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## LYNDON JOHNSON AND THE DEMOCRATS' CIVIL RIGHTS STRATEGY

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### ABSTRACT

This paper deals with President Johnson's decision to push forward on civil rights within the context of the political concerns of the Democratic party. Johnson as a Southerner, as a Senate Leader who had previously destroyed civil rights legislation, had to redefine his alliances within the Democratic party when he became president. The 1964 Civil Rights Act became the vehicle for Johnson to convince the Democratic party liberals that he was in the mainstream of the party.

## INTRODUCTION

The central thesis of this paper is that public policy is the result of the rational calculation of political decision-makers, and that the President, the chief decision-maker in the national polity, is the most rational of politicians in the making of decisions. Anthony Downs argues that in democratic political systems politicians “act solely in order to attain the income, prestige, and power which comes from being in office.” As a consequence, Downs maintains, “parties formulate policies in order to win elections, rather than win elections in order to formulate policies.”<sup>1</sup> Politicians, in Downs’ model, prioritize their goals, calculate the costs and benefits of alternative strategies for achieving each goal, and then pursue the strategy which optimizes their return. That is the essential meaning of political rationality in the context of Downs’ model. Politicians may well act on their own conception of the public interest, provided they find it consistent with the attainment of their goals. But, goal number one for politicians is election and reelection. All other goals are subordinate, as nothing can be done by the politico who is not elected to office. The fundamental process, therefore, which brings issues to the politician’s attention is election. If a problem threatens a politician’s election or reelection it is likely to reach the issue agenda. The major strategic problem of the politician then becomes how to organize the issue so that it will not threaten election or, if it does, the threat will be minimized.

“The agenda,” is defined by John Kingdon as “the list of subjects or problems to which governmental officials, and people outside of government closely associated with those officials, are paying some serious attention at any given time.” Kingdon distinguishes between “the governmental agenda, the list of subjects that are getting attention, and the decision agenda, or the list of subjects within the governmental agenda that are up for decision.”<sup>2</sup> This study adds a further refinement to Kingdon’s concepts of agendas. First, it assumes that different institutions within the government may have different subjects on their respective agendas and, second, that one institution may well place a given issue on its decision agenda, but another institution may not even see it as part of the governmental agenda. For

example, while the executive may well wish to place civil rights on its agenda, and even move it to decision, the legislative body may not even consider it as being on their agenda.

Problem recognition, as Kingdon, and other students of the policy process have argued, is essential to bringing an issue into the agenda setting process.<sup>3</sup> How do policies come to be recognized as important? What makes for the winnowing, the process of picking and choosing among alternative issues and possibilities, until a given issue is taken on by politicians and transformed into a policy proposal? Jack Walker has suggested that there is an "agenda of controversy" at any given time to which political actors pay attention, and it is extremely difficult to change this agenda.<sup>4</sup> But, as E. E. Schattschneider has argued, the skillful ability to manipulate the "agenda of controversy" is the essential skill of political leadership. Political attention is limited and the shaping of that attention span is critical. "Some issues," Schattschneider maintains, "are organized into politics while others are organized out." This is the heart of his famous notion of "the mobilization of bias."<sup>5</sup> Crises, windows of opportunity, and interest group activism may all play a major role in bringing issues on to the decision agenda, but it is the politician who must make the decision as to how to maneuver the agenda and adjust the strategies which yield alternative costs and benefits from issues.<sup>6</sup> The strategic problem of how presidents deal with a highly charged issue that is organized into the political arena is a central concern of this study.

Civil rights has been the issue to most insistently and profoundly confront the legitimacy of American political institutions in the post World War II era. For the political parties it has been the most divisive issue of the era and potentially the most destructive. This study examines the emergence of the civil rights issue on the executive legislative agenda during the first two decades after the war. For the Democrats, in particular, the emergence of the civil rights issue during this period has resulted in a continuous threat of instability and the defection of a major partner from its coalition. The major strategic problem facing the Democratic Party leadership was to reconcile the needs of two key Democratic groups: blacks and their liberal allies of the North with the white South. The blacks and liberals demanded

Federal legislation to enforce civil rights; white southerners demanded that there be non-interference by outsiders with the southern social order. For the Republicans, civil rights during the period from 1945 to 1965 involved an ongoing intra-party feud between the moderate and conservative party factions. It also offered an opportunity for the party of Lincoln to take advantage of Democratic factionalism and become, what it had never been: a national party with a major, white southern component.

### **Civil Rights on the Executive Agenda**

The Democratic coalition that emerged out of the Roosevelt era was fundamentally different than the Democratic coalition that had existed prior to the New Deal. First and foremost, it was a majority coalition. That is, in any given national election the expected outcome was now a Democratic victory, whereas the political party alignment prior to the New Deal was dominated by the Republican coalition. Second, the southern wing of the party moved from being the party base, to being merely one of several bases necessary for the maintenance of the national majority coalition. The new major Democratic elements—unionized labor, big-city machines, ethnics and, after 1936, blacks—were, generally, what the white South was not. Yet, the Democratic New Deal coalition was a workable, if rather diverse, conglomeration of interest-group partners as long as the critical southern issue, race relations, was not tampered with by the Federal government.<sup>7</sup>

During his tenure in the presidency Franklin D. Roosevelt was, according to NAACP Executive Secretary Walter White, “frankly unwilling to challenge the Southern leadership of his party.”<sup>8</sup> The South controlled many of the most powerful committee chairmanships in the Congress, as well as key party leadership positions in the House and the Senate.<sup>9</sup> For FDR, who was personally sympathetic to the plight of the southern blacks, the need to deal with the legislative priorities of first the depression and then the war was simply too overwhelming to take on the civil rights issue and risk alienating the South. Blacks, virtually disfranchised in much of the South and residing overwhelmingly within the South, simply lacked the political standing to have their issues placed high on Roosevelt’s political agenda.<sup>10</sup> As a

consequence, while some northern congressmen introduced measures to ban poll taxes or make lynching a federal crime, neither the President nor the party leadership took them too seriously. FDR never publicly endorsed any of these proposals and he never publicly condemned the lynching of blacks in the South. The South may not have been enamored of its new coalition partners, but its position in the Democratic coalition was stable.

But the immediate post-war era brought with it several significant shifts that altered the political status of the black American and the South. First, World War II had been a war fought to make the world safe for democracy, and yet the leading democratic power was publicly denounced because of the lack of democratic rights for its black citizens. This was emphasized by Soviet propaganda in the developing cold war. As a *New York Times Magazine* article put it, "Our Civil Rights Becomes a Major World Issue."<sup>11</sup> Second, Blacks were becoming better organized. Membership in the NAACP quadrupled during the war years.<sup>12</sup> Third, and perhaps most importantly, the black migration out of the South which had begun during World War I, accelerated during the second Great War and maintained its momentum afterwards. Whereas less than ten percent of the nation's black population resided outside the South in 1910, by 1948 this figure had jumped to almost a third of the black population. And, most importantly, eighty-seven percent of the non-southern black population lived in seven populous and generally politically competitive states: Pennsylvania, New York, Illinois, New Jersey, California, Michigan and Ohio.<sup>13</sup>

The movement of the black population into the northern states had immediate political consequences. Northern politicians took cognizance of the rights of these new voters. During the 1940's, fifty-seven anti-discrimination laws were passed and signed into law by the states; in 1949 twenty-two state legislatures enacted 41 additional civil rights measures.<sup>14</sup> The President also took cognizance of the black vote. When Harry Truman told his President's Committee on Civil Rights (PCCR), "There are certain [civil] rights under the Constitution of the United States which I think the Federal Government has a right to protect. I want to find out just how far we can go . . . .," he set in motion a series of events which was to commit the party to support civil rights and

inevitably alter the coalition.<sup>15</sup> The President had established the PCCR in the wake of increasing white violence against blacks and he viewed this committee's report as a response to that violence. The very day that Truman had made his charge to them, the members of the PCCR agreed to write a report which would take a "massive approach" in recommending actions to deal with racism in America.<sup>16</sup> This decision followed Truman's warning in his 1947 State of the Union address that he was going to use the PCCR report "with a view to making recommendations to congress."<sup>17</sup> Truman reaffirmed this commitment in his 1948 State of the Union Address when he stated, "Our first goal is to secure fully the essential human rights of our citizens," and he sent forward a legislative package based on the PCCR report.<sup>18</sup> Although the Truman civil rights proposals were blocked by the combination of a southern filibuster and a conservative Republican reluctance to interfere with states' rights, a President, for the first time in the twentieth century, had placed the issue on the national legislative agenda. Richard Russell, the southern Democratic Senate leader, wrote to Governor Strom Thurmond of South Carolina that he was "sick at heart" that the Democratic Party, which had always "represented states' rights and white supremacy," was being changed by the New Deal neophytes who were pushing the President for a strong civil rights stance. "It will be a great tragedy," he wrote, "if we are driven from the house of our fathers by a bunch of Johnny-come-lately pink tainted radicals who now have control over our party."<sup>19</sup>

Truman was a product of the Prendergast machine, a political entity in which blacks played a major role. As a result, when his key advisers pointed out the new power of the black vote nationally, and assured him that the benefits of winning this vote would most likely outweigh the costs of securing it, his political instincts fit with their advice, as did his conception of the public interest. Securing black and liberal votes became a vital element in the 1948 Truman campaign. Clark Clifford, a key Truman political adviser, told his boss, "Unless the Administration makes a determined effort to help the Negro....the Negro bloc, which certainly in Illinois and probably in New York and Ohio *does* hold the balance of power, will go Republican." Civil rights, Clark continued, had to be a critical issue in the 1948 election and Truman had to go after the black vote even if it meant

risking the ire of the South.<sup>20</sup> Yet, as Clifford recalls, he convinced Truman “the South would not leave the party over this. Mr. Truman believed something had to be done on civil rights. He sent up his civil rights message. He thought it was decent; he thought it was right. I convinced him it could be done safely. The South had nowhere to go.”<sup>21</sup>

Of course, Clifford was wrong and four southern states cast their electoral college ballots for the States' Rights Party that fall. But, for the first time, a Democratic presidential nominee had openly campaigned for black votes and black votes were one of the crucial factors in his election.<sup>22</sup> Truman had demonstrated that the liberal center was the core of the Democratic Party.<sup>23</sup> Yet, the defection of a significant part of the South from the party of Jefferson was also a keenly felt blow that many Democratic leaders wanted to avoid in the future. True, Truman had won, but it was a plurality victory in a four-way election. The Republicans would perhaps have carried the day if their nominee had been willing to defend the racial status quo and the Dixiecrats had stayed off the ballot.

### **Civil Rights on the Legislative Agenda**

During the 1950s and the 1960s Democratic Party politics became a balancing act between liberal demands for civil rights action and southern threats of defection if these demands were met. On the whole, southern threats proved to be more powerful than liberal demands. Adlai Stevenson, the 1952 and 1956 Democratic Presidential nominee, was the candidate of Democratic liberalism on most issues, but he did not believe that the price to be paid for boldness on civil rights was worth the cost.<sup>24</sup> Stevenson, wrote a sympathetic John Frederick Martin, “simply did not understand the civil rights issue.”<sup>25</sup> He did understand the need for the southern vote, and he chose Alabama Senator John Sparkman, Richard Russell's floor manager at the 1952 Democratic National Convention, as his running mate in 1952. The southern political leadership was, for the most part, back in the fold of the Democratic Party.

Dwight Eisenhower, the Republican presidential nominee in both 1952 and 1956, stayed as silent as possible on civil rights



during his first campaign. Eisenhower believed that raising the civil rights issue in the campaign would undermine GOP efforts to move into the South and finally become a national party. Eisenhower personally directed his campaign staff to have him make a personal swing through Dixie in the hope of carrying some of these traditional Democratic states. Thomas E. Dewey, the 1948 GOP presidential nominee, had a strong civil rights record as Governor of New York, and he had taken the traditional, northeastern Republican position of avoiding the South during his campaign.<sup>26</sup> Eisenhower campaigned in every southern state except Mississippi, and while the tidelands oil controversy helped him carry Texas and Louisiana, Florida and Virginia were also added to the GOP column.

By the time the 1956 presidential campaign came to the fore, public attitudes toward civil rights were supportive of the liberal position. In the wake of the 1954 *Brown* decision, the Emmett Till lynching, and the Montgomery bus boycott, the non-southern white public opposed segregated public schools and segregated public transportation, and a virtual consensus existed on the right of all qualified Americans to vote. These were "solidly based" attitudes "not easily accelerated nor easily reversed."<sup>27</sup> It was the Republican White House, under the guiding influence of its chief political strategist, Attorney General Herbert Brownell, that came forward with a significant civil rights package in response to the increasing public support for black rights. Brownell believed the black vote could be brought back to the Republican column and this could be accomplished with presidential support for civil rights.<sup>28</sup> The Democrats were in such disarray over the issue that liberal congressman Richard Bolling took the lead to remove the President's civil rights package from consideration until after the 1956 election was over, and Democratic Majority Leader Lyndon Johnson was only too pleased to help remove this item from the legislative agenda.<sup>29</sup> As in 1952, Stevenson again refused to risk alienating the South. President Eisenhower and the platform he ran on pledged support for civil rights legislation, while the Democratic nominee could never bring himself to make such a pledge.<sup>30</sup> Stevenson's mid-October civil rights campaign pledge reflected his vapid position. The President, he asserted, should employ "his moral as well as legal authority to create an atmosphere in

which the law of the land can be carried out in tranquility and order.”<sup>31</sup>

The 1956 election outcome altered the Democratic view of civil rights and affirmed to the GOP that the black vote could be moved out of the Democratic column. For the first time since the New Deal the Democrats suffered a substantial decline in their share of the black vote in presidential elections, and the Republican president, acknowledging black support for his reelection, called for the enactment of civil rights legislation in his 1957 State of the Union address.<sup>32</sup> The Senate Democrats, led by Lyndon Johnson, stripped virtually every strong section out of the President’s proposals but lent their support to the final passage of the first civil rights legislation enacted into law since the end of Reconstruction. The pleas for the political necessity of supporting civil rights, both to enhance his own future political ambitions and to maintain the liberal base for the Democratic Party, had carried the day in making Lyndon Johnson the leader who achieved the “Miracle of ’57.”<sup>33</sup> As the election of 1960 approached, the Democratic Senate Leader, again pushed by liberal party elements, brought a majority of the Democrats to vote for the passage of a watered down set of White House civil rights proposals.<sup>34</sup> Black rights was now on the legislative agenda as Democrats and Republicans gave recognition to the potential power of the pro-civil rights vote.

Black rights returned to the presidential campaign agenda in 1960, and it pressed strongly on the partisan battle as the student sit-in movement spread across the South and public sympathy for desegregation increasingly spread across the nation.<sup>35</sup> The Democrats had to provide tangible support for the black rights position if they were going to reverse the movement of the black vote to the Republican Party. Richard Nixon, the Republican presidential nominee, had a well respected civil rights record. Martin Luther King, Jr., the hero of the Montgomery bus boycott, wrote, “I am coming to believe that Nixon is absolutely sincere in his views on [civil rights]....Nixon would have done much more to meet the present crisis in race relations than President Eisenhower has done.”<sup>36</sup> The Republican Party platform actually “endorsed” the sit-in demonstrations. John Kennedy’s national convention forces wrote and put in place a party platform that not only endorsed “majority rule” in the Senate, which

was a direct attack on the southerners' dearly held right to filibuster, but also called for "equal access [to]...voting booths, schoolhouses, jobs, housing and public facilities." In addition, the Democratic platform was amended to call for the establishment of a Federal Fair Employment Practices Commission.<sup>37</sup>

John Kennedy was not generally supported by the black rights advocates or their white liberal allies, and his support for a strong civil rights plank was an olive branch offering to them. The key to a liberal platform," Americans for Democratic Action leader Joseph Rauh wrote, "is a civil rights plank which will guarantee the personal, political and economic rights of all citizens."<sup>38</sup> Kennedy was the only Democrat never to openly support the Senate rebuke of Joseph McCarthy, and this earned him the enmity of Eleanor Roosevelt and many other liberals. JFK had voted against the civil rights forces on two crucial occasions in the 1957 civil rights Senate battle, and the black leadership openly attacked him in his 1958 Senate reelection campaign not only for these votes, but for his courtship of southern politicians as he pursued the Democratic presidential nomination. At one point, Kennedy wrote to Roy Wilkins, "I think the time has come for you and me to have a personal conversation about our future relations. I expect to be in and around Washington for a long time..." JFK continued, "I think that you and I would agree that it would be most unfortunate if an 'iron curtain' of misunderstanding were to be erected between our two offices."<sup>39</sup> Wilkins' was brought around by NAACP Massachusetts leaders to provide a lukewarm endorsement of the Senator in 1958, and their relationship improved, although it remained at arms length.<sup>40</sup>

Kennedy not only tried to improve his ties to the liberals, but also, given the inherent contradiction of the Democratic coalition, he was also determined to ensure southern support for his campaign. As a result, despite JFK's pre-nomination hints of the vice-presidential spot to Hubert Humphrey, and pledges to several key liberal leaders that he would not put Lyndon Johnson on the ticket, JFK gave Johnson the second spot.<sup>41</sup> Johnson was the key to holding the South for the Democrats—a South whose votes had been eroding to the GOP under Eisenhower's presidency. Clarence Mitchell, the chief NAACP lobbyist summed up the position of many civil rights supporters when he noted, "I was not only surprised, I was pained" at the Johnson nomination.

Joseph Rauh believed that the key to Kennedy's liberal support at the convention had been his commitment to a strong civil rights position and that he could stop Johnson's bid for the presidency. As Leonard Woodcock, a leading liberal union leader put it, "Kennedy had betrayed us all. I, very frankly, was shocked, because our whole theme had been to unite behind Kennedy to to stop Johnson."<sup>42</sup> Arthur Schlesinger, Jr., a well known liberal leader who had brought many of the noted liberals of the day to back JFK despite their misgivings, told Kennedy that he had to do something to rekindle the support of the liberals. Summarizing a late August ADA board meeting which endorsed Kennedy—but not Johnson—Schlesinger wrote to JFK, "As someone put it, 'We don't trust Kennedy and we don't like Johnson; but Nixon is so terrible that we have to endorse the Democrats.'" The tripwire of the Democratic Party, civil rights, had been sprung again. Kennedy moved to mend his relations with the liberals and civil rights forces.

The 1960 presidential campaign, as Theodore White chronicled in his "Making of the President, 1960", was masterfully crafted by the Kennedy forces and it held the North and the South together for the Democrats. And yet, accident and the poor strategic choices of the Republican nominee played a major role in the outcome. Despite Kennedy's September 1 public pledge of support for civil rights legislation, Martin Luther King concluded at the end of a mid-September meeting with JFK, "something dramatic must be done to convince the Negroes that you are committed to civil rights." King added, "I did not think at that time that there was much difference between Kennedy and Nixon."<sup>44</sup> But when John Kennedy spontaneously called Coretta King after her husband had been arrested in October, the black and liberal vote was assured for the Democratic ticket, especially given Nixon's decision to "quit conceding the South to the Democratic candidates...." and never say a word of support on behalf of his one-time friend, the arrested civil rights leader.<sup>45</sup> Only Florida, Tennessee and Virginia went Republican, as Johnson whistled through the region and brought out his fellow southerners, including Richard Russell who had not campaigned for a Democratic presidential nominee since 1936, to carry the South for the Democrats. He would be the last Democratic presidential nominee to carry a majority of the white

southern vote, and he carried seventy-six percent of the national black vote.<sup>46</sup>

When it came to governance, civil rights legislation was not a Kennedy priority until the Birmingham crisis forced it on his legislative agenda. The South controlled about half of the congressional committee chairmanships and, while the administration and Speaker Rayburn fought and won the battle to add more liberal members to the House Rules committee, the President took the outcome as a signal that he could not bring forward civil rights legislation and risk losing the South. He argued, "With all that going for us, with Speaker Sam Rayburn's own reputation at stake, with all the pressures and appeals a new President could make, we won by five votes. That shows you what we're up against."<sup>47</sup> The White House let it be known that it would not support the Cellar-Clark civil rights legislation when it reached the Congress. "He vacillated," King wrote of his October 16, 1962 meeting with the President, "trying to sense the direction his leadership could travel while building support for his administration."<sup>48</sup> In January of 1963, JFK spoke with Martin Luther King and told him,, "if he presented civil rights legislation, it would arouse the anger of the South ... they would set out to block his whole legislative program."<sup>49</sup> In February of 1963 the President sent his first civil rights message to Congress, and followed it up with a very weak voting rights bill. The President was not pleased that even this limited proposal had been sent for the White House to the Hill. When the bill was introduced on the Hill, JFK called Burke Marshall and asked, "What's this bill of yours and Bobby's?"<sup>50</sup>

### **The Turning Point for the Civil Rights Agenda**

But, After the Birmingham demonstrations were underway, and the nation rallied to the blacks who were unmercifully attacked by Birmingham's law enforcement officials, "The President became convinced he had to deal with what was clearly an explosion in the racial problem that could not, would not go away," recalls Assistant Attorney General for Civil Rights Burke Marshall. "The essence of Kennedy's civil rights strategy," one of his key aides, Theodore Sorenson, wrote, "had been to keep at

all times at least one step ahead of the evolving pressures, never to be caught dead in the water ....”<sup>51</sup> But events had now pressured him to move where he previously did not want to move. It was simply getting too costly to evade the issue. He appealed to the nation to support new, stronger civil rights legislation, and the public supported his initiative.<sup>52</sup> Once again, civil rights moved on to a President’s legislative agenda as the nation was wracked by racial violence.

Kennedy was looking forward to the 1964 campaign against conservative Republican Barry Goldwater, although the President complained to liberal leaders that his support for black rights was costing him votes. Public opinion polls showed the President to be a likely 55 to 39 percent victor over Goldwater, with the South becoming an increasingly uneasy ally and the North and the West holding strong. JFK was now committed to supporting civil rights legislation, but he opposed strengthening amendments to the White House civil rights package as he still wanted to minimize the southern reaction.<sup>53</sup> Area redevelopment legislation, a Kennedy program, was defeated by southern opposition soon after the President made his public announcement of support for a new civil rights package. The administration believed the key to this defeat was the emergence of the civil rights proposals, and the White House believed more legislative defeats were now on the way as the South dug in its heels. JFK plaintively asked his brother, “Do you think we did the right thing by sending the [civil rights] legislation up? Look at the trouble it’s got us into.” Robert Kennedy responded, “[It] really had to be faced up to.”<sup>54</sup> A nasty fight ensued that October over strengthening amendments to the administration’s civil rights bills. The amendments, proposed by blacks and liberals working together under the umbrella organization, The Leadership Conference on Civil Rights (LCCR), were opposed by the administration. The White House persuaded the House Judiciary Committee chairman, Emanuel Celler, to reverse his previous position of support for the liberal amendments, and they were removed from the pending legislation.<sup>55</sup> On November 22, before any further testing of the administration’s civil rights mettle took place, the President was struck down in Dallas by an assassin’s bullet. Lyndon Johnson now assumed the presidency.

Johnson's perspective in dealing with civil rights was fundamentally different from the perspective of his predecessor. In 1963, there was no hesitancy on civil rights for LBJ. The morning after he became president, LBJ told two of his closest aides, Bill Moyers and Jack Valenti, that his "first priority is passage of the Civil Rights Act."<sup>56</sup> He had to reach out to the North and the liberals to establish his legitimacy with them; these were Kennedy's natural allies, despite the occasional illiberal actions that weakened their attachment to him. "I knew," Johnson recalled, "that if I didn't get out in front on this issue they [the liberals] would get me. They'd throw up my background against me. They'd use it to prove I was incapable of bringing unity to the land. ... I had to produce a civil rights bill even stronger than the one they'd have gotten if Kennedy had lived. Without this, I'd be dead before I could even begin."<sup>57</sup> LBJ believed that "disdain for the South" and southerners, was "woven into the fabric of Northern experience" and he, as a southerner, had to overcome that burden.<sup>58</sup> Support for civil rights "was destined to set me apart forever from the South....," Johnson acknowledged. "It seemed likely to alienate me from some of the Southerners in Congress who had been my loyal friends for years."<sup>59</sup> But, civil rights was the liberal issue and LBJ had to grab on to it and undo his image of being the skilled politico who devastated the civil rights legislation of the 1950's. This was the prime concern of the new president.

Of course, Johnson had other concerns that moved him to grapple with civil rights. Like Kennedy, he was fearful of the violent and almost uncontrollable rage that was starting to overtake the civil rights movement. "The biggest danger to American stability ...," he told Doris Kearns, "is the politics of principle which brings out the masses in irrational fights for unlimited goals, for once the masses begin to move, then the whole thing begins to explode." Furthermore, LBJ believed that the civil rights issue undermined both the Democratic Party and the United States Senate as accepted, legitimate institutions.<sup>60</sup> Johnson also believed that passage of civil rights legislation would lift the burdens brought on by racism off of the South. "I want the ordeals to end," the southern President told the nation, "and the South to stand as the full and honored part of a proud and united land."<sup>61</sup>

Thus, there were factors other than personal political concern that LBJ put forward to explain the movement of civil rights on to his political agenda. However, the speed and authority with which he moved the issue, and the total commitment of his political prestige to passage of the Civil Rights Act of 1964 was new for Johnson. He was a politician who was known for caution and consultation before action was taken. Furthermore, aside from the new problem of black violence, all of these concerns had been voiced by Johnson previously. When the Senate took action on the 1957 Civil Rights Act, Johnson wrote to an ally, "the civil rights controversy ...has now gone beyond the point where it can not be called off." Yet, in 1957 and again in 1960, he used his political skills to demolish any semblance of substantive legislation which would effectively deal with the issue.<sup>62</sup> His approach to the civil rights legislative agenda in 1964 was the approach of a different Johnson in both substance and process. Clearly very high stakes were involved with this issue. He had to move quickly and effectively with the issue as his political life was at stake.

The presidential election season was but a few months away at the time Johnson took office, and before he could be elected in his own right he had to ensure his legitimacy, and the pathway to this legitimacy, he believed, was through the northern, liberal establishment. Johnson kept the Kennedy men on in his White House, despite the visceral dislike between himself and Robert Kennedy as well as some of the other members of the Irish mafia. This was one element on which to build his liberal base. The Humphrey vice-presidential nomination was another signal of his commitment to liberalism. Johnson's recognition of the legitimacy of the Mississippi Freedom Democratic Party's grievances at the 1964 convention and his agreement to change "the rules of the Democratic conventions so that delegations chosen discriminatorily can never again be seated," was, according to Joseph Rauh, the attorney for the Freedom Democrats, "one of the great civil rights victories."<sup>63</sup>

Time after time, Johnson moved to assure the liberals he was one of them. He courted the leadership of the major black and liberal organizations, inviting them to the White House time after time to discuss legislative strategy. For example, "Imagine my surprise," Rauh wrote, "when, in a matter of days after Johnson



became President, he invited me to go with him to Senator Herbert Lehman's funeral in New York and on the plane asked me to come to the White House in a day or two to plan strategy on the pending civil rights legislation.... Imagine my surprise, too, Rauh continued, "when he opened our Oval Office talk with what appeared to me at least, to be an apology for his past civil rights performance and with what was certainly a direct request to let bygones be bygones so that we could work together to get the bill passed." Rauh brought with him a copy of the latest Civil Rights Commission report on school segregation. He pointed out to the President that Texas, his home state, was still one of the most segregated states in the nation. "I suggested that this might be used as a Republican line of attack in 1964 and he better push his old friend, Governor Connally, into some action." Rauh goes on, "For the first time I saw a glint of admiration in Johnson's eyes—civil rights like everything else was part and parcel of politics to him and he was surprised to find one of his erstwhile do-gooder opponents with even a trace of political sense. He asked me to prepare a memorandum to send to the Governor over his own name, hardly a task I would have expected some years earlier."<sup>64</sup> Soon after this meeting, Rauh, the bulwark of the ADA and the man who believed Johnson to be the major "nemesis" of civil rights legislation in the 1950s, wrote to the President of his "admiration and respect for the outstanding way in which you have taken hold of the problems of the nation."<sup>65</sup> The President confided to Clarence Mitchell, early on in the struggle over the 1964 Civil Rights Act, the strong House bill was to be passed "without a word or a comma changed," and further, "he wouldn't care if the Senate didn't do another thing until the civil rights bill was enacted."<sup>66</sup> In June of 1964, as the battle over the pending civil rights bill was reaching a crescendo in the Senate, TRB of the liberal *New Republic* commented, "LBJ has been hurling himself about Washington like an elemental force. To be plain about it, he has won our admiration in the last fortnight."<sup>67</sup> Johnson was wooing the civil rights forces.<sup>68</sup>

The transformation of Lyndon Johnson was underway. "I did not think there was much I could do as a lone Congressman from Texas," LBJ explained in his memoirs. "One heroic stand and I'd be back home, defeated, unable to do any good for any one."<sup>69</sup> Now, as president, he could act differently. On

November 27, 1963 the Texas born President made a nationally televised speech before a joint session of Congress in which he stated:

No memorial oration or eulogy could more eloquently honor President Kennedy's memory than the earliest possible passage of the civil rights bill for which he fought.

We have talked long enough in this country about equal rights. We have talked for one hundred years or more. It is now time to write the next chapter—and to write it in the books of law.<sup>70</sup>

This was the President's public commitment to civil rights, and he remained constant to both the public and private commitment. LBJ went into the South time and again, even after Governor George Wallace's stunning primary election results, and repeated his pledge for a strong, non-compromised bill.<sup>71</sup> Nicholas deB Katzenbach, Robert Kennedy's successor as the Johnson administration's Attorney General, believes that Johnson's repeated public statements that cloture would be achieved to close off the southern Senate filibuster, "was basically the reason that we got it, because they [the Senators] all thought that he knew the Senate." At the same time LBJ privately worked to get the last votes needed for cloture. In the eleven previous times the South had filibustered over civil rights, cloture had never been successfully achieved. That string of southern successes ended in 1964 and Richard Russell believed that Johnson had "more to do with [cloture's] success than any other man."<sup>72</sup> Prior to the convening of the national party conventions, on July 2, 1964, the strongest civil rights bill in history was signed into law by LBJ and his imprimatur was stamped firmly upon it.

Johnson understood that his support of the Civil Rights Act was going to cost him and the Democrats votes in the South, while it would also add black votes to the Democratic totals. Soon after he decided to push for a no-compromise civil rights bill, Johnson asked his Senate mentor, Richard Russell, to come to the White House to discuss the proposal. Russell understood that Johnson was serious about supporting a strong civil rights legislation. On the day that Johnson delivered his first

presidential speech to Congress Russell wrote to a Georgia friend, "I am afraid we are in for a hard time...." The President told his old ally, as they sat face to face in the mansion, "Dick, you've got to get out of my way. I'm going to run over you. I don't intend to cavil or compromise. I don't want to hurt you, but don't stand in my way." "You may do that," the southern leader replied, "but, by God, it's going to cost you the South and cost you the election." Several hours after he signed the bill into law Johnson told Bill Moyers, "I think we just delivered the South to the Republican Party for a long time to come."<sup>73</sup>

Johnson carried every region of the country in his smashing victory over Barry Goldwater, but he lost five deep South states and Arizona to the GOP nominee.<sup>74</sup> It was no surprise to him that many white southerners voted Republican that year. One of his chief political operative, Larry O'Brien, had undertaken a mid-campaign tour of the region and reported to his chief that "southern white resentment over the Civil Rights Bill" was causing voter movement to the GOP nominee. "I would say that victory in at least four of the states and possibly in six hinges upon the percentage of Negro voters who go to the polls." The southern Democrats are going to need Negro votes but, O'Brien notes, "dependence upon the Negro vote is a new experience for most regular Democratic leaders in the South. Before this year...they never particularly wanted him to vote." O'Brien continued, "Frankly, I think party leaders in the South are sophisticated enough to realize they need the Negro vote...." White House support for the 1965 Voting Rights Act, although no doubt a response to Martin Luther King's Selma campaign, was also the Administration's response to southern white defections from the Democratic Party and the need to bring the majority of southern blacks to the voting booth and into the Democratic voting bloc. The Democratic White House understood the New Deal coalition had ineluctably moved many in the white South out of its ranks, and it was now time to rearrange the coalitional structure of the southern Democratic state parties.<sup>75</sup> Democratic political success in presidential and southern state elections has turned on the success or failure of this coalitional shift in the years since Johnson's presidency.<sup>76</sup>

## CONCLUSION

Civil rights was the most volatile of domestic issues during the twenty years following the end of World War II. And yet, through successive presidencies it remained on the agenda. It moved on to successive president's decision agendas as elections came and went—1948, 1956, 1960, 1964. Each of the latter election years brought with them civil rights legislative proposals from an incumbent president. Clifford assured Truman that the South would not leave the Democratic Party. Brownell guided Eisenhower on the necessity for civil rights legislation to move the black voters back to the Republicans. John Kennedy supported civil rights legislation prior to his election. He withdrew his support after election, but moved again in a positive manner as demonstrations threatened the stability of the nation. Johnson believed the key to his achieving legitimacy and election to the presidency in his own right depended on his support for civil rights.

Elections served as the major vehicle for problem recognition when it came to civil rights. They provided an institutionalized "window of opportunity" for issues to enter the political agenda. Nelson Polsby, after examining a series of domestic policy innovations, concluded that in "the quadrennial competition" for the presidency "prospective candidates search for issues with which they can become identified, for themes that will resonate with national constituencies." Presidents, he concludes, "provide a steady market for policy innovations." They do so because of the incentive of election.

In this examination of the movement of civil rights on to the agenda, the continuity of the handling of the issue appeared time and again. Elections and electoral vulnerability was a constant topic of White House discussions as each administration moved to place civil rights on its decision agenda and into the legislative arena. What was significantly different about the Johnson administration from its predecessors was the intensity of its commitment from the outset and its absolute refusal to compromise on the issue. This study argues that Johnson's commitment stemmed from his unique position in the Democratic Party as compared to previous Democratic presidents. Most scholars and political leaders who were involved with the fight over the 1964

Civil Rights Act believe that without Johnson the Act would have been considerably weaker. A rational calculation of political strategy and a driving self-interest pushed Johnson to this position. Yet he moved wisely and made something happen that would not have been likely to happen otherwise. In this sense, Johnson was a leader.<sup>78</sup> After Johnson finished his civil rights work, political agendas were altered and political alignments were never the same again.

The presence of a mass movement was another factor linked to the passage of Federal civil rights legislation. System instability poses a threat to any sitting president's tenure in office. But, it is the organized groups and their allies which consistently brought forward policy alternatives and pushed for innovation. Without the presence of the organized groups, and the predisposition of the politicians to hear them, the institutional processes could not rationally address the issues or resolve the grievances of the mass movement.

Presidents and presidential aspirants use the rhetoric of public interest as they deal with issues. Truman, Eisenhower, Kennedy and Johnson all acknowledged the legitimacy of the demand for black civil rights. However, none of these presidents placed the issue on their decision agendas until they believed it was politically advantageous to do so.

This has been a study of the political-strategic concerns which evolved around one issue, within one particular time frame. The issue, civil rights, was particularly volatile during the post-World War II period, and the presidents understood that the costs and benefits attendant upon how it was resolved were very high. But politicians are rational, and highly controversial issues are organized into politics, if the cost of the politician's ignoring them are high enough. The rationality of elections in democratic systems takes hold and pushes politicians to deal with issues.

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  60. Kearns, 161, 154.
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  68. See also the interpretation of Johnson's actions given in: Bruce Miroff, "Presidential Leverage over Social Movements: the Johnson White House and Civil Rights," *Journal of Politics* 43 (February 1981): 2-23.
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