Graham reduces the credit given to Nixon himself, portraying the President as a hands-off administrator lucky to have effective aides and department heads to carry out civil rights initiatives.

This narrative does not reduce the work that was done by the Nixon Administration on civil rights in general, and minority business and HBCU issues in particular. But it does confuse the Kotlowki/Hoff thesis of Nixon as an underrated civil rights pioneer. Nixon cannot simultaneously be a principled pursuer of a civil rights agenda all his own and a dispassionate delegator. Rather, he was both, alternating between moments in which he seemed to express true passion and take control of the issues and moments in which his leadership was nowhere to be found. How does one account for this waffling—for the fact that Nixon could never seem to decide exactly what his civil rights agenda was or how aggressively he ought to pursue it?

**Evidence of Political Motivations for Nixon’s Positions on Minority Enterprise and Black Colleges**

What Kotlowski and Hoff read as principled decision-making by Nixon can just as easily be seen as an attempt to increase the President’s political standing through shrewd, selective overtures to the black community. Kotlowksi looks favorably upon Nixon’s pairing of minority enterprise and support for HBCUs as a

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means through which “Nixon co-opted a fashionable concept: Black Power.”\textsuperscript{138} But it is not so clear that this co-opting was primarily a matter of good policy. Robert Weems, in his work \textit{Business in Black and White}, chronicles how the Nixon Administration, wary of the influence of militant black leaders in the late 1960s, sought to minimize their impact by promoting minority business programs like the OMBE.\textsuperscript{139} But for many black leaders like Jesse Jackson, the promotion of minority enterprise amounted to “a few additional entrepreneurs” when the real challenge was to create the “total economic development of the Black community.”\textsuperscript{140} According to many black leaders, therefore, Nixon’s black capitalism programs served more as an attempt to quell black unrest than as an actual program that provided real change to the black community.

Moreover, unlike busing, support for black entrepreneurship and HBCUs appears to have been popular with the American public. Polling on these issues is not as readily available as is polling on busing, but there are several indicators that the American public favored these programs. Specifically, the reaction of Nixon’s political rivals indicates that they saw his promotion of minority business and black colleges as politically effective. During the 1968 campaign, after Nixon laid out his initiatives to build the black middle class and give them “Roads to Human Dignity,” Democratic nominee Hubert Humphrey felt compelled to support aid to minority businesses “almost in response to Nixon.”\textsuperscript{141} And earlier, in the GOP primary, New

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\textsuperscript{138} Kotlowski, \textit{Nixon’s Civil Rights}, 125. \\
\textsuperscript{140} Weems, \textit{Business in Black and White}, 156. \\
\textsuperscript{141} Kotlowski, \textit{Nixon’s Civil Rights}, 133. 
\end{flushleft}
York Governor Nelson Rockefeller modified his campaign to support black capitalism after his pollster informed him that Nixon’s minority business proposals were “a stroke of political genius.” That Nixon’s political rivals felt compelled to echo Nixon’s positions on these issues demonstrates that they were, for Nixon, politically effective.

But what accounts for the discrepancy in public opinion between these issues, in which they favored action to create civil rights progress, and issues on which they were opposed to such advancement, such as busing? Though it is difficult to say for certain, the likely explanation is that while whites saw busing as a direct intrusion into their own lives, they viewed minority businesses and black colleges differently. In one description of why white parents opposed busing, sociologist Diane Ravitch wrote that the “more that middle-class parents read about the conditions in ghetto schools, the more frightened they were about any integration that might send their children into these schools.” In other words, whites were afraid that busing would lead to worse lives for themselves and their children, which led them to oppose busing.

Whites did not have the same fears, however, about support for black entrepreneurs and HBCUs. The reasons for this are likely twofold: one, minority business and black college initiatives revolved around middle-class blacks, who appeared less threatening; two, giving government funding to these initiatives did not interfere with the lives of white Americans as directly as did busing. White

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142 Weems, Business in Black and White, 122.
Americans were willing to be racially tolerant and even supportive, so long as it did not require their own lives to be made demonstrably worse (presumably, the expenditures that these programs took were not considered serious enough to provoke an outcry from white citizens).\footnote{144} There were no riots or protests over minority business or aid to black colleges, as there were for busing. The general acceptance of these programs made them politically advantageous for Nixon in a way that busing could not be.

Moreover, black colleges in general and black college presidents in particular were often perceived as "Uncle Toms" within the black community.\footnote{145} Often viewed as paternalistic and preachy, black college presidents were seen as "authoritarian" leaders comparable even to Southern whites in relation to blacks who served (or learned) under their authority.\footnote{146} Many in the black community resented that black colleges worked within a white-dominated political system to receive support and funding from the government and elsewhere, while not strongly opposing segregation.\footnote{147} It is natural, then, that whites viewed black colleges and their presidents more favorably than they did busing. Black colleges worked within the system, rather than against it; which led to less opposition for whites and made it an easier area of civil rights in which Nixon could pursue progress.

\footnote{144} For more on how busing stoked unique passion among civil rights issues, see: Lassiter, The Silent Majority, Ch. 7 (Neighborhood Politics)
\footnote{146} Gasman, "Perceptions," 836.
\footnote{147} Gasman, "Perceptions," 849.
Nixon’s uneasy and occasionally discriminatory relationship with the black population provides an additional rationale for why it is unlikely that the President’s attempts to aid the black middle class were inspired by principle. After one meeting with black business executives, he remarks on the tapes (somewhat patronizingly) to Colson and Haldeman that blacks are “good people” and that he “adore[d] them.” But he rejected the concept of blacks advancing through movements, and emphasized that the conditions of black Americans would only change when blacks changed “as people, goddamnit!” That Nixon was something of a racist—as shown by his assumption that the reason for problems in the black community was the fact that individual blacks could not change—is unsurprising; previous tapes and documents have demonstrated this to be the case. But the conversation demonstrates that Nixon thought it unlikely that the conditions of black Americans would change in the near future through any movement, making it less likely that his policies were a principled attempt to enact any such change.

The topics of the President’s meetings with black business leaders are also revealing. In one such meeting, which appears typical of other similar meetings, Nixon does spend some time discussing how he views his Administration’s role with regards to black enterprise. However, the bulk of the time is spent with the President congratulating himself on his accomplishments in the area of minority enterprise, and the minority leaders joining in the congratulations—one participant echoes the President by assuring Nixon that the government’s policies are sufficient

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149 EOB 354-017; Oct. 6, 1972, White House Tapes.
and that “the big solutions have to come from the private sector.”¹⁵¹ The President does not take time to discuss actual policy matters with the attendees. This would be fine, except for the fact that there are not clear instances of the President ever sitting down, either with advisors or minority business leaders, and working out policy details on minority enterprise. Here, Graham’s thesis is vindicated—the President did not appear to be personally invested in minority enterprise, and utilized meetings with black entrepreneurs as a chance to improve his political standing more than his policy effectiveness.

Further, corruption in the OMBE demonstrated the extent to which the agency was a political tool. The President’s political supporters were often targeted for funding, regardless of merit. When a black supporter of the President wrote the White House to apply for funding under the OMBE, White House staffer Robert Brown wrote “I would like to see him funded” without explaining the merits of the funding.¹⁵² And when former professional football star Jim Brown applied for an OMBE grant for his union, it was approved despite the recognition that such a decision was “blatantly political.”¹⁵³ Often, the OMBE utilized its funding to help political supporters of the President, rather than targeting dollars where they were most needed. Taken together with Nixon’s thoughts on minority enterprise, it strengthens the notion that Nixon’s programs in this area were primarily driven by the consolidating the President’s political standing.

¹⁵² Kotlowski, Nixon’s Civil Rights, 147.
¹⁵³ Kotlowski, Nixon’s Civil Rights, 147.
Black business leaders also perceived that Nixon's interest in them was primarily political. In his memoir, Vernon Jordan recounts a meeting with Nixon in 1971 in which he, then the President of the National Urban League, found Nixon to be "very receptive" to his requests.\textsuperscript{154} However, Jordan knew "from the outset" that "it was clear that [Nixon] was a man who would accommodate me and my requests only if he found it to his political advantage."\textsuperscript{155} Jordan had no problem with this, because he felt the same way about Nixon--both men were using each other not out of any principled connection to one another but out of mutual expediency. But Jordan's recollection bolsters the idea that for Nixon, minority business was worth whatever help it could give him politically.

On black colleges, Nixon's positions could also be construed as politically driven. Time and again, on the subject of black colleges, Nixon and his staff were primarily focused on the optics, rather than the policy, of HBCUs issues. When the \textit{New York Times} questioned Nixon's commitment to HBCUs, Director of Communications Herb Klein immediately sent a memo to the \textit{Times} editor complaining that “recent stories” had given a “misimpression” of Nixon’s relationship with black colleges, and that “such an impression would be at variance with the facts.”\textsuperscript{156}

This was part of a larger media plan, as shown by a May 1972 memo for assistant Ken Cole. In the memo, aide Stan Scott emphasizes that under the

\textsuperscript{155} Jordan, \textit{Vernon Can Read!}, 233.
\textsuperscript{156} Letter; Herb Klein to the Editor of the \textit{New York Times}; 21 September 1970; Box 18; Staff Member and Office Files: Ronald Ziegler; Richard Nixon Library and Museum, Yorba Linda, CA.
Administration’s media plan, the goal was to give “maximum media visibility to the attached Administration initiative.”¹⁵⁷ In another memo, advisor John Campbell notes concerns that there was not a plan for getting “broad coverage” of a specific report on black colleges to the press, and asks advisors Bob Brown and Stan Scott to prepare such a plan.¹⁵⁸ The President was clearly concerned with ensuring that the White House received positive media coverage for their initiatives on HBCUs.

This action does not necessarily take away from the accomplishments of the Nixon Administration in this area, which were real and substantial. In the first three years of the Nixon Presidency, enrollment in black colleges increased 25%, something for which black college presidents “expressed...appreciation” in meetings with Nixon.¹⁵⁹ In his letter to the editor of the *Times*, Klein attaches a series of statistics proving the President’s commitment to HBCUs: additional aid pledged by HEW, grants from various government agencies to black colleges, and new allocations of work-study funds.¹⁶⁰ Further, a 1972 HEW report on the effectiveness and efficiency of federal funding to HBCUs demonstrated that within the Nixon Administration, there were serious efforts made to ensure that funding for black colleges was more than a publicity stunt (though there is no evidence that Nixon himself ever took notice of the policy details.)¹⁶¹

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¹⁵⁷ Memo; Stan Scott to Ken Cole; 9 May 1972; Box 14; Staff Member and Office Files: Bradley H. Patterson; Richard Nixon Library and Museum, Yorba Linda, CA.
¹⁵⁸ Memo; Bob Brown to John Campbell; 8 May 1972; Box 14; Staff Member and Office Files: Bradley H. Patterson; Richard Nixon Library and Museum, Yorba Linda, CA.
¹⁵⁹ Memo; Jim Cavanaugh to Richard Nixon; 29 November 1973; Box 93; President’s Office Files; Richard Nixon Library and Museum, Yorba Linda, CA.
¹⁶¹ Memo; Brown to Campbell; 8 May 1972.
To suggest that Nixon’s goals on HBCU policy, or minority business policy, were primarily political does not take away from the Administration’s accomplishments in these areas. Black entrepreneurs who would otherwise have been unable to secure funding for their businesses were genuinely helped by the OMBE and other minority business initiatives. Black students who may not have had the funding to go to college were supported by the loans and grants to HBCUs that increased or were initiated under the Nixon Administration. But demonstrating that Nixon’s positions on these issues were politically motivated leads to important questions about why Nixon chose to push forward on HBCUs and minority enterprise and not, for example, on busing. In determining what separated issues of progress from issues of retreat during the Nixon years, we can come closer to creating a grand theory of Nixon’s civil rights policies.

**Nixon the Anti-Liberal**

It is far from a stretch to say that Nixon’s strengthening of the Philadelphia Plan, and therefore of affirmative action, seemed “palpably inconsistent with normally conservative Republican principles” held by the GOP in the late 1960s and early 1970s. It was a doctrine of conservative thought that it was for liberals to hold one group up in favor of another—and that the proper conservative position was to neither favor nor discriminate against any other group, regardless of historical factors and discriminatory policy. It was these principles that had led Senator Everett Dirksen (R-IL) to ban racial quotas in 1964 in government funding

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in the first place.\textsuperscript{164} And it was these principles—of treating each group identically, regardless of historical background—that Nixon seemed to directly contradict with his support of the Philadelphia Plan.

In a telling conversation with his social policy advisor Daniel Moynihan, Nixon discusses his views with regards to possible progress for the black populace. Specifically, Nixon articulated his view with regards to each specific race, arguing that while blacks were superior in athletics and art, they had intellectual weaknesses that were inherent to their genetic makeup.\textsuperscript{165} He doubted how successful his social policies could be, noting that “as I go for programs, I must know that [blacks] have certain weaknesses.”\textsuperscript{166} With Moynihan echoing and encouraging the President, Nixon added that “these things have a bearing on the limits of social policy,” and faulted Johnson for failing to recognize such limits.\textsuperscript{167}

Nixon also mentioned specific programs that he doubted would be fully successful because of the limitations of what blacks could accomplish. Nixon had recently proposed his Family Assistance Plan (FAP), which was designed as a version of welfare reform that would better incentivize working. But he doubted whether the program could actually lift a large number of families out of poverty, given the “natural inferiority” of blacks in certain areas.\textsuperscript{168} Perhaps more strikingly, he also questioned the effectiveness of black colleges. He asked Moynihan, “if you’ve got a black, from the South, from a good black college, teaching English” at an

\textsuperscript{164} Graham, \textit{The Civil Rights Era}, 322.
\textsuperscript{165} WHT 10-116; Oct. 7, 1971; White House Tapes, Richard Nixon Library and Museum, Yorba Linda, California.
\textsuperscript{166} WHT 10-116; Oct. 7, 1971, White House Tapes.
\textsuperscript{167} WHT 10-116; Oct. 7, 1971, White House Tapes.
integrated school, “do you suppose he can teach English?”169 But the question appears rhetorical: Nixon ends the conversation muttering “I don’t know, I don’t know” over and over again. But his tone that conveys that Nixon did think he knew the answer to his question: no, black teachers, from black schools, were inferior.170

The conversation shows that Nixon did not truly believe in the effectiveness of his programs to help blacks, or at the very least that he did not think they could be as effective as he professed. But he knew better than to say so. Regarding his beliefs on racial differences, which he took as fact, he said to Moynihan that “I have to know it, but it is better not to know.”171 He chided Ed Muskie, a Democrat who was competing for the 1972 Democratic nomination, for saying that “the time [was] not right for a black vice-president.”172 Nixon argued that “no leader must ever say” that the country was not ready for blacks in positions of leadership, or that blacks were ill-suited for certain positions, because it would contribute to racial unrest within the nation.173

Of course, Nixon was far from the first president who harbored racial prejudices. His predecessor, Johnson, can be heard in private conversations denigrating blacks, and--like Nixon--touting the political benefits in the black

173 WHT 10-116; Oct. 7, 1971, White House Tapes. A final nugget from this fascinating tape: Nixon, in denigrating the presidents and prime ministers of African nations, bemoans the fact that “many of them are crooks!” but notes “of course, we have some crooks over here.” He presumably had little idea how true that statement would seem just two years later.
community of his advancement of civil rights legislation.\textsuperscript{174} It is a natural comparison to draw to Nixon--both presidents privately expressed their disdain for blacks, and saw the potential political benefit of certain civil rights programs.

But Johnson presents a different case. For one, whatever political benefit he received in the black community was likely outweighed by the political damage he did to himself, as well as the Democratic Party, by pursuing civil rights legislation as aggressively as he did. The night after he signed the landmark Civil Rights Act of 1964, in fact, Johnson famously remarked to aide Bill Moyers, "I think we just delivered the South to the Republican Party for a long time to come."\textsuperscript{175} One needs only to look at the electoral map of the elections that followed in the next several decades to see the accuracy of Johnson's statement. While his civil rights legislation benefited him with some groups, therefore, it was likely on net politically harmful for Johnson to pursue civil rights as boldly as he did.

Moreover, Johnson's civil rights initiatives can be explained more easily than can Nixon's as part of a coherent philosophy. His two major initiatives--both the Civil Rights Act of 1964 and the Voting Rights Act of 1965--worked to expand basic civil rights for the black community. As Johnson put it in a speech before Congress while pressing for the Voting Rights Act, his actions were a salvo in the "struggle for human rights."\textsuperscript{176} Unlike Nixon's initiatives, there was a common principle--expanding basic rights for black Americans--that drove Johnson's reforms. This argument is not to say that Nixon would not have advanced the same initiatives had

\textsuperscript{175} Dallek, Lyndon B. Johnson, 170.
\textsuperscript{176} Dallek, Lyndon B. Johnson, 205.
he been president in the 1960s instead of Johnson. However, it does demonstrate that Johnson's civil rights legislation was likely motivated by principle rather than politics, something that cannot be said of Nixon's positions.

Specifically, it is difficult to reconcile Nixon's support for minority business and HBCUs with the sentiments on the tapes that he shares with Moynihan. If Nixon believed that black Americans could never really progress, why support—and authorize funding for—programs that went above and beyond what liberals believed ought to be done on civil rights? On the tape, Moynihan tells Nixon that a recent study showed that integrating schools was an effective tool to reduce educational inequality between whites and blacks. Why did this not inspire Nixon to rethink his positions on busing? What was it that separated the issues of progress—including black colleges and minority business—from the issues of retreat, including busing?

The answer again lies in Nixon’s shrewd perceptiveness for political advantage. George Schultz, the man at the head of the Philadelphia Plan, maintained that his—and Nixon’s—primary motivation for the Plan was that it would be an effective way to increase minority employment. But as Ehrlichmann noted, both Schultz and the President appreciated that initiatives like the Plan had a unique way of “tying [the] tails” of critics of the President on civil rights. No doubt, Nixon was well aware that his support of black enterprise “left liberals scratching their heads,” unsure of what to make of the President's bold initiatives. The “sexy issue” of

179 Kotlowski, Nixon’s Civil Rights, 131.
black capitalism allowed Nixon to seize an issue—civil rights—that was traditionally a liberal concern, turn it on its head, and leave his liberal opponents scrambling for a response to a civil rights initiative few of them likely saw coming.\(^{180}\)

Much the same can be said for the Administration’s support of HBCUs. In a 1971 memo, Bob Brown notifies several members of Nixon’s staff, including Colson and Ehrlichmann, that by voting against several proposals sponsored by Republicans in Congress that would have allocated additional funds for HBCUs but also reduced educational funding elsewhere, members of the CBC had actually voted against funding that “would have been of great value to black colleges and needy black students.”\(^{181}\) Brown suggested that this mistake is a political opening for the White House: a chance to accuse black Congresspeople, members of the CBC, of being less proactive on civil rights than the Administration. Nixon the politician relished such an opportunity. Sure enough, the administration quickly came out with a story in which Bob Brown (Nixon’s only black advisor) criticized members of the CBC that had “in effect, voted against black colleges” by voting against the Republican proposals.\(^{182}\) Black colleges and minority business gave Nixon the opportunity to appear as a unique civil right pioneer without costing him a significant portion of the conservative vote—a neat political value indeed.\(^{183}\)

\(^{180}\) Kotlowski, *Nixon’s Civil Rights*, 133.

\(^{181}\) Memo; Bob Brown to Chuck Colson, John Ehrlichmann, and Clark MacGregor; 27 Oct. 1971; Box 49; Staff Member and Office Files: Leonard Garment; Richard Nixon Library and Museum, Yorba Linda, CA.

\(^{182}\) Newspaper Clipping; 6 November 1971; Box 18; Staff Member and Office Files: Ronald Ziegler; Richard Nixon Library and Museum, Yorba Linda, CA.

\(^{183}\) Kotlowski, *Nixon’s Civil Rights*, 131.
Busing did not carry the same type of political benefit. With the liberal/conservative divide already well-established on the issue (liberals in favor, conservatives opposed), there was no real opportunity for Nixon to curry political favor by pushing forward on the issue as conservatives would almost certainly have abandoned him had he done so. Even with the tapes, it is nearly impossible to know what Nixon truly believed—there are a myriad of reasons why he would say something to an advisor that he did not mean, though it is certainly possible that he was truthful in his busing positions. From his conversation with Moynihan, it is evident that Nixon knew about the potential benefits of busing. Whether he chose to ignore this evidence because he thought it was genuinely suspect, or because he thought that integration was wrong, or simply because he saw no political benefit in pushing for busing is hard to say. What is clear, however, is that on busing—as he did on support for minority business and HBCUs—Nixon did the politically beneficial thing. On busing, that meant standing in opposition; on minority business and HBCUs, that meant providing support.

In the end, Kotlowski is wrong when he argues that Nixon’s policies on civil rights were grounded in conservative principles and reflected the President’s “self-made, moderate Republican backgrounds.” There was nothing conservative about programs like the Philadelphia Plan, or the initiatives to give black colleges more federal money than most other colleges received, that elevated the programs supporting one racial group over another. Nor is it accurate to call Nixon’s civil rights programs a moderate agenda. To the contrary, much of what Nixon did was

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anything but moderate, both in his full-throated opposition to busing and his endorsement of the new, outside of the mainstream programs to help the black middle class.

Instead, it is more useful to view Nixon as neither a moderate nor a conservative on civil rights, but as an anti-liberal. Nixon recognized that there were various opportunities for political benefit in the civil rights arena, and that the best ways to exploit them was to distinguish himself from his liberal critics. In opposing busing, he built a coalition between the center-right and far-right; in supporting minority enterprise and HBCUs, he hemmed in liberals without alienating his base voters. His choices of which polities to pursue, and which to oppose, were therefore driven by the political desire to best his liberal rivals—not by a principled devotion to certain civil rights policies.
Chapter IV: Conclusion

Does Motivation Matter?

Much of the revisionist history that casts President Nixon as an unsung civil rights hero is based on the argument that one’s words and thoughts do not matter as much as one’s deeds. Kotlowksi quotes Garment as noting that while the President engaged in “regressive rhetoric,” both publicly and privately, Nixon’s record on civil rights was “for the most part operationally progressive.” The rest of Kotlowski’s work goes on to argue that it is Nixon’s record, not his rhetoric, which ought to be examined. In other words, what matters is what came out of the Nixon Administration, not what Nixon’s motivations were for his civil rights policies.

This is true, so far as it goes. After all, the most important thing that comes out of a presidency is policy, not rhetoric. But in the case of Nixon, and as a general rule, understanding the motivations of the president and his advisors can help us understand why certain positions were taken or not taken, and why certain policies were enacted or not enacted. As a historical matter, therefore, it is vital to understand not only the actions taken by the president, but also the thoughts and motivations behind those actions.

Moreover, dissecting Nixon’s various motivations for pursuing policies does not take away from (or add to) whatever accomplishments those policies represent. The policies stand on their own, and can be analyzed as such. Rather, examining Nixon’s thought process and belief system that undergirded his policymaking allows us to make historical sense of Nixon’s mixed civil rights record. In other words,

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knowing—or coming closer to knowing—Nixon’s motivations for his civil rights policy might not cast him as either better or worse on civil rights. But it does allow us to make better sense of what Graham calls Nixon’s “bewildering” civil rights policy.\footnote{Graham, \textit{The Civil Rights Era}, 321.}

**Opportunities for Further Research**

There is still more work to be done on Nixon and civil rights that is not addressed here. As Kotlowski notes, serious and fully drawn studies of many of the men who advised the President on civil rights issues—including Schultz, Ehrlichmann, Moynihan, and others—would be welcome additions to the study of Nixon’s civil rights legacy, particularly given the latitude they were often given to set the policy agenda.\footnote{Kotlowski, “Civil Rights Policy,” 130.} The personalities and principles of these men are also given greater depth on the tapes; further openings of the tapes can therefore be useful in studies of Nixon’s subordinates.

More significantly, this thesis and much of the other work on Nixon and civil rights has focused largely on Nixon’s relationships with and policies towards black groups. However, much work still needs to be done with regards to Nixon’s civil rights policies towards other groups, particularly Latino-Americans, Native-Americans, and women.\footnote{Kotlowski, “Civil Rights Policy,” 130.} Here too, the tapes can be a useful tool to help parse the details of policymaking in the Nixon White House, as well as Nixon’s personal feelings towards each of these groups.
Applicability to Other Areas

Given that this work has yet to be done, there remains a question of the extent to which the conclusions made here—namely, that Nixon was driven largely by politics—can be applied to other areas of Nixon’s civil rights policy. The default historical conception of Nixon continues to cast him as a political creature, despite the work of Kotlowski, Hoff, and others to depict Nixon as more principled. It is easy to reach the conclusion that Nixon was simply motivated by politics for all aspects of his presidency, and that this work supports on busing, minority enterprise, and black colleges, ought to be applied other areas of the Nixon legacy.

Still, researchers ought to be wary of arbitrarily casting Nixon as driven by politics in all areas of his civil rights policy, or his policy in general. It is certainly possible that Nixon was driven by his convictions in some areas. His Vietnam policies, for instance, often ran counter to popular opinion, and may provide evidence of a more principled core on foreign policy issues than domestic ones.

Further, without having examined other domestic issues, it is conceivable that Nixon, counter to his domestically passive stereotype, in fact was driven by deeply principled beliefs on, for example, the environment, the youth vote, housing, or a myriad of other issues. Without knowing the details of how Nixon weighed

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190 Though there is no way to definitively demonstrate this belief, evidence for this popular conception exists in Vernon Jordan’s views (see page 55), James Farmer’s description of Nixon (see page 68), as well as Charles Colson’s characterization of many saying Nixon’s motives were political in: Friedman and Levantrosser, Richard M. Nixon, Politician, President, Administrator, 276.


192 Ehrlichmann, Witness to Power, 207.
principle and politics in other areas of his presidency, it is important that researchers withhold judgment until the evidence is fully examined.

**Nixon as Political Animal**

It is hardly innovative to say that Richard Nixon was a political creature.

James Farmer, the Assistant Secretary of HEW in the Nixon Administration until 1971 may have put it best in this his description of the President:

Nixon was an almost completely political animal; he was neither moral nor immoral, but was amoral; he made decisions based on how they affected him politically, not based upon whether they were right or wrong—I don’t think right or wrong entered into it, although he did use those words frequently.¹⁹³

Farmer’s assessment is borne out by the evidence, at least with regards to the issues of busing, minority enterprise, and black colleges. It is important to note that this does not mean that Nixon was, in all respects, “neither moral nor immoral.”

Certainly, some of his comments on the tapes about other races reveal him to be immoral in some ways; parts of his presidency could be construed as particularly moral. But Farmer’s point is to note that it was neither out of a sense of morality nor a betrayal of moral character that Nixon chose to pursue the civil rights policies he did during his administration. His choices were driven by politics and little else.

To be sure, the Nixon civil rights legacy is muddled. His civil rights policy represents a confusing and contradictory array of choices. Some—like support for minority business and black colleges—symbolized important steps forward in the federal commitment to the civil rights movement. Others—like Nixon’s stalwart opposition to busing—represented a step backwards in that commitment. But while

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Nixon’s policies may be confusing, the reasons Nixon pursued them are not. To Nixon, civil rights was an opportunity to help himself politically; whether his decisions were the right thing to do on their merits was of little consequence. It is up to others to rule on the effectiveness of Nixon’s civil rights policy. But it is fair to say that in determining the motivations of Nixon on civil rights, he is as Farmer describes him: an amoral president, who always made the decision that helped him politically. This offers the most effective and logical lens through which we can make sense of the Nixon civil rights legacy.
Appendix 1.1: Pictured are two of the locations of the White House tapes in the Nixon White House (the “residence” was not a taped location). In addition to these locations, tapes were installed in the White House Cabinet Room and on White House Telephones, as well as at several locations at Camp David.

Taken from: http://www.pimall.com/nais/pivintage/nixonrecorders.html
Appendix 1.2: Pictured is Lyndon B. Johnson signing the Civil Rights Act of 1964. Some scholars have portrayed Nixon as an unworthy heir to the civil rights hero that many consider Johnson to be, while others have argued that Nixon accomplished more on civil rights than most give him credit for.

Taken from: http://captainandthekid.blogspot.com/2011/06/this-week-in-history-civil-rights-act.html
Appendix 1.3: This chart depicts the way in which Southern white voters moved towards the Republican Party in the second half of the 20th century. Some have credited Nixon's "Southern Strategy," in which he used racial policy to court Southern whites, as the impetus for this shift.

Taken from: "Explaining Recent Changes in the Partisan Identifications of Southern Whites," by Jonathan Knuckey
Appendix 1.4: This map depicts President Nixon's landslide victory over George McGovern in the 1972 Presidential Election. Nixon did particularly well in the South, as he had in 1968, signaling a shift among Southern voters from the Democratic Party to the Republican Party.

Taken from: http://www.270towin.com/1972_Election/
Appendix 1.5: Pictured is a rally against busing in Boston in 1974. Busing was enormously unpopular with the American public, with a 1971 Gallup poll finding that over three in four Americans opposed the practice.

Appendix 1.6: A cover of “Outlook,” a monthly periodical published by the Office of Minority Business Enterprise (OMBE). Though the OMBE struggled initially, it eventually became an effective mechanism for supporting black business and entrepreneurship.

Taken from:
http://books.google.com/books/about/OMBE_outlook.html?id=qNNHAQAAIAAJ
Appendix 1.7: Nixon meets with a group of black college presidents in 1973. Nixon enjoyed a generally positive relationships with black colleges and their leaders, and his administration was able to accomplish a good deal in the way of aid for these oft-forgotten institutions.

Taken from: http://www.americanclarion.com/1001/2012/01/09/no-man-can-be-fully-free-while-his-neighbor-is-not/
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