

THE GOP CIVIL RIGHTS RECORD IN THE MODERN ERA

By David Levine, Hobe Sound

The decisive Republican role in the advancement of civil rights is indisputable. All post Civil War amendments and statutes outlawing slavery, and granting former slaves due process and full citizenship rights were enacted or ratified by Republican Congresses and state legislatures. Unfortunately, an activist and reactionary late-nineteenth century Supreme Court declared most provisions of the 1866 and 1875 Civil Rights Acts, providing for federal oversight to guarantees of the franchise, jury service and access to public accommodations, as unconstitutional. This coincided with the 1877 end of Reconstruction ushering in an eight-decade era of a segregationist Democratic controlled "solid South". legislatures then eliminated the franchise and mandated segregation in public accommodations. The Plessy v. Ferguson decision upheld these provisions despite specific language in constitutional amendments granting blacks equal citizenship.

Until 1936, Democratic national conventions required a two thirds majority for presidential nominations. This rule gave segregationists a de facto veto used to extract agreements from nominees (including Al Smith and FDR) not to upset racial "arrangements" in the South. Over Republican objections, Woodrow Wilson instituted segregation in D.C. with the support of the 1913 Democratic Congress (including northerners). The Democratic majority coalition crafted by FDR for his 1932 landslide, required heavily on the solid South. Massive New Deal relief programs subsequently generated Democratic support from poor urban blacks who previously voted Republican. However, FDR never initiated any civil rights bills and even acquiesced to the demise of the Wagner anti-lynching bill in Senate Committee. Roosevelt further kept his accord with southern Democrats by maintaining segregation in the armed forces throughout World War II.

Through the early thirties civil rights discussion in Congress was virtually limited to Republicans Fiorello LaGuardia and Hamilton Fish. Although the leadership of both parties ignored the issue, GOP party platforms deplored segregation. The Democratic platforms remained silent until a pro-civil rights position was added in 1948. During his second term, President Truman proposed a Fair Employment Practices Commission, but the bill never made it to the floor of the Democratic-controlled Congress. Democratic equivocation on civil rights during the 1930s and 1940s caused a marked shift by black voters in northern cities to Eisenhower in 1952 (31%) and 1956 (39%), while the vote was still denied to blacks in the Democratic solid south.

The Brown v. Board of Education decision prompted Republican President Eisenhower's use of federal force to desegregate Little Rock's public schools in 1956. Additionally, Eisenhower responded to the Montgomery bus boycott by urging the Democrat-controlled Congress to enact voting rights legislation. The murder of Emmett Till subsequently prompted Eisenhower's Justice Department to expand the scope to federal criminal and civil actions against discrimination. By 1957 leading GOP champions of strong legislation included Vice President Nixon and New York Representative Kenneth Keating. However, threatened southern filibusters and control of key committees by segregationists like James Eastland (with the acquiesce of liberal

Democrats) proved to be insurmountable Senate obstacles. Senate Majority Leader Lyndon Johnson allowed so many amendments in the interests of "party harmony" making the final 1957 Act little more than symbolic.

In 1963, following the murder of the Mississippi freedom riders and court-mandated desegregation of southern state universities, President Kennedy proposed a far reaching civil rights act. In spite of decisive Democratic majorities however, the 1964 Civil Rights Act and 1965 Voting Rights Act would not have been possible without the leadership of key Congressional Republicans like Rep. William McCullough in the House and Everett Dirksen in the Senate. Their efforts prevented weakening amendments and filibuster attempts and even a higher percentage of Republicans than Democrats in both houses supporting passage.

Effective civil rights legislation required the good will of American statesmen from both parties. From the Civil War through the 1981 extension of the Voting Rights Act, the Republican Party played an indispensable role.