Partisanship, Sectionalism, and Race

Civil Rights and Party Development
From the 1950s Through the 1970s

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This chapter considers the nature of party politics in the United States from the 1950s through the 1970s, specifically the years of the Eisenhower, Kennedy/Johnson, and Nixon/Ford presidencies. Massive changes to the partisan political system occurred during this era: the crumbling of any surviving state and local party machines and the rise of issue-based (ideological) advocacy groups; a move from party-centered to candidate-centered campaigns and elections; a weakening of partisan identification in the mass public; just to name a few. However, the most important political development of this period—for both American politics writ large and for the parties themselves—was the evolution of civil rights policy and southern politics. This process was determined by party politics and would have major consequences for party politics in the decades to follow. Thus, while general features of party change during these three decades are certainly covered, this chapter focuses much of its attention on the politics (and political consequences) of civil rights and how African American (re)integration into the electoral body politic disrupted the nature of the party system that had been in place since the early 1930s.

Put simply, the civil rights reforms of this era helped tear apart the New Deal coalition—urban machines, labor unions and blue-collar workers, racial and ethnic minorities, some farm groups, intellectuals, and the South—that Franklin Delano Roosevelt constructed in his rise to the presidency in 1932 and ensuing re-elections. It hastened the realigning of sectional and ideological interests that emerged in subsequent decades and still form the basis of party politics today. The one-party Democratic South slowly crumbled, as white southerners gradually began voting Republican, beginning at the presidential level. Increasingly, conflict within the Republican Party developed over whether to expand voter outreach efforts among African Americans in the North or whites in the South, especially when GOP presidential and congressional candidates made greater electoral inroads south of the Mason-Dixon Line. By the mid- to late 1960s, the Democrats solidified their connection to African Americans, as Republicans sought instead white votes in the West, South, and (working-class) North. As a result of these and other developments, each party became increasingly homogenous. Conservatives sorted into the Republican Party while liberals sorted into the Democratic Party—foreshadowing the significant polarization that would emerge in coming years.

During these years, major civil rights policy change was often (but not always) pushed by northern Democrats in the face of staunch opposition from southern Democrats. Republicans were typically the swing coalition and thus were in the position of acting strategically. In the early years, when civil rights reforms were directed at the South specifically, Republicans sided mostly with northern Democrats; in the later years, when civil rights reforms were increasingly national in scope, they sided more with southern Democrats. And finally, with every civil rights victory, the glue that held the southern and northern wings of the Democratic Party together weakened, and the benefits of pragmatic sectional allegiance became harder and harder to justify.

BACKGROUND TO THE ERA

In the aftermath of the Civil War, during the period known as Reconstruction (1865–1877) when the Republicans dominated the national government, several laws and constitutional amendments were enacted that enumerated various civil rights for African Americans and provided enforcement protections. By 1877, however, white Democrats had "redeemed" each of the reconstructed states, and the African American gains were slowly eroded. The GOP made one final attempt in 1890 to ensure fair elections in the South, but it failed. State-level Jim Crow laws, which instituted race-based segregation and severely curtailed African American voting rights, soon followed, and the South became—for all intents and purposes—a one-party (Democratic) apartheid state. This would be the status quo for the next three generations. By the late 1890s, the Republicans
had made strong electoral inroads throughout the country, outside of the South, and would dominate national politics through the early 1930s. As a result, the commitment by the “Party of Lincoln” to the protection and advancement of African American rights waned. The Democrats provided no alternative; they remained hostile to African American rights generally.

With the election of Democrat Franklin D. Roosevelt to the presidency in 1932, and the emergence of large Democratic majorities in Congress, African Americans experienced some positive connection to the federal government. This came chiefly through Roosevelt’s New Deal, a collection of social and economic policy initiatives designed to counteract the distress of the Great Depression. While the New Deal’s social programs were clearly tilted toward white Americans, African Americans also received federal income relief and participated in the job-creating Civilian Conservation Corps (CCC) and the Works Projects Administration (WPA), among other initiatives. As a result, a majority of African American voters in the North moved into the Democratic column by 1936, during Roosevelt’s first reelection campaign, and thereby established themselves as one pillar of his New Deal coalition. (For a discussion of the New Deal coalition, see Chapter 8.)

Positive action on civil rights was another matter. In Roosevelt’s first two terms, bills to make lynching a federal crime were introduced by northern Democrats, but the legislation was blocked by southern Democrats. This was the Democratic paradox for the next several decades, as the party was made up of programmatic liberals in the North and racial/economic conservatives in the South. The two regional wings had little in common but forged an uneasy alliance in order to maintain majority control of Congress and thereby share in the committee chairmanships that were so vital to successful policymaking. Southern Democrats’ knowledge of congressional rules and control of important policy committees (thanks to chamber seniority) proved to be a bane for civil rights advocates.

As northern and southern Democrats locked horns on civil rights, Republicans found themselves in the middle, often in a strategic position to dictate the course of action. While most African Americans in the North were voting Democratic by this time, a complete “realignment” had not yet occurred, and Republicans internally debated about how much effort to expend to win back their affections. Some Republicans, especially in the Northeast, contended that the GOP had a historic commitment to African Americans and needed to regain their loyalty by advocating strongly for new civil rights legislation. Other Republicans claimed that African Americans’ loyalties had essentially been bought by the Democrats, via the New Deal’s social welfare policies, and argued that the GOP should look elsewhere for votes.

During the 1940s, amid a substantial African American migration into the North, two major issues dominated civil rights politics: anti–poll tax legislation and fair employment. As poll taxes (small fees that had to be paid several months before an election in order to vote) still existed in eight southern states at the time, House Republicans saw such legislation as an easy way to satisfy civil rights advocates and divide the Democratic coalition. In five consecutive Congresses, they joined with northern Democrats to pass anti–poll tax legislation, but a southern-led filibuster in the Senate prevented enactment each time. On two occasions, however, Republicans joined with southern Democrats to defeat the creation of a permanent Fair Employment Practices Commission (FEPC), to tackle the problem of employment discrimination. In this case, Republicans were protecting core business interests, which opposed the federal government’s involvement in private hiring decisions.

This then was the line Republicans tried to walk in the 1940s—attempting to maintain a connection with African American voters while working to avoid upsetting a powerful interest in the party. It was difficult. They tried to do it by backing policies with a clear upside (the anti–poll tax legislation), emphasizing alternative policy on occasion (a voluntary FEPC, without enforcement powers), or making symbolic gestures (inserting pro–civil rights language in their party platforms). Sometimes this strategy worked—the GOP benefitted from increased African American support in the 1942 midterm elections, for example—and sometimes it didn’t; most notably, Republican leaders had a hard time explaining their negative votes on the permanent FEPC. In addition, sentiment to reach out to white voters in the South was growing in intensity; some Republicans saw the South as a prime opportunity for a party struggling to win in large areas of the North. As a result, the Republican National Committee (RNC) set up a committee in 1950 to study how the GOP might succeed electorally in the South.

Democrats, on the other hand, were hopelessly split by region. Roosevelt tried to remain on reasonable terms with Dixie—even as southern Democrats began joining with Republicans around 1937 in a “conservative coalition” to oppose many New Deal economic policies—because he needed southern votes for some policy initiatives. Hence, he rarely overtly crossed southerners on racial issues. His successor, Harry Truman, was a more vocal proponent of civil rights. Specifically, in advance of the 1948 presidential election, Truman proposed a broad civil rights program that included (among other things) federal protections against lynching, a permanent FEPC, and greater protections for the right to vote. Truman’s program was in part instrumental because he viewed the African American vote in several northern states as crucial for his electoral success. Truman’s gambit (which worked, in that he scored a come-from-behind victory against Republican Thomas Dewey) and a
pro–civil rights plank in the Democratic Party platform led to a break with southern party members in 1948. Sen. Strom Thurmond, D-S.C., ran a splinter campaign as the “Dixiecrat” candidate and carried four states (Alabama, Louisiana, Mississippi, and South Carolina), indicating the extent of civil rights animosity in the Deep South. In the view of some, this was evidence that the fraying of the New Deal coalition had begun.

After his election, Truman fought to ensure economic equality for African Americans but was mostly unsuccessful: most notably, FEPC legislation was crippled in the House and filibustered in the Senate. He then dealt two setbacks: Democrats suffered significant losses in both chambers in the November 1950 midterms, with most of the losses occurring outside of the South; and Democratic leaders in the Senate made clear that they opposed new FEPC legislation. As a result, in his final two years in office, Truman did not push Congress to take up civil rights legislation. In his State of the Union address in early January 1951, he focused on mobilizing the country militarily for the escalating conflict in Korea; civil rights drew only a passing reference. Shortly thereafter, he recommended that Congress pass FEPC legislation but provided no allotment or funding plan. When pressed by civil rights leaders to increase the pressure on Congress for an FEPC, Truman instead issued a largely symbolic executive order to prevent discrimination in defense contracting. When pressed further by civil rights leaders, he put them off or ignored them.

Truman’s remaining time in the White House was spent mainly on the Korean conflict. Thus, following their defeat on fair employment, civil rights advocates saw their influence wane as the 1952 presidential election approached.

THE EISENHOWER YEARS

In November 1952, Dwight D. Eisenhower was elected president, easily besting Governor Adlai Stevenson of Illinois. Eisenhower had long coattails; Republicans won enough seats in the House and Senate to establish majority control of both chambers for the first time in more than two decades. More generally, under Eisenhower’s stewardship, the GOP made inroads into the South, while also maintaining a connection to African American voters in the North. This balancing of regional expansion and support of civil rights was a challenge throughout the 1950s.

In capturing the presidency, Eisenhower ran well in the South; he won the electoral votes of Florida, Tennessee, Texas, and Virginia. This represented the GOP’s first electoral-vote success in the South since Herbert Hoover’s election in 1928, when Democrats nominated Irish Catholic Al Smith. Eisenhower’s southern breakthrough was partly due to his war record but also because of his active courting. He spent time in nearly every southern state during the campaign and received the endorsement of several southern governors and senators.

Eisenhower shared the view that GOP success in the South was vital to the party’s future. He realized, however, that Republican gains in Dixie would take time. For example, his sweeping victory made nary a dent down the southern GOP ticket. Republicans won only six House seats (most in traditional party strongholds) and no Senate seats in the South and failed to field a candidate in most southern congressional races. The reality was that the GOP was virtually nonexistent in the South, left to wither on the vine following the end of Reconstruction. As a result, a Republican organization in the South would need to be built almost from scratch. Thus, Eisenhower created a “Committee on the South” to develop a long-term plan (building on the earlier RNC study) and directed the RNC to meet with local activists and begin recruiting new state party chairmen. He believed GOP success lay in areas where he ran well in 1952—notably in the economically vibrant urban and suburban parts of the Upper South—and that appeals to upwardly mobile whites and business interests could be made on economic rather than racial grounds. He based this belief on the fact that his southern electoral success had almost no overlap with Strom Thurmond’s white supremacist candidacy four years earlier.

On the issue of civil rights, Eisenhower was not a supporter of a compulsory FEPC and did not think social equality could be produced through legislation. He believed in “equal opportunity” but considered discrimination to be a moral issue—and felt that problems between the races would be solved only with education, hard work, and time. At his core, Eisenhower was a small-government proponent, cautious about using federal authority unless guided explicitly by law. That said, he was willing to use the power of his office when rights were explicitly trampled and the national government had a clear jurisdiction. For example, he saw enforcement of school integration as a state matter, and thus beyond his sphere of influence, but viewed enfranchisement as a proper concern. This dichotomous view helped shape the direction of civil rights legislation later in the decade.

As the eighty-third Congress (1953–1954) opened, the Republicans were no longer a mere reactive force on civil rights. Now in control of both chambers, they were in a position to set the legislative agenda. Their lack of response was revealing. No civil rights legislation received serious consideration, and not a single vote on the floor was held. This failure was not admonished by Eisenhower, though; he did not ask Congress for any civil rights legislation in his first three years as president. This stemmed in large part from his beliefs about federal power and limited central government. He did act in other realms, however, using executive authority to hasten desegregation of hospitals, schools, and navy yards run by the federal government.
generally and in agencies, hotels, and businesses in the District of Columbia specifically. These efforts won him substantial praise among civil rights leaders.

Liberals frustrated by congressional inaction on civil rights were given a boost by the Brown v. Board of Education of Topeka decision in May 1954. In Brown, the Supreme Court overturned the “separate but equal” doctrine established in Plessy v. Ferguson (1896) and paved the way for the desegregation of public educational facilities. A year later, the Court in Brown II charged that such desegregation should occur “with all deliberate speed.” These decisions threatened the very heart of Jim Crow society. In response, the White Citizens’ Council emerged in Mississippi and spread to other Deep South states. Its mission was to mount an organized resistance to Brown and efforts to integrate schools. Violence broke out in 1955, as two civil rights activists who encouraged African American registration were murdered in Mississippi, and their killers were never charged. Shortly thereafter, fourteen-year-old Emmett Till was brutally murdered, also in Mississippi, and his killers were acquitted by an all-white jury—after which (protected against double jeopardy) the killers described their murder of Till in Look magazine. Weeks later, Rosa Parks refused to give up her bus seat to a white passenger in Montgomery, Alabama, and she was subsequently arrested. Parks’s act of civil disobedience led to the Montgomery bus boycott, organized by Martin Luther King Jr. The events of 1954 and 1955 made clear that civil rights was back on the national agenda.

Democrats regained control of both the House and Senate after the 1954 midterm elections. Thus, any civil rights legislation passed during the eighty-fourth Congress (1955–1956) would have to be by divided government. In early 1956, liberal northern Democrats in the House hatched a plan that was built around voting rights rather than school desegregation (which was considered too inflammatory). Voter registration in the South had stalled after the whites-only primary was abolished in Smith v. Allwright (1944). Although 20 percent of African Americans in the South were registered in 1954, compared to only 5 percent in 1944, most of those gains occurred in the more highly educated, affluent African American areas in the Upper South. African Americans in rural areas were still effectively disenfranchised, and the tumult after Brown made it that much more difficult to register them. New voting rights legislation might provide the means to improve this situation. Getting Republicans on board—and sponsoring legislation—would be important for legislative success. As Eisenhower was on record that protecting the right to vote was within his sphere of influence, liberals felt he could be amenable.

Liberal Democrats reached out to Attorney General Herbert Brownell, believing that any GOP-sponsored bill would be drawn up in the Justice Department. Brownell favored new civil rights legislation, partly based on a report he commissioned after the murders in Mississippi, which detailed systematic efforts by white groups to disenfranchise African American voters using a variety of economic and physical threats. Brownell also believed the 1956 election was shaping up to be a close race and that African American voters in the North could be pivotal. This was especially true if the popular Eisenhower did not run for reelection (having just suffered a heart attack in September 1955); without his coattails many northern Republicans could lose by the margin of the African American vote. As RNC Chairman in 1948, Brownell had watched Dewey run poorly in the nonwhite districts of the large northern cities, which many felt cost him the election. If the Republicans could credibly claim responsibility for new civil rights legislation, Brownell believed the GOP could once again compete effectively for the urban African American vote. Eventually, Brownell’s staff in Justice produced a civil rights draft with four major points: creation of a Civil Rights Commission to investigate charges of voting rights infractions (Title I); creation of a Civil Rights Division in the Justice Department (Title II); authority for the attorney general to seek injunctions against civil rights violations generally (Title III); and creation of enforcement mechanisms to protect voting rights in federal elections.

Southerners organized to express their opposition to the Brown decision and new civil rights legislation more generally. In March, nineteen senators and seventy-seven House members (almost all Democrats) signed the “Southern Manifesto,” which held that Brown was an abandonment of legal precedent and that only states could regulate public education. Undeterred, liberals in the House forced Brownell’s bill out of committee, and it passed on the floor with strong majorities of northern Democrats and Republicans opposing a near unanimous coalition of southern Democrats. But it was too late in the term for action to be taken in the Senate. Civil rights proponents would have to wait until the next congressional session.

The 1956 elections maintained the partisan status quo: Eisenhower was easily reelected, while the Democrats maintained slim majorities in the House and Senate. Eisenhower again won Florida, Tennessee, Texas, and Virginia and added Louisiana and the border states of Kentucky and West Virginia. The Deep South states largely went Democratic, however, and Eisenhower lost ground there relative to 1952. Republicans once again made little headway in the South below the presidential level. As a result, Eisenhower directed the RNC to ramp up its organizational efforts in the South and created a new initiative, “Operation Dixie,” to make it happen. More resources were subsequently funneled into building Republican state party organizations and candidate recruitment, and tangible benefits started to be seen.

In addition, the GOP’s sponsorship of civil rights legislation appeared to pay some dividends, as the Democrats’
share of the African American vote for president and Congress in the North dropped 8 to 9 percentage points from 1952. Republicans who ran in large urban areas did especially well, and Eisenhower won African American majorities in such cities as Columbus, Ohio; Baltimore, Maryland; New Haven, Connecticut; and Atlantic City, New Jersey. Many expected the GOP’s efforts to reach out to African American voters would increase. Northern Democrats believed a new Civil Rights Act was necessary to maintain African American voters’ Democratic allegiance.

The wild card in the eighty-fifth Congress (1957–1958) was Senate majority leader Lyndon Johnson, D-Tex., who believed that enacting a new civil rights law would put him in the running for the 1960 Democratic presidential nomination. Coming from the South, he would have to establish a reputation as a moderate in order to appeal to northern interests, while also making clear to his southern contingent that he had their best interests at heart. He would attempt to chart a middle road by getting a civil rights bill through the Senate but weaken it such that southerners wouldn't stand in its way.

Johnson had his chance soon enough. The House again passed the four-part Brownell bill in March 1957. Johnson convinced key southern senators that obstruction could turn public opinion against them, which could result in a harsher bill. Southerners realized that they could alter the bill to make it palatable to their constituents, by eliminating Title III (and thereby preserve segregation) and adding a jury trial amendment to Title IV (and thereby safeguard white society against charges of voting rights infractions via rulings from the bench). After some legislative maneuvering, the amended bill passed overwhelmingly, with all northern Democrats and Republicans (save for one defection) voting against a majority of southern Democrats. In “losing,” however, the southerners were content with the outcome; it could have been worse.

Eisenhower was disappointed with the outcome but voiced his support of the amended bill. Civil rights groups, while not pleased, felt that it was an important first step in generating additional civil rights gains. Liberal Democrats were generally pleased that they’d have something to provide to their constituents in the 1958 midterms. In the end, while the gains were minor in the grand scheme of things, they were gains—and Congress had succeeded in enacting the first civil rights law since 1875.

Over the next two years, the fruits of the Civil Rights Act of 1957 were visible. Notably, the Commission on Civil Rights conducted an investigation into voting records in Alabama, after complaints of unequal treatment in the voter registration process, and uncovered clear evidence of discriminatory practices. The Commission’s work emboldened civil rights groups and fostered calls for more effort to protect African Americans’ voting rights. Things were also heating up nationally. In September 1957, Arkansas governor Orval Faubus, thumbing his nose at a court-ordered desegregation order in the wake of Brown, instructed the state’s National Guard to block nine African American students from enrolling at Little Rock Central High. Eisenhower tried unsuccessfully to convince Faubus to comply with the court order, after which Eisenhower called in the 101st airborne to force compliance. This executive action hardened both sides. White Citizens’ Councils gained in numbers and strength, and incidents of racial violence in the South escalated with the bombings of African American churches and schools.

Eisenhower was otherwise content to sit back and let the wheels of government work. But change was in the air. The Democrats picked up a significant number of House and Senate seats in the 1958 midterms, as the president’s party was punished for high unemployment and high inflation amid a serious recession. Most of these Democrats were programmatic liberals, which shifted both chambers of Congress to the left. The influx of liberal
members continued into the next decade. This dramatically affected both the internal organization of Congress and lawmaking. In the short term, though, national Democrats wanted to make the most of their electoral windfall. Some saw the election results as a “mandate” to generate additional civil rights legislation. Democratic National Committee (DNC) Chairman Paul Butler held that the Democrats could win the presidency in 1960 only if they took a strong civil rights stand.

Little progress occurred as the first session of the eighty-sixth Congress (1959–1960) wound down. Civil rights forces were stymied by parliamentary and committee politics. This changed in September 1959, when the Commission on Civil Rights released a report of voting rights violations in the South, based on nearly two years of investigation. The report argued that various methods of discrimination, including violence, economic intimidation, registration purges by White Citizens’ Councils, and unequal administration of literacy tests, were the major reason why African American registration and voting in the South were so low. The Commission’s report refocused civil rights strategy as 1960 approached and generated momentum in Congress for new, mild-to-moderate civil rights legislation.

Eventually, a bill was produced that included criminal penalties for interfering with school desegregation; criminal penalties for fleeing across state lines after bombing or destroying a building; a requirement that state officials allow the Justice Department access to state voting records, which must be kept for two years; and a system of “referees” (appointed by a federal judge) to determine whether any voters were unjustly disfranchised. The bill passed the House, as most northern Democrats and Republicans joined to defeat a majority of southern Democrats. Southerners in the Senate had been holding liberals at bay with a filibuster, but when the House bill was sent over, Johnson quickly jumped on it. A couple of small changes were made on the floor, but more significant amendments that would have doomed the bill were defeated. The amended bill passed easily in the Senate, with northern Democrats and Republicans unanimously opposing a majority of southern Democrats. The House then passed the Senate-amended bill, and Eisenhower signed it into law.

Reactions to the Civil Rights Act of 1960 were mixed. Liberals felt little of consequence was achieved. Moderates were pleased, believing it was the best bill possible, given the constraints. Southerners claimed victory, as segregation had been protected with only minimal voting rights concessions. And Johnson got what he wanted—a mild civil rights law, which he could sell as “progress” but wouldn’t cost him his base of southern support.

THE KENNEDY/JOHNSON YEARS

In November 1960, Sen. John F. Kennedy, D-Mass., was elected president in a tightly contested race against Vice President Richard M. Nixon. Both men spoke in favor of civil rights on the campaign trail, and both parties adopted pro-civil rights planks in their convention platforms. Both also saw the value of the South in the Electoral College math, and both made explicit attempts to cultivate southern support. Kennedy made the strategic selection of Lyndon Johnson as his vice presidential running mate. Johnson had sought the Democratic nomination in 1960 but fell short. Despite his best attempts at framing himself as a centrist, Johnson had run afoul of northern white liberals and African Americans, who believed he had sold them out to the South on civil rights legislation. His best option then was to accept the vice presidential nod and work for Kennedy’s election.

While both Kennedy and Nixon were civil rights advocates, and each had backers in the civil rights movement, Kennedy was more assertive. He supported the active use of federal power and sought the elimination of literacy tests as voting requirements and the adoption of Title III from the initial 1957 civil rights legislation. Nixon, by contrast, backed away from firm federal proposals and instead spoke generally about “equal opportunity” and emphasized the merits of Eisenhower’s “gradualism” approach. In the end, African American voters in the North broke for Kennedy, erasing nearly all of the gains Eisenhower had made in 1956. This proved to be the difference in at least two northern states (Illinois and Michigan). Nixon also ran behind Eisenhower in the South, winning only three states (Florida, Tennessee, and Virginia). While having Johnson on the ticket provided a useful southern boost, African American votes in the South proved to be crucial for putting North Carolina, South Carolina, and Texas into Kennedy’s column.

Kennedy entered the presidency with strong Democratic majorities in both chambers of Congress. Nevertheless, a sizeable portion of those majorities were southerners, prepared to vote with Republicans to defeat any liberal proposals from the White House. As a result, and despite his strong protestations during the campaign, Kennedy moved slowly on civil rights. He believed that significant civil rights legislation had little chance of passing in Congress and that pushing it would only antagonize the southern wing of his party. Rather, he sought more general legislation, on education and the minimum wage, which would help African Americans and might survive the legislative process. Thus, for the first two and a half years of his presidency, he allowed northern Democrats in Congress to take the lead on new civil rights initiatives, though he did use his authority (appointments, executive actions) where he could to help African Americans.

Civil rights activists were not content to move at Kennedy’s pace. Sit-ins, which began in early 1960, continued to try to desegregate lunch counters, parks, swimming pools, and other public accommodations. In May 1961, a “Freedom Ride” was initiated across the South, whereby
African American bus passengers protested segregation in interstate bus and rail travel. The Freedom Riders were attacked in Montgomery and Birmingham, and Kennedy was forced to send in federal marshals for their protection. Attempts to register African American voters continued through 1961 and 1962 and were typically met with violence. In October 1962, an attempt to integrate the University of Mississippi sparked a riot that required federal troops to quell. Finally, in May 1963, severe police brutality against nonviolent African American protesters in Birmingham—captured on film and broadcast on the evening news—led to dozens of civil rights demonstrations throughout the South and North and forced the president and Congress to act.

In June 1963, after another higher-education integration controversy (this time at the University of Alabama) and the assassination of Mississippi’s NAACP field secretary Medgar Evers, Kennedy submitted a new civil rights bill to Congress. It had three major parts: a provision guaranteeing equal access to public accommodations; a modified “Title III” provision, wherein the attorney general would be empowered to file suit to desegregate public schools; and a provision allowing agencies to restrict federal funds to state and local programs that practiced discrimination. The bill was sent to the House Judiciary Committee, where it was considered in subcommittee. After a lengthy set of hearings, which overlapped with the March on Washington and a deadly church bombing in Birmingham, the subcommittee reported a considerably stronger bill in September. Kennedy believed the subcommittee bill was too strong to pass in the Senate, where it would need Republican votes to overcome a filibuster, and worked to negotiate a compromise. In October, a new bipartisan bill was produced resembling the subcommittee’s initial bill: it added an employment discrimination provision; broadened the Title III provision, giving the attorney general power to intervene in civil suits outside the bounds of education; and required agencies to restrict federal funds to state and local programs that practiced discrimination. Republicans on the committee extracted two concessions during these negotiations: language was removed in the Title III provision, which had the effect of limiting the attorney general’s power to desegregate public schools to the South; and a provision to create a compulsory FEPC (hearkening back to demands from the 1940s), to implement the new employment discrimination language, was eliminated. Thus, the GOP supported the revised bill but only after it protected northern (white) constituencies and business interests.

On November 20, 1963, the bipartisan civil rights bill was approved in full Judiciary Committee and sent to the House Rules Committee. Two days later, Kennedy was assassinated. Lyndon Johnson, shortly after taking the presidential oath, made clear that he was firmly committed to the civil rights cause and called on the House to pass the bill. After token southern resistance on the Rules Committee, the bill was reported to the floor in January 1964. It passed by a large margin, with nearly all northern Democrats joining a large majority of Republicans against most southern Democrats.

The key to the bill’s success in the Senate would be to get Republican senators to support a motion to close off a filibuster of the bill by southern Democrats. From March to May, a southern-led filibuster stalled Senate proceedings, while Democratic leaders negotiated with Minority Leader Everett Dirksen, R-Ill., who controlled the votes of eight to ten GOP senators. Dirksen eventually agreed to swing his votes to the pro–civil rights side in exchange for more explicit protections for northern constituencies and business interests. Language was thus added to limit employment practice interventions only to where a clear pattern of discrimination existed (as in the South), and a stipulation was included to indicate that the attorney general could not file suit in cases of de facto school segregation (as existed in the North). A successful vote was held in June—the first successful vote to end a southern-led filibuster on a civil rights bill in history. Countless amendments were rejected before the Senate-amended bill was passed, with almost all northern Democrats and Republicans
opposing a majority of southern Democrats. The House then adopted the Senate-amended bill, and Johnson signed it into law on July 2, 1964. Civil rights advocates rejoiced.

The Civil Rights Act of 1964 was Johnson's immediate legacy before his own run for the presidency in November 1964. He faced off against Sen. Barry Goldwater, R-Ariz., and won a sweeping victory, capturing the electoral votes of all but six states and increasing the Democratic majority in both the House and Senate. With sizeable majorities in Congress, Johnson seized the opportunity to introduce an ambitious liberal policy agenda dubbed the Great Society, which produced major policy achievements in civil rights, health care (Medicare and Medicaid), education, and poverty reduction. His first order of business was to make inroads in an area not sufficiently addressed by the Civil Rights Act of 1964—the protection of African American voting rights.

Johnson's electoral landslide came amid changing developments in the Republican Party, especially in the South. Goldwater was a conservative, different from the moderate candidates the GOP had been fielding in previous decades. He rode a conservative wave that had been building over the previous three years, as activists and party managers on the right became more vocal and gained increased influence. Operation Dixie began to bear fruit as well; the RNC was successful in building county-level organizations across the South. As the GOP brand became more mainstream in the region, ambitious white southerners were recruited, in part on the premise that they could get in on the ground floor and thus wouldn't have to "pay their dues" in an established Democratic organization. Rebuilding the Republican brand among African Americans in the North slowed by comparison, The GOP Minorities Division spent a third of what Operation Dixie did in outreach initiatives from 1958 through 1963. Some electoral success followed the Republican investment in the South. The GOP won a U.S. Senate seat in Texas in 1961 and twelve U.S. House seats in 1962. But Eisenhower's hope for a moderate southern wing gave way in 1964, as Goldwater's candidacy and his conservative-friendly positions, including voting against the Civil Rights Act of 1964, had welcomed the Deep South into the party. Goldwater won the electoral votes of Alabama, Georgia, Louisiana, Mississippi, and South Carolina—four of which Strom Thurmond had carried in 1948—indicating a different type of southern success than Eisenhower's. Moreover, amid the Democratic landslide in the House, the GOP experienced a net gain of five seats in the South. Yet as racial conservatives began to cast votes for Republicans, African American voters recoiled. The modest success the GOP enjoyed in the African American community dried up. By some estimates African American GOP support fell from around 30 percent in 1960 to 6 percent in 1964.

Civil rights activists wanted to keep the pressure on Johnson. Martin Luther King Jr. led voting rights demonstrations in Alabama, the state with perhaps the worst voting rights record vis-à-vis African Americans. Thousands of protesters were jailed in early 1965, and police brutality—again, captured on camera—was directed at peaceful marchers on their way from Selma to Montgomery. Johnson moved quickly on a bill that focused on states using literacy tests or similar devices and where less than half the voting-age population was registered and voting. In these states—Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia—an automatic trigger provision would suspend literacy tests in both state and federal elections, after which federal officials under the authority of the attorney general could directly register voters. This turn to executive enforcement was viewed as a "correction" to the voting rights provision in the Civil Rights Act of 1960, which delegated enforcement power to referees chosen by federal judges, who had rarely used this statutory authority. Finally, those states would need prior federal approval ("pre-clearance") before they were able to change their voting laws in the future.

Thanks to the larger group of northern Democrats in the eighty-ninth Congress (1965–1966), Johnson's voting rights bill faced few difficulties. The only condition necessary was to get Republicans on board, to secure the votes necessary to cut off a Senate filibuster. GOP minority leader Everett Dirksen once more limited the reform impulse to the South, by insisting on language that spared northern areas from the triggering formula (thus allowing literacy tests where they existed). A deal now secure, the bill passed in the Senate. Two months later, the House passed its version of the bill. In August, the conference bill was passed by similar margins in both chambers. In keeping with prior civil rights initiatives, majorities of northern Democrats and Republicans opposed most southern Democrats. However, one new wrinkle emerged: southern Republicans voted like southern Democrats, as both GOP senators and sixteen of seventeen GOP House members opposed the bill. The conservative impulse among southern senators did not vary by party.

The Voting Rights Act of 1965 had an immediate effect on African American registration in the South; more than a million African Americans were added to the voting rolls by the end of the 1970s. However, a quick partisan realignment in the South did not occur. Republican gains were gradual in the fifteen years after the Voting Rights Act's passage and followed a top-down pattern. The GOP's strongest inroads were at the presidential level. But congressional gains slowed, and Democrats still held roughly two-thirds of House and Senate seats through the late 1970s. Republican gains at the state and local level were even slower. There were many reasons for these gradual
changes. White registration also increased after the Voting Rights Act. Informal registration and voting barriers continued to be used against African Americans. Southern Democrats moderated their racial ideology somewhat and used the resources that came with incumbency to limit challengers, especially in primaries. They also tailored their image, in keeping with the candidate-centered campaign era, to emphasize economic liberalism and build cross-racial coalitions. Republicans, by contrast, found it hard to maintain the early 1960s momentum of Operation Dixie, as candidate recruitment became more difficult, especially for lower-level offices. In the end, many white southerners felt content to split their tickets, voting for Republican presidential candidates while keeping Democrats in power at other levels.

Johnson’s last civil rights legacy was to end discrimination in the sale and rental of housing. Success on this front was difficult and required more than two years of work because the political context had changed. The nation was increasingly bogged down in a war in Vietnam, crime rates were up, and riots exploded in urban areas outside the South, including New York (Harlem); Los Angeles (Watts); Newark, New Jersey; and Detroit. In the wake of the riots, public opinion turned against new civil rights initiatives. This was especially true with regard to Johnson’s call for “fair housing,” which was a national initiative rather than a (perceived) corrective against southern behavior. Many urban and suburban whites in the North, who had supported civil rights reforms to that point, opposed the new legislation, based on fears of heightened crime and lower property values. Nevertheless, a fair housing bill passed in the House in 1966, with a small majority of Republicans in favor, mostly because the bill limited antidiscriminatory provisions to a small percentage of the housing stock. Republicans in the Senate were opposed, however, and stopped the bill. A majority of GOP senators voted with southern Democrats (and against a majority of northern Democrats) twice to sustain a filibuster of the bill. Fair housing went no further in the eighty-ninth Congress.

Johnson pushed for fair housing again in 1967–1968. He finally broke through in 1968. After two failed efforts in the Senate, a majority of Republicans joined with northern Democrats to successfully shut off debate. Dirksen again managed the process, by weakening the bill to draw in enough GOP senators. Most importantly, a strong antiriot provision was included, in keeping with the GOP’s emerging “law and order” theme. The bill then passed both houses and Johnson signed it into law. The Civil Rights Act of 1968 was a mixed bag, relative to the acts of 1964 and 1965. It was as much “tough on crime” as civil rights, and the civil rights provisions were weakened enough to sour many in the civil rights movement. The clear break between the GOP and northern Democrats was also evident, as the scope of reform evolved from regional (i.e., Southern) to national.

**THE NIXON/FORD YEARS**

Johnson’s strong disapproval rating led him to withdraw from seeking reelection in 1968. The presidential race eventually pitted former vice president Richard Nixon against Sen. Hubert Humphrey, D-Minn. While the popular vote was close, Nixon held a sizeable advantage in the Electoral College. Complicating the race was the independent candidacy of former Alabama governor George Wallace, who won the Deep South states of Alabama, Arkansas, Mississippi, Georgia, and Louisiana. Nixon had feared that Wallace might draw enough support to throw the contest into the Democratic-controlled House of Representatives, but Nixon won enough states to gain the presidency.

Nixon had internalized the lessons of 1964 and understood the dynamics of 1965–1968. He did not reprise Goldwater’s ultraright campaign, but he also refused to adopt the policy prescriptions of the liberal wing of the party. His goal was to steer a moderate course, appealing to white working-class voters in metropolitan areas in the Upper South, Midwest, and West. He supported the acts of 1964 and 1965 but also empathized with (white) Americans who feared rising crime levels and intrusive federal policies affecting jobs and education. He stressed the importance of maintaining law and order and restated his (and Eisenhower’s) earlier views on civil rights—that additional civil rights laws were not needed as much as new policies targeted toward economic improvement. He avoided direct racial appeals in his southern travels but spoke of clear limits on how far the federal government should push for integration. He also strategically courted important southern politicians, including Sen. Strom Thurmond. By comparison, he made few efforts to build support among African American voters in the North. This reflected the consensus in the GOP; by the late 1960s, Republican leaders saw the South as crucial for long-term success, while few seriously advocated for greater African American outreach in the North.

Nixon’s strategy was a winning one. He largely ceded the Deep South to Wallace, while winning Florida, North Carolina, Tennessee, South Carolina, and Virginia. He also dominated the West and won key Midwest states by doing especially well with ethnic, blue-collar whites. Nixon’s ability to dislodge the white, working-class vote in portions of the North indicated another crack in the foundation of the New Deal coalition. More generally, his belief that urban/suburban white voters wanted similar things, regardless of whether they were from the South or other regions, largely rang true. Not surprisingly, his performance among African American voters was poor; he captured from 10 to 12 percent. While this was an improvement over Goldwater in 1964, it was only one-third to two-fifths of his tally from 1960. Finally, his candidacy had little effect on the partisan distributions in Congress; the Democrats continued to hold solid majorities in both chambers.
Once elected, Nixon sought to build on Eisenhower’s Operation Dixie initiative by directing the RNC to increase its efforts to build a southern wing of the GOP. New resources were put into improving candidate recruitment and mobilizing voters on election day. For Nixon, the party’s (and his) future success would depend on improving its organizational capacity in the South. This southern-focused view influenced Nixon’s approach to civil rights legislation during his presidency.

First up for the Nixon administration in 1969–1970 was a reauthorization of the Voting Rights Act of 1965, which was set to expire in 1970. In extending the Voting Rights Act, Nixon hoped to eliminate the trigger and pre-clearance features of the law and outlaw literacy tests nationwide, thus voiding such laws that existed in fourteen nonsouthern states. Such a new formulation would avoid singling out the South, where Nixon sought to continue building alliances and the GOP brand. White House pressure was placed on House Republicans, and most buckled; the modified Voting Rights Act plan was adopted narrowly, as a majority of Republicans joined with a majority of southern Democrats to oppose nearly all northern Democrats. Only about four dozen Republicans from Midwest industrial states—those who could be hurt by the subsequent suffrage expansion—rejected the president’s plan. Republican senators were not willing to nationalize the scope of the Voting Rights Act, however, and joined with northern Democrats to extend the act’s 1965 provisions (trigger and pre-clearance) for another five years, while including additional triggers that would apply to parts of several nonsouthern states. The Senate-amended version was sent back to the House, where Nixon’s conservative coalition faded. Eventually a majority of Republicans joined nearly all northern Democrats in passing the bill, over the objection of a majority of southern Democrats. Nixon’s goal of hastening a conservative, cross-regional alliance had failed, at least on voting rights.

A new issue then emerged: busing. Desegregation in many southern schools, in accordance with Brown, had finally taken hold in the late 1960s and early 1970s, when the Supreme Court ruled in Swann vs. Charlotte-Mecklenburg Board of Education (1971) that busing could be used as a means to counteract segregation. The Court also stated that desegregation could “not be limited to the walk-in school,” which indicated that remedies could be applied across metropolitan areas, including suburbs. Federal judges took a broad reading of the 1964 act’s coverage and required busing in large metropolitan areas in both the North and South. Nixon and other conservatives believed that Brown and the 1964 act only applied to cases of de jure (by law) segregation, not cases of de facto segregation (due to, e.g., housing patterns). A cross-regional coalition quickly emerged in the House to jab back at the Court. Several antibusing amendments were added to an education bill, to prevent the use of federal funds for busing and prohibit federal officials from forcing local officials to use state and local funds for endeavors for which federal funds were unavailable. The amendments passed with majorities of Republicans joining with southern Democrats to defeat northern Democrats. The Senate accepted the House amendments and only added the qualifying language “unless constitutionally required.” The education bill, with the antibusing features, then passed both chambers. Conservatives across party lines thus held the line at extending school integration measures (busing) beyond largely rural areas in the South. In the end, only northern Democrats were in favor of true integration across all geographic realms.

A conservative alliance also formed on a new attempt to promote fair employment. The Equal Employment Opportunity Commission (EEOC) had been created as part of the Civil Rights Act of 1964 to help counteract workplace discrimination, but it had been established as an investigatory unit with no powers of enforcement. Now civil rights
activists wanted the commission to have clear cease-and-desist powers, to reduce discrimination and improve the employment plight of African Americans. Business groups virulently opposed such "meddling" in their hiring decisions. Rather than create new cease-and-desist powers for the EEOC, the White House proposed to allow the EEOC to sue employers directly in federal court, a strategy the GOP had pursued in the past with regard to school and housing discrimination and one business groups indicated they could tolerate. Large majorities of House Republicans and southern Democrats joined to defeat an almost united coalition of northern Democrats. The Senate quickly passed the House bill, while broadening the scope of the legislation to include state and local workers and small businesses. The House acceded to the Senate changes, and Nixon signed it into law. Thus, while the bill was a net plus for civil rights, a conservative coalition of Republicans and southern Democrats again formed to limit the reach of federal authority.

Nixon was reelected in a landslide in 1972, against Sen. George McGovern, D-S.D. Nixon ran a careful, choreographed campaign to build on his 1968 coalition and marginalize McGovern, whose views on a host of issues were quite liberal and outside the mainstream. Nixon did not make overtly racial appeals but focused on issues that drove a wedge between the races. He focused on middle- and working-class whites in the North and South, many of whom were union workers, and trumpeted their successes while playing on their fears. He talked of a reliance on hard work and warned of the evils of welfare and employment quotas. He strongly opposed busing and supported parents' efforts to get their children a good education. And he again emphasized the societal need for law and order. Nixon won every southern state, sweeping districts in the Upper South as well as the Wallace areas of the Deep South. He also swept the North (aside from McGovern's home state of South Dakota) and won majorities among white union workers and Catholics. In short, Nixon built on his victory in 1968 and further fractured the Democrats' New Deal coalition. He had no coattails, however, as no new Republican majority formed. Democrats continued to win most federal and state races in the South. His share of the African American vote was mostly unchanged from 1968, not surprisingly as he made no serious attempts at outreach.

In his second term, Nixon made few efforts to respond to African Americans' civil rights concerns. Civil rights groups could not generate an active protest movement as they had the previous decade. Republicans and southern Democrats in Congress again attempted to prevent busing initiatives from affecting life in metropolitan areas, especially when suburban whites were affected. In July 1974, however, the Supreme Court in *Milliken v. Bradley* ruled that busing could not be required to deal with cross-district segregation issues unless it was shown that such segregation was deliberate. In effect, the Court limited busing as a solution in cases of de facto segregation. The Court's judicial restraint largely took the steam out of the antibusing debate in Congress.

Nixon soon became enmeshed in the Watergate scandal, and he resigned the presidency in August 1974. The incoming president, Gerald Ford, a Republican who had served as a representative from Michigan and as House minority leader before becoming Nixon's vice president, also focused a significant amount of his time on building the Republican brand in the South. He was particularly active in fund-raising to help support southern state party organizations and win over various state party leaders. Civil rights, however, did not significantly impact his time in the White House except in one case: the reauthorization of the Voting Rights Act in 1975. Ford initially advocated a five-year reauthorization of the 1970 act. Civil rights advocates wanted a ten-year reauthorization, because they were concerned about the legislative reapportionment following the 1980 census, which might yield opportunities to pursue racial gerrymandering. A strong bipartisan coalition emerged for the ten-year plan in the House, and the bill was sent to the Senate. To curry favor with white southerners, Ford advocated nationalizing the legislation's scope (so that trigger and preclearance features wouldn't single out the South) but backed away when he thought his position might threaten the bill's passage. Southern Democratic senators offered a number of weakening amendments, but all were defeated, except for one—an amendment to reduce the term of coverage from ten to seven years passed, as all southern Democrats joined with a majority of Republicans to defeat a majority of northern Democrats. The amended bill then passed overwhelmingly in the Senate and the House. In sum, by 1975, the Voting Rights Act was accepted law in the nation; conservatives could not eliminate it but were able to chip away at the margins.

**THE CARTER YEARS AND BEYOND**

Gerald Ford ran for election in 1976 but was defeated by Democrat Jimmy Carter, former governor of Georgia. Carter was a "new" southern Democrat, moderate in temperament, outspoken in opposing racial discrimination, and deeply religious. He ran as an outsider and was able to take advantage of the new "democratized" presidential nominating system predicated on primary elections rather than boss-style backroom deals. Carter eked out a narrow win by reversing the GOP's recent success in the South; he secured the electoral votes of every southern state except Virginia. Ford was able to maintain Nixon's foothold among middle-class whites in the Midwest, but it wasn't enough to carry him to victory. Ford's support among African Americans dipped to Goldwater levels (6 percent).

The Democrats' success in 1976 was short-lived, especially at the presidential level. Former California governor
and Republican Ronald Reagan easily bested Carter in 1980, winning a landslide by running well in every region of the country. Reagan, like Nixon before him, focused on winning over white southerners and working-class whites in the Midwest, and he succeeded; he swept the Midwest and every southern state except for Carter's home state of Georgia. Interestingly, Reagan also doubled Ford's showing among African American voters. Reagan's success had some carryover for the GOP brand in the South, as Republicans made significant inroads in the U.S. Senate and at the state level among governors and in state legislatures. But Reagan's success had limits; Democrats maintained a strong and often majority presence below the presidential level in the South. It wasn't until the mid-1990s, during the Republican congressional revolution, when a broader southern realignment finally occurred, and even then, it was confined to the presidency, the U.S. House and Senate, and state governorships. Democrats in the South still battled for control of state legislatures and continued to dominate at the local level.

CONCLUSION

Overall, if the electoral changes in the South in this era are to be termed "realignment," the best modifier would be "secular" (on critical and secular realignments, see Chapter 1). No critical election spurred a full-scale southern realignment. Change was slow and uneven. Yet change definitely occurred; one needs only to compare southern politics today to the "Solid Democratic South" of the New Deal era. And as this chapter has hoped to convey, race and civil rights policy have continued to dominate at the local level.

In summarizing this era, it is helpful to use the tripartite definition of party developed by political scientist V. O. Key and described in the Introduction: party in government, party organization, and party in the electorate. In terms of party in government, the era was characterized by weak party discipline in Congress. Voting coalitions were often cross-party, with the GOP typically serving as the swing vote. Because seniority determined chairmanships in Congress, and chairs held a great deal of agenda-setting power, southern seniority was important in preventing change on civil rights (and liberal policy more generally) from occurring quickly. These years also witnessed frequent divided government, thanks to considerable GOP presidential success, which was largely predicated on southern split-ticket voting. And the eventual southern realignment that began during this era, along with the related ideological sorting (conservatives into the Republican Party and liberals into the Democratic Party, regardless of region), would have lasting consequences for government, including the current partisan polarization in Congress.

In terms of party organization, although GOP presidents during this era regarded the building of Republican organizations in the South as vital to the party's future and invested substantial time and resources to make it happen, such development occurred slowly. As a result, Republicans lacked the means to consistently recruit candidates, especially down the ticket. Combined with extremely low levels of Republican identification among voters, southern support for GOP presidential candidates did not translate into a broader southern realignment for decades.

Finally, in terms of party in the electorate, the era was characterized by the crumbling of the New Deal coalition. In particular, the groundwork was laid for the shift of southern whites to the Republican Party, as well as some movement among white ethnics and blue-collar/union workers toward the GOP in response to the Democrats' adoption of a pro–civil rights stance. African American voters were also cemented to the Democratic Party during these years, after Republicans decided their electoral future was elsewhere.

To conclude, understanding contemporary American politics is impossible without a firm understanding of the partisan dynamics of the 1950s, 1960s, and 1970s. The highly polarized world of the early twenty-first century contrasts significantly with the often bipartisan world of the Eisenhower, Kennedy/Johnson, and Nixon/Ford years. But underlying that bipartisanship was a peculiar regional alignment, with conservative southerners and liberal northerners existing uncomfortably within the majority Democratic Party. Race—through the pursuit of civil rights policy—split that peculiar coalition and eventually paved the way for ideological homogeneity in each party. And while polarization is often reviled in contemporary popular American culture, some pine for an earlier golden age when congressional voting alignments were more fluid, the sort of bipartisanship prevalent in prior decades—predicated on a system that denied basic civil rights to a sizable portion of Americans—leaves much to be desired.

NOTES

SUGGESTED READING