

AMERICAN CONSTITUTIONALISM  
VOLUME II: RIGHTS AND LIBERTIES  
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Supplementary Material

Chapter 8: The New Deal/Great Society Era—Equality/Race

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**National Party Platforms on Civil Rights (1960)**

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*By the beginning of the 1960s, the Republican and Democratic Parties were firmly committed to improving the constitutional status of persons of color. Both party platforms in 1960 articulated lengthy commitments to racial equality and set out significant programmatic efforts to achieve racial equality. Consider when reading these platforms whether any significant difference existed between the two parties on racial issues. Had you voted on racial issues alone, which party would you have voted for? In this regard you might note that while Martin Luther King, Jr., supported John F. Kennedy, Martin Luther King, Sr., favored Richard Nixon.*

*A very prominent theory of politics suggests that both political parties will support the policies favored by the median voter. Do you think the policy positions below are more consistent with the median American voter in 1960, the median American voter outside of the South, or the median well-educated American voter? If you believe both parties on race were not appealing to the median voter, to what extent were their platforms explained by constitutional commitments?*

Democratic Party Platform of 1960

...

We shall also seek to create an affirmative new atmosphere in which to deal with racial divisions and inequalities which threaten both the integrity of our democratic faith and the proposition on which our nation was founded—that all men are created equal. It is our faith in human dignity that distinguishes our open free society from the closed totalitarian society of the Communists.

...

The right to vote is the first principle of self-government. The Constitution also guarantees to all Americans the equal protection of the laws.

It is the duty of the Congress to enact the laws necessary and proper to protect and promote these constitutional rights. The Supreme Court has the power to interpret these rights and the laws thus enacted.

It is the duty of the President to see that these rights are respected and that the Constitution and laws as interpreted by the Supreme Court are faithfully executed.

...

The peaceful demonstrations for first-class citizenship which have recently taken place in many parts of this country are a signal to all of us to make good at long last the guarantees of our Constitution.

The time has come to assure equal access for all Americans to all areas of community life, including voting booths, schoolrooms, jobs, housing, and public facilities.

The Democratic Administration which takes office next January will therefore use the full powers provided in the Civil Rights Acts of 1957 and 1960 to secure for all Americans the right to vote.

If these powers, vigorously invoked by a new Attorney General and backed by a strong and imaginative Democratic President, prove inadequate, further powers will be sought.

We will support whatever action is necessary to eliminate literacy tests and the payment of poll taxes as requirements for voting.

A new Democratic Administration will also use its full powers—legal and moral—to ensure the beginning of good-faith compliance with the Constitutional requirement that racial discrimination be ended in public education.

We believe that every school district affected by the Supreme Court's school desegregation decision should submit a plan providing for at least first-step compliance by 1963, the 100th anniversary of the Emancipation Proclamation.

...

For this and for the protection of all other Constitutional rights of Americans, the Attorney General should be empowered and directed to file civil injunction suits in Federal courts to prevent the denial of any civil right on grounds of race, creed, or color.

The new Democratic Administration will support Federal legislation establishing a Fair Employment Practices Commission to secure effectively for everyone the right to equal opportunity for employment.

... In addition, the Democratic Administration will use its full executive powers to assure equal employment opportunities and to terminate racial segregation throughout Federal services and institutions, and on all Government contracts, The successful desegregation of the armed services took place through such decisive executive action under President Truman.

Similarly the new Democratic Administration will take action to end discrimination in Federal housing programs, including Federally assisted housing.

...

#### Republican Party Platform of 1960

...

The Republican Party is proud of the civil rights record of the Eisenhower Administration. More progress has been made during the past eight years than in the preceding 80 years. We acted promptly to end discrimination in our nation's capital. Vigorous executive action was taken to complete swiftly the desegregation of the armed forces, veterans' hospitals, navy yards, and other federal establishments.

We supported the position of the Negro school children before the Supreme Court. We believe the Supreme Court school decision should be carried out in accordance with the mandate of the Court.

Although the Democratic-controlled Congress watered them down, the Republican Administration's recommendations resulted in significant and effective civil rights legislation in both 1957 and 1960—the first civil rights statutes to be passed in more than 80 years.

Hundreds of Negroes have already been registered to vote as a result of Department of Justice action, some in counties where Negroes did not vote before. The new law will soon make it possible for thousands and thousands of Negroes previously disenfranchised to vote.

By executive order, a committee for the elimination of discrimination in government employment has been reestablished with broadened authority. Today, nearly one-fourth of all federal employees are Negro.

...

We pledge:

Continued vigorous enforcement of the civil rights laws to guarantee the right to vote to all citizens in all areas of the country.

Legislation to provide that the completion of six primary grades in a state accredited school is conclusive evidence of literacy for voting purposes.

The Department of Justice will continue its vigorous support of court orders for school desegregation. Desegregation suits now pending involve at least 39 school districts. Those suits and others already concluded will affect most major cities in which school segregation is being practiced.

...

We will propose legislation to authorize the Attorney General to bring actions for school desegregation in the name of the United States in appropriate cases, as when economic coercion or threat of physical harm is used to deter persons from going to court to establish their rights.

...

We oppose the pretense of fixing a target date 3 years from now for the mere submission of plans for school desegregation. Slow-moving school districts would construe it as a three-year moratorium during which progress would cease, postponing until 1963 the legal process to enforce compliance. We

believe that each of the pending court actions should proceed as the Supreme Court has directed and that in no district should there be any such delay.

...

Appropriate legislation to end the discriminatory membership practices of some labor union locals, unless such practices are eradicated promptly by the labor unions themselves.

Use of the full-scale review of existing state laws, and of prior proposals for federal legislation, to eliminate discrimination in employment now being conducted by the Civil Rights Commission, for guidance in our objective of developing a Federal-State program in the employment area.

...

Action to prohibit discrimination in housing constructed with the aid of federal subsidies.

...

Action to ensure that public transportation and other government authorized services shall be free from segregation.

...

We reaffirm the constitutional right to peaceable assembly to protest discrimination in private business establishments. We applaud the action of the businessmen who have abandoned discriminatory practices in retail establishments, and we urge others to follow their example.



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