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Nixon's Racial Stance

His Reply to Black Caucus Ignored Key Issues and Some Achievements

By ROBERT B. SEMPLE Jr.

WASHINGTON, May 20—In a briefing yesterday at the White House to explain the Administration's 115-page response to more than 60 "demands" set forth by a caucus of black members of the House, George P. Shultz, the Presidential adviser, was asked why many Negroes continued to regard President Nixon and his policies as essentially antiblack if the Administration's record on civil rights was as good as Mr. Shultz represented it to be. "I don't know," he said with more than a trace of weariness. "The record doesn't jibe with the accusation. The record is one of great strides to achieve equality. Why there is opposition, I don't know. But the record is there."

The trouble, however, as Mr. Shultz later suggested, was that the record was not all there. Under his leadership, the White House had diligently tried to answer all the caucus's questions. But these questions—possibly because of the caucus's preoccupation with mounting black unemployment—centered largely on economic issues such as welfare reform and job discrimination, while ignoring other issues that have created the greatest suspicion and unrest in the black community.

The Division Factor

What has divided Mr. Nixon and the Negro community from the very outset has not been his alleged shortcomings on economic matters but the conviction among blacks that he will not pursue their interests to the point of sacrificing his standing with the largely white, largely suburban, and partly Southern constituency that elected him in the first place.

And the two issues on which Mr. Nixon, in the eyes of the blacks, has most consistently catered to his white constituency were touched upon only briefly in the caucus's original demand for an accounting of the President's policies and hardly at all in the White House's response. These are the issues of school desegregation and the dispersal of low-income (and black) families to the suburbs.

Accordingly, despite its size, one must go beyond yesterday's massive document for an accurate reading of the Administration's activities and attitudes in the civil rights field, for an adequate explanation of why a gulf persists between the blacks and the Administration, and for some clue as to where the Administration's opportunities lie if it wishes to bridge the gap.

Main 'Legs' to Policy

For if the report failed to address itself to Mr. Nixon's alleged past deficiencies as to education and housing for blacks, neither did it record his present efforts—undertaken to be sure, after prodding by the courts—to achieve quality interracial education in the South.

Mr. Shultz himself identified three main "legs" to the Administration's civil rights policy—employment and income, school desegregation, and housing. The President has always been most comfortable with the first of these.

"Equal job opportunity" has long been a staple of Republican programs, and in the political campaign Mr. Nixon spoke of extending the benefits of entrepreneurship to blacks, breaking down discriminatory job barriers, and reforming the welfare system to provide added income to poor families and halt the disintegration of black families.

More Performance Favored

He pursued these policies from the earliest point of his Administration, and even some members of the black caucus appear to agree with Mr. Shultz's assessment yesterday that the Administration has "gotten itself into the right posture" on job discrimination and welfare. What the blacks now want is less "posture" and much more "performance"—more trade union jobs for skilled Negro workers, higher welfare benefits under the Nixon proposal. But the differences revolve in large part around the magnitude of the Federal effort, not the direction.

This was not the case with the Administration's early desegregation strategy, which blacks perceived as a retreat in attitude and direction from a national commitment to abolish the dual school system. The Administration's reluctance to impose firm deadlines on, and bring suit against, recalcitrant school districts cost it its chief of civil rights in the Department of Health, Education and Welfare, Leon Panetta, and was not reversed until the Supreme

Court ordered the Administration in late 1969 to end segregation, root and branch, and "at once."

Even then, however, Mr. Nixon indicated he would do no more than the law required of him, stressing, in his manifesto of March 24, 1970, his opposition to school busing, on which the Court had yet to rule, and his devotion to the concept of the neighborhood school.

Instead, he assigned Mr. Shultz to oversee a Cabinet committee on education and to work with state committees composed of prominent white and black citizens to ease the desegregation process decreed by the Court. The result was a substantial jump, from 18.4 to 38.1 per cent, in the percentage of black pupils attending integrated schools.

Much of this progress occurred in rural or small-town areas, and it was Mr. Nixon's plain hope that the Supreme Court would heed his preferences and preserve the neighborhood school concept, thus allowing him to avoid the painful duty of imposing interracial busing on the large voting populations of Southern cities.

New Discussions Held

But last month the Court upheld the authority of the Federal courts to impose school desegregation plans requiring the busing of black and white pupils in cases where segregation had been the result of official government action. Once again, Mr. Nixon and his top advisers found themselves deep in internal discussion over a host of delicate legal and political issues.

The results of those deliberations, and what is known of the deliberations themselves, have surprised and even astounded some observers here. Despite predictions that Mr. Nixon would counsel a "go-slow" approach, and despite some published reports of a feud between liberals and conservatives in the Administration, Mr. Nixon laid out quite a different plan at his first meeting with the Attorney General, John N. Mitchell, and the Secretary of Health, Education and Welfare, Elliot L. Richardson.

Told to Act Quietly

His instructions to them were to be cooperative rather than coercive with the South, to act quietly but to get the job done. The two Cabinet officers, in turn, gave the task to J. Stanley Pottinger, Mr. Panetta's successor at the Office of Civil Rights, and to the department's education specialists.

Mr. Pottinger went to work and, with no visible interference from the White House, produced last Friday a plan requiring extensive busing to desegregate the schools of Austin, Tex., the capital of a large state Mr. Nixon hopes to carry in 1972. The plan went well beyond a proposal submitted by the local school authorities and is said to have caused unhappiness in Austin.

In an effort to prove itself "cooperative" rather than "coercive," welfare delayed submission of its own plan until it receive the Austin plan, then wrote a covering letter to the Austin school authorities saying it had accepted important ingredients of their proposal. But this was largely for cosmetic purposes, and the truth of the matter is that the department that did not retreat from its original plan for widespread busing between noncontiguous school zones.

Focus of Debate Shifts

If the soundings within the White House are accurate, and the Austin case represents a reliable guide, Mr. Nixon has concluded that his wisest course is to pursue the Court's ruling quietly, with a minimum of rhetoric. Even Harry S. Dent, his conservative Southern adviser, is busily telling friends that the strategy now is to get the issue out of the way by the fall of 1972.

If this is true, the real focus of debate within the Administration has shifted to the explosive, complex and delicate issue of suburban housing. For if the court has made a shambles of what was once called the "Southern strategy," Mr. Nixon still hopes to protect his considerable loyalties in the suburbs.

Accordingly, he has said again and again that he will resist efforts to use the legal and financial leverage of the Federal Government to compel suburbs to accept low- and moderate-income housing, and Mr. Mitchell has refused to sign a lawsuit against the community of Blackjack, Mo., which barred a moderate-income housing project. The suit was recommended by the Justice Department's Civil Rights Division five months ago.