

Crime policy of the Republican Party

by [Steve Nouri](#)

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1 Crime Comes to the Fore

Until the dawn of the 20th century and the social problems that accompanied urbanization and industrialization, crime policy was often viewed as properly belonging to state and local authorities. The U.S. Constitution, combined with tradition of federalism, reserved police powers for the states, and both the federal and state governments were satisfied to keep it that way. Before the 1900s, most of the federal government's forays into crime policy involved regulating interstate commerce and the railroads, protecting the mails, combatting counterfeiting, and conducting such moral purity crusades as those against pornography and lotteries. With the Sherman Antitrust Act in the late 1800s, Congress struck out against monopolies.

The 1920s, however, first propelled crime to an issue of national political status. The 1930s followed with a dramatic war on crime, prompted by a series of brazen kidnappings and bank robberies. Since then, crime policy has emerged episodically as a national political issue, often in response to a rising crime rate, inner-city strife, or other social situations, such as the Civil Rights and anti-war demonstrations of the 1960s. Crime became an important political issue of the 1960s, taking the public spotlight in, for instance, the election of 1964. Before the '60s, little federal money was allocated for crime control. Yet the 1960s were not the first years in U.S. history during which crime arose as a major political issue. The 1920s saw crime rise to the fore, as did the 1980s and 1990s. The issue continues to be one of importance, with Republican candidates for public office often attempting to outdo one another with law and order rhetoric.

Since the rise of the federal government's involvement in crime, the typical Republican position has been to advocate a strong law and order response to social and criminal unrest, focusing on repressing it through such policies as bolstering law enforcement and lengthening prison sentences. In 1908, Republican President Theodore Roosevelt helped increase the federal government's anticrime role by proposing the creation of a Bureau of Investigation within the Department of Justice. But recalling allegations that Roosevelt had misused the Secret Service for his political ends and wary of the president's motives, Congress rejected his proposal. The president reacted by establishing the bureau by executive order. Meantime, the Republican Party platform of 1908 lauded President Theodore Roosevelt for his "brave and impartial enforcement of the law."

In 1910, Congress passed a piece of landmark legislation, the Mann Act, officially the White Slave-Trade Act, prohibiting the transportation of women across state lines for prostitution. A few years later, Congress passed the Webb-Kenyon Act over Republican William H. Taft's veto. The act forbid the use of interstate commerce for the movement of liquor into dry states. And in 1914, the seeds of the drug war of the 1980s were planted as Congress passed the landmark Harrison Narcotics Act, which regulated professionals dealing with narcotic drugs. Enforcement of the legislation increasingly criminalized drug trafficking and the use of narcotics, which in turn prompted still more legislation.

As the century moved on, crime increasingly moved into the spotlight as a political issue, and the prohibition period brought yet more attention to it. In 1928, the Republican Party's platform reaffirmed its loyalty to the enforcement of the Constitution's laws and the 18th Amendment, which prohibited the sale, transportation, and manufacture of alcohol. During the presidential election that year, prohibition was a major point of contention between Democratic candidate Alfred E. Smith and the Republican nominee, Herbert Hoover, who went on to win the election. The Republican platform of 1932 commended President Hoover's "intensive and effective drive" against criminals and stated that the party favors the enactment of rigid penal laws to help stamp out "gangsters." Yet Hoover lost that year to Democrat Franklin D. Roosevelt, who as part of his New Deal went on to expand Hoover's drive against criminals into a war on crime.

Although organized crime had certainly existed in American before World War I, federal legislators had generally considered the problem to be the province of state and local authorities. But as organized crime increasing pervaded the national consciousness, Congress began to react -- first with antiracketeering statutes enacted in 1934 and 1946 and later with the proceedings of the Senate Special Committee to Investigate Organized Crime in Interstate Commerce, otherwise known as the Kefauver Crime Committee after its chairman Estes Kefauver, a Tennessee Democrat. The committee, formed in 1950, included Republicans Charles W. Tobey of New Hampshire and Alexander Wiley of Wisconsin.

During the second half of the 20th century, growing concern over organized crime, drug abuse, and violent crime as well as the advent of the civil rights movement brought a massive increase in federal involvement in law and order issues. And in the mid-1960s, a dramatic shift in national attitude took place: Crime began to be viewed as a national problem warranting a national solution. In fact, it was largely the 1964 presidential campaign battle among Republican Senator Barry Goldwater, Independent candidate George Wallace, and Democrat Lyndon B. Johnson that returned crime to the national spotlight as a policy issue. In reaction to Civil Rights demonstrations and a rising crime rate, both Goldwater and Wallace included a strong law and order plank in their campaigns. Goldwater, in particular, often referred to the "crime in the streets" and the need for "law and order." Both Goldwater and Wallace accused Johnson of fostering a leniency that abetted crime. Holding to conservative tradition, Goldwater and Wallace promised to repress crime with a stricter enforcement of the criminal code. Johnson responded not so much with a war on crime as a "War on Poverty," hoping to reduce the crime rate by ameliorating what such Democratic liberals as Johnson saw as its root cause. In

1967, as the next presidential election was approaching, the crime issue remained alive, kept to the fore of public and political consciousness by a high crime rate and continuing racial tensions. In February, President Johnson presented a detailed message to Congress on crime that included a proposal for the enactment of the Safe Streets and Crime Control Act of 1967. The act established within the Justice Department a large-scale categorical grant program to aid states and localities in their battle against crime. The president's bill, however, encountered formidable opposition in Congress, particularly from Republicans but also from Southern Democrats, both of which groups were becoming increasingly disenchanted with Johnson's Great Society program that, they believed, had made big promises but had fulfilled few of them. The objection to the president's bill, though, was not over the need for it, but over how the funds should be allocated. Johnson's bill would distribute money to the cities; Republicans wanted the grants delivered to the states. Amid rioting in Newark and Detroit, a subcommittee of the House Judiciary Committee held hearings on the bill.

2 Law and Order

Meantime, as the debate over Johnson's proposal continued into spring 1968, law and order again rose as a central issue in the presidential election. Richard M. Nixon, seeking the presidency for the Republican Party, employed the issue in his campaign, as did George Wallace, who was running for the presidency as an Independent candidate. Both Nixon and Wallace argued that decisive action needed to be taken against crime -- and that action meant enforcing the criminal laws more forcefully. The voting public, having its attention further focused on crime by the campaign messages of Nixon and Wallace, waited to see what Congress would do with Johnson's proposal.

Despite the lack of enthusiasm among Republicans and conservative Southern Democrats for the administration's bill, the House Judiciary Committee reported out a bill that, in accordance with the president's proposal, provided direct grants to local authorities. Yet 12 of the 15 Republicans on the Judiciary Committee lobbied strongly against the bill when it was introduced to the floor. Republican Representatives William Cahill of New Jersey, Thomas Railsback of Illinois, and Edward Beister of Pennsylvania, along with support from House Minority Leader Gerald R. Ford, galvanized not only their fellow Republicans but also conservative Southern Democrats to oppose the bill in its present form. They argued that the bill would usurp states' rights and allow the central government to dictate the law enforcement policies of local authorities.

The Republicans counterattacked with an alternative named the Cahill Amendment after its sponsor. It proposed distributing block grants to state agencies rather than grants-in-aid to local authorities. Besides House Republicans and many Southern Democrats, 47 of 50 governors -- many of whom were members of the Republican Party -- supported the Cahill Amendment. On the other hand, big city majors, a group that also included some Republicans, backed the administration's bill. Thus, division had arose within the Republican party over the Safe Streets and Crime Control Act. But the small fracture between the Republican mayors and Republican governors did not keep Republicans in the House of Representatives from rejecting the administration's bill in favor of a bill sanctioning a stronger state role -- which was what the Republican governors had wanted.

Next, the Senate Judiciary Committee began considering the administration's bill. The committee's chairman, Democrat John McClellan of Arkansas, frowned upon Johnson's proposal. Backed by three other Southern Democrats on the Judiciary Committee, Democrat McClellan joined committee Republicans to rewrite the administration's bill to emphasize a strong state role in fighting crime. Republican Senator Roman Hruska of Nebraska, a conservative, became a chief sponsor of the version that was finally adopted. However, some of the more liberal Senate Democrats, arguing that the revised bill was anti-city, obtained a compromise stipulating that states had to funnel percentages of the grants to local government units. In the end, like in the House, Republicans joined forces with conservative Southern Democrats to rout the administration's bill and substitute a state-oriented version for it. President Johnson reluctantly signed the Omnibus Crime Control and Safe Streets Act of 1968 into law, saying that it contained "more good than bad." The act, which included the establishment of the Law Enforcement Assistance Administration, was a victory for critics of the Great Society, including the Republican Party. The enforcement administration survived into the 1980s, when battles over the federal budget phased it out. In the late 1960s and early 1970s, the administration of Republican President Richard Nixon continued the attack against crime begun by Johnson -- but with an emphasis on law and order. Nixon's policy, however, came under attack, largely from liberals, who saw Nixon's law and order campaign as attempts to put down civil rights activists and anti-war demonstrators. President Nixon, on the other hand, used the rising public sentiment that city streets were unsafe to assail members of the Democrat Party as being "soft on crime."

3 From Nixon to Reagan

President Nixon helped several pieces of anticrime become law, including the landmark Organized Crime Control Act of 1970. Sponsored by Senator McClellan, the conservative Southern Democrat from Arkansas, and Senator Samuel J. Ervin, a conservative Democrat from North Carolina, the act included Title IX, the Racketeer Influenced and Corrupt Organizations statute, which launched a concerted drive against organized crime. The statute established severe criminal and civil penalties for using racketeering money or procedures in authentic businesses. But it also led to numerous civil lawsuits, which in turn prompted Congress to review the statute.

In 1970, President Nixon also helped encourage passage of the Comprehensive Drug Abuse and Control Act, which reinforced narcotics penalties. Yet the act did not stop the issue of drug abuse from reappearing in nearly every election year thereafter; the issue eventually culminated during the 1980s in conservative Ronald Reagan's "war on drugs" and, later, passage of the 1988 Anti-Drug Abuse Act, which further increased penalties for both users and dealers, established a cabinet-level drug czar, and set aside additional federal funds to fight drugs.

But Nixon's criticism of the Democrats and his anticrime crusade soon ebbed, as he found himself accused of perpetuating criminal acts as part of the Watergate affair and several of his high-ranking administration officials -- including Republican Vice President Spiro Agnew and Attorney General John N. Mitchell -- convicted of violating the law. The 1980 campaign of conservative Republican presidential candidate Ronald Reagan revived the Republican Party's law and order theme and reinvigorated crime as a national political issue after it had flagged slightly during the latter half of the 1970s. After being elected president, Reagan's anticrime policies focused on repressing, rather than preventing, crime. During Reagan's tenure, fighting crime translated into combatting drug trafficking and abuse. He expanded the federal government's drug interdiction effort while Nancy Reagan, the first lady, led a "Just Say No" campaign that equated drug use with immorality. In 1986 Congress passed the Anti-Drug Abuse Act, which greatly expanded Reagan's war against trafficking and abuse.

As Reagan's drug war heated up, a three-way division emerged among prominent Republicans in administration over how to carry out the drug war. Attorney General Edwin Meese, a conservative Republican, advocated getting tough with drug users. He said drug testing should be required of all workers, arguing that it reduces accidents and boosts productivity while keeping people from disobeying the law. Another faction, led by Otis Bowen,

Reagan's secretary of health and human services, stressed education and rehabilitation, an approach often advocated by Democrats. William J. Bennett, a conservative who served as Reagan's Secretary of Education, argued for greater military involvement in stemming the influx of drugs. He also urged Reagan to appoint a drug czar, but the president opposed it on grounds that it would mean more "big government." Despite the Reagan administration's efforts to eradicate drugs, many political analysts saw the issue as a political defeat for Reagan, largely because the war against drugs had not been won. And many thought it could not be won. But that view did not stop Republican President George Bush from continuing Reagan's antidrug drive among his crime-fighting efforts. After passage of the Anti-Drug Abuse Act of 1988, which created a cabinet-level drug czar, Bush appointed Bennett to the post after Republican Senator Dennis DeConcini of Arizona turned it down. Bennett focused on combatting street sales of drugs and on financing antidrug efforts in the countries from which the drugs were originating. During the 1990s, crime has remained a dominant political issue. Following the bombing of the World Trade Center in New York and the attack on the Federal Building in Oklahoma City, President Bill Clinton, a moderate Democrat, fought for a crime bill aimed at combatting terrorism.

4 Moderate-Conservative Rift

In late 1994, conservative Republicans, led by Newt Gingrich, the Speaker of the House from Georgia, tendered a plan to reduce crime prevention spending by \$5 billion, starting a conflict that polarized the Republican Party along conservative-moderate lines. Conservatives maintained that such spending is wasteful, while the moderates in the party favored crime prevention spending, arguing that it is cheaper than building prisons. Conservative Gingrich, in particular, has called crime prevention proposals "pork." The proposals include such programs as the establishment of "drug courts" that obtain treatment for addicts and midnight basketball leagues that give teenagers an alternative to hanging out on city streets. Moderate Republicans -- including not only some of those in Congress but also those at the state and local levels -- insisted that Congress allow local authorities flexibility in how to combat crime. Besides cutting federal money for crime prevention, conservatives in Congress, especially the authors of the Contract with America, have sought to alter President Clinton's "community policing" drive to emphasize hiring more police officers and buying more crime-fighting hardware. Newt Gingrich has said that people who dial 911 want "a policeman, not a social worker."

Other Republicans in Congress disagreed with Gingrich and his allies, however. Utah Senator Orrin Hatch, chairman of the Judiciary Committee, argued instead that federal crime policy should be aimed at empowering local citizens against crime by allowing them to spend federal anticrime money without detailed restrictions. Representative Henry Hyde of Illinois, an independent-minded Republican who is chairman of the House Judiciary Committee, has also voiced disagreements with Gingrich's approach. Despite opposition from some of his fellow conservative Republicans, Gingrich has held firm. In fact, he has hardened his repression-over-prevention approach further. Speaking to the Republican National Committee in July 1995, Gingrich called for the death penalty for anyone caught shipping narcotics into the country.

Meanwhile, the Clinton administration has resisted attacks on its crime policies by the conservative Contract with America Republicans. Attorney General Janet Reno, appointed by President Clinton, has argued forcibly for the effectiveness of community policing, adding that it has the overwhelming support of the public. Clinton also set up a National Commission on Crime Control and Prevention and charged it with developing a strategy for controlling and preventing crime and violence. Other major points of contention over crime policy during the mid 1990s included search and seizure rights and, especially, federal aid. Expanding police powers of search and seizure has been high on the GOP anti-crime agenda. In particular, Republicans have been seeking to alter the "exclusionary rule" to permit illegally obtained evidence to be used in court as long as the police officer involved believed that he was acting in good faith at the time of seizure.

Reports in 1995 showed the overall level of crime declining slightly for the third year in a row, and such Republicans as Representative Bill McCollum of Florida attributed some of the dip to making convicts serve longer prison sentences, another policy for which Republicans have advocated during the 1990s. In fact, the Grand Old Party's anticrime proposal of 1995 included a provision that would require violent criminals to serve 85 percent of their prison terms. Such hardline policies as determinate sentencing advocated by conservative Republicans have not been without their costs, however, resulting in a U.S. prison population proportionately larger than that of any other country.

During the 1996 Republican presidential primaries, gambling became an issue. Ultra-conservative candidate Pat Buchanan said the gambling industry in such states as Louisiana "corrupts communities, beginning with politicians." Senator Richard Lugar, also a Republican 1996 presidential candidate, called for a national study of gambling's effects on crime. As the presidential election of 1997 approaches, the issue of crime -- whether it focuses on drug control, gambling, prison sentences, or prevention -- promises to remain a prominent issue that will continue to divide not only Republicans from Democrats but also moderate Republicans from conservatives.

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6.2 Democratic Party

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The Republican Party, also referred to as the GOP (Grand Old Party), is one of the two major contemporary political parties in the United States, along with its main, historic rival, the Democratic Party. The GOP was founded in 1854 by opponents of the Kansas–Nebraska Act, which allowed for the potential expansion of slavery into the western territories. The party supported classical liberalism, opposed the expansion of slavery, and supported economic reform. Abraham Lincoln was the first Republican Regarding foreign policy, the Republican Party traditionally has supported a strong national defense and the aggressive pursuit of U.S. national security interests, even when it entails acting unilaterally or in opposition to the views of the international community. Both the Democratic Party and the Republican Party formulate their platforms quadrennially at national political conventions, which are held to nominate the parties' presidential candidates. The conventions take place in the summer of each presidential election year; by tradition, the incumbent party holds its convention second. T... Is it the drug policies of Republicans who were largely in charge? Or were there other very striking environmental cultural changes going on in American life at the same time?" It's impossible to account for all of the variables, but if one uses high school marijuana use as a measuring stick, drug policies during the Reagan and Bush era shine a positive light on the war on drugs. The 1988 Republican Party platform leading up to Bush's bid for presidency advocated for an even tougher approach to drug crime. The party's stance on drug policy included: Opposition to legalization or decriminalization of any drug. Support for stiff penalties, including the death penalty, for drug traffickers. This article describes the crime policy of the Republican Party. Last updated on July 28, 2004 This essay appears in The Encyclopedia of the American Democratic and Republican Parties, published by the International Encyclopedia Society. The encyclopedia won the Choice Outstanding Academic Book Award in 1997. 1 Crime Comes to the Fore. Until the dawn of the 20th century and the social problems that accompanied urbanization and industrialization, crime policy was often viewed as properly belonging to state and local authorities. The U.S. Constitution, combined with tradition of federalism, reserved police powers for the states, and both the federal and state The Republican Party, commonly referred to as the GOP (abbreviation for Grand Old Party), is one of the two major contemporary political parties in the United States, the other being its historic rival, the Democratic Party. The party is named after republicanism, the dominant value during the American Revolution. The Republican Party has since been defined by social conservatism, a preemptive war foreign policy intended to defeat terrorism and promote global democracy, a more powerful executive branch, supply side economics, support for gun ownership, and deregulation. George H. W. Bush, 41st President of the United States (1989–1993).