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Changing the Rules of the Game

From the 1940s through the 1970s, labor dedicated considerable effort to realigning the Democratic Party toward its urban, liberal, labor-oriented wing and empowering this wing of the party in the policy-making process. To reach these goals labor pursued two main strategies: first, advocating civil rights and mobilizing African Americans in the electorate in order to transform Southern politics and, second, pushing congressional reforms to minimize the role of powerful conservative Southern Democrats in the legislative process.

Organized labor was by no means the only force pushing for these changes. The labor-liberal alliance produced a dynamic reform coalition in the 1940s dedicated to furthering the cause of postwar liberalism, especially within the Democratic Party. The members of the coalition included the CIO, eventually the AFL-CIO, unions like the UAW, liberal reform organizations like Americans for Democratic Action (ADA) and the National Committee for an Effective Congress (NCEC), left-leaning religious groups including Catholic and Jewish organizations, and civil rights groups such as the NAACP.¹ All the groups brought different resources to the battle, but labor was one of the best orga-

nized and best funded, as well as one of the few participants with significant grassroots reach. Many of the constituencies advocating reform were concentrated in a few cities, but labor was organized across a broad range of communities outside the South.²

Civil rights was one of the top priorities for the labor-liberal coalition, which broadened the New Deal's focus on economic justice to include equal rights before the law. The cause of civil rights was both a moral issue and a way to reorient the political system by challenging Southern conservatives' power. But because Southern conservatives were able to obstruct civil rights legislation, congressional reform became the labor-liberal coalition's most immediate goal. Procedural reform and civil rights were almost synonymous in the forties and fifties before the issues started to diverge after 1964. In the wake of Kennedy's assassination and amid the growing momentum of the civil rights movement, the labor-liberal coalition helped piece together a temporary bipartisan supermajority on civil rights that finally overwhelmed minority obstruction. But congressional reform remained a priority for organized labor and other constituencies on the left, and the greatest progress came after the breakthrough on civil rights.

Throughout the sixties and into the early seventies, labor and its liberal allies, including a number of reformers in Congress, pushed a series of congressional changes that finally chipped away at the institutional bases of the conservative coalition's power. Diverse interests, both in and outside Congress, pursued reforms not only to open up the system to liberal policies but also to make the legislative process more transparent and to build the capacity of Congress relative to the president.³ The labor-liberal coalition had long expected civil rights legislation to shift politics to the left. But the immediate fallout of the civil rights issue in combination with Vietnam destabilized the labor-liberal alliance and the old Democratic electoral coalition, contributing to the election of Republican president Richard Nixon. Nixon's challenges to liberals in Congress and the Watergate scandal broadened the coalition behind congressional reform and ultimately contributed to the election of enough non-Southern Democrats to make it possible.

This chapter is divided into three sections that tie together these multiple developments. The first section looks at labor's efforts to pass civil rights legislation and mobilize African American voters. The second looks at the impact that civil rights and other issues had in widening rifts in the labor-liberal alliance, destabilizing the Democratic presidential electoral coalition, and electing

Nixon. The final section discusses roughly three decades of congressional reform that coincided with the rise and fall of the conservative coalition.

Restructuring Politics Part I: Civil Rights

Organized labor endorsed civil rights legislation not only out of a sense of social justice but in order to enfranchise a natural political ally. Labor unions and African Americans were both held back by the Southern political economy, which depended on low wages, a pliable workforce, a racial caste system, and the veto power of Southern politicians in the national government. The politicians who fought civil rights also fought organized labor, often railing against the NAACP, the CIO, and later the AFL-CIO in the same speech. Prominent leaders in the White Citizens Councils were also leaders in the fight for state right-to-work laws.⁴ The same police forces used to fight Operation Dixie were used to fight the civil rights movement. Civil rights advocates and trade unionists thus shared a common interest in destabilizing the political and economic power structure in the South. Labor failed to build its own strength in the South to counter Southern conservatives, but political rights for Southern blacks could achieve the same end.⁵

The two groups also shared public policy goals. African Americans were disproportionately poor and working class and therefore stood to benefit from the expansion of the welfare state organized labor advocated. In an address to the AFL-CIO's 1961 convention, Martin Luther King Jr. noted of black people, "Our needs are identical with labor's needs, decent wages, fair working-conditions, livable housing, old age security, health and welfare measures, conditions in which families can grow, have education for their children and respect in the community." King added that the labor movement should "tap the vast reservoir of Negro political power. Negroes given the vote, will vote liberal and labor because they need the same liberal legislation labor needs."⁶ The help the civil rights movement had offered to labor forces in fighting the various state right-to-work referenda that cropped up in the late fifties suggested the benefits of cooperation.⁷ First the CIO, and later the AFL-CIO along with progressive member unions, tried to build the political strength of their potential allies by pushing the Democratic Party to engage the civil rights issue, lobbying for civil rights legislation, and conducting and assisting voter registration and turnout drives of minority voters.

Pushing the Democratic Party on Civil Rights

Organized labor, particularly the CIO, played a leading role in bringing the fight over civil rights to a head within the Democratic Party by creating a political environment that made it impossible to continue to avoid the issue as party leaders had done for years to appease Southerners. Labor leaders such as Walter Reuther were important power brokers at national Democratic conventions, pushing the party to take a more progressive stance on civil rights. As discussed in Chapter 1, CIO activists worked with other civil rights advocates to get a strong civil rights plank included in the 1948 Democratic platform. National leaders wanting to pull back in the 1952 platform faced the opposition of these liberal activists. When told that the Southerners threatened to walk out of the convention if a strong civil rights plank was adopted, Reuther quipped, "If it so chooses, let this happen; let the realignment of the parties proceed."⁸ At the next convention in 1956, Reuther joined Senator Herbert Lehman (D-NY), and Roy Wilkins, executive secretary of the NAACP, to lead three hundred delegates in plans for a floor challenge to the moderate civil rights plank that was abandoned only after an appeal for party unity by Eleanor Roosevelt.⁹

CIO actions at the state and local level helped shift the position of the Democratic Party's base on civil rights. Brian Feinstein and Schickler find that union activists pushed state Democratic Party organizations outside the South to adopt civil rights planks that made the Democrats more progressive on the issue than Republicans, the chief advocates of civil rights since the Civil War, in most states by the mid-1940s and early 1950s.¹⁰ Local CIO activists also provided the ground troops for efforts such as collecting signatures to place a fair employment practices initiative on the ballot in California in the mid-1940s.¹¹ Even among voters, public opinion polls indicate that economic liberalism, racial liberalism, and Democratic vote choice were increasingly associated outside the South, and to a more limited degree within the South, by the late 1930s and into the 1940s.¹² These factors combined with the migration of African Americans to cities outside the South to create a new political coalition for civil rights in the Democratic Party.

Although the CIO was out in front, the AFL eventually became more progressive on civil rights. Both the AFL and the CIO advocated legislation in the 1940s against lynching, poll taxes, and employment discrimination. The AFL's William Green joined the CIO's Philip Murray on the Leadership Conference

for Civil Rights, founded in 1950 to coordinate the efforts of civil rights, labor, civic, and religious groups in the fight for civil rights legislation in Congress. On the eve of the reunification of the AFL and the CIO, George Meany announced his belief that “the merger would mean more effective means to attain a fair employment practices bill on a national scale, and in attempts to assure civil rights in other fields.”¹³

Amid these changes, a number of non-Southern congressional Democrats became key leaders in the legislative fight for civil rights. Schickler and his colleagues find that non-Southern Democrats were more willing than Republicans to sign discharge petitions to force civil rights legislation to the floor of the House by the mid-forties.¹⁴ They further find that union density in a Congress member’s state was associated with the likelihood that Democratic members of Congress would sign these petitions.¹⁵ The vehemence of Southern congressional members’ opposition to the CIO stemmed from their conviction that it was responsible for pushing reluctant Democratic leaders to take up various civil rights measures in Congress in the 1940s.¹⁶ In contrast to an influential assessment by Edward Carmines and James Stimson that the parties realigned on civil rights in the mid-1960s largely because of the strategic decisions of the 1964 presidential nominees, the parties had been realigning for some two decades because of pressure up and down the ranks of the Democratic Party.¹⁷ When the civil rights movement took actions that forced the issue to the top of the political agenda in the late fifties and early sixties, the groundwork for Democratic leadership on the issue had already been laid.

The Road to the Civil Rights Act of 1964

Like much of the rest of labor’s agenda, progress on civil rights legislation was hampered by the institutional position of Southern conservatives. Southerners used the committee system and the filibuster to thwart civil rights bills, including poll tax and fair employment practices legislation, throughout the 1940s. The Civil Rights Acts of 1957 and 1960, the first significant bills to pass, were watered down in order to appease Southerners. Some observers argue that Southern senators acquiesced in the passage of these bills only because they feared their continued obstruction might lead to filibuster reform, but they demanded significant concessions in return.¹⁸ However, the political environment soon shifted.

The reaction to Kennedy’s assassination, President Johnson’s commitment,

and the mounting pressure placed on Congress by the civil rights movement and public opinion outside the South all built momentum behind passing a comprehensive and effective civil rights act in 1964. Sensing victory was possible on a long-standing goal of the labor movement, Meany demanded that the law include a strong fair employment practices section targeting union discrimination, which he insisted the AFL-CIO was not empowered to stop. In 1963 testimony before the House Judiciary Committee Meany argued, "Primarily because the labor movement is not what its enemies say it is—a monolithic, dictatorial, centralized body that imposes its will on the helpless dues payers . . . we need a federal law to help us do what we want to do: mop up those areas of discrimination which still persist in our own ranks."¹⁹ Kennedy's civil rights bill had not contained a fair employment practices section because the administration was afraid it would make the bill impossible to pass. But the AFL-CIO was instrumental in getting Title VII, the Equal Employment Opportunity section, passed in the 1964 legislation.²⁰ Opponents of civil rights tried to exacerbate tensions within the labor movement between the leadership and the rank and file by distributing information to union members warning that the fair employment practices section would require racial quotas in hiring, displace union members in skilled jobs, and end union seniority and job referral systems, but such ploys failed to change the AFL-CIO's position.²¹

Despite organized labor's role in getting the provision into the legislation in the first place, opponents circulated the rumor that labor was not committed to retaining the employment provision as the legislation neared a vote in the House. The AFL-CIO sent a letter to every representative warning that "reports that the AFL-CIO is not seriously concerned about retaining Title VII in the bill are not true," with Meany's testimony and AFL-CIO convention resolutions attached to make the point. The letter urged support for the entire bill and rejection of any amendments that might weaken it.²² As the bill moved to the Senate, Biemiller wrote senators to implore them to break a marathon filibuster. Calling the civil rights issue the "most crucial moral issue of our lifetimes," Biemiller stated, "The AFL-CIO, speaking for most of its many millions of members, believes the issue should be decided in favor of the strongest possible civil rights guarantees for all Americans" and stressed that senators should "do everything in their power" to "be present and to assure that the Senate will not want for a quorum until the bill has been passed."²³ Labor lobbyists, working through the Leadership Conference on Civil Rights, did everything they could

to sustain momentum behind the bill throughout a fifty-seven-day filibuster. The Senate finally invoked cloture, and the Civil Rights Act of 1964 was passed without crippling amendments.

Like labor legislation, civil rights legislation was particularly vulnerable to filibusters. However, civil rights measures were more likely to have a level of bipartisan support that destabilized the conservative coalition. Although concessions were made to hold the votes of many Republicans, particularly in the areas of public accommodations and employment discrimination, the Civil Rights Act of 1964 passed with the support of 80% of Republicans voting in the House and 82% in the Senate.²⁴ In contrast, 97% of non-Southern Democrats in the House and Senate voted for the bill. Only 11% of Southern Democrats in the House and 13% in the Senate supported it.

Tensions in the Labor-Liberal Coalition

Despite labor leaders' commitment to civil rights legislation, the larger labor movement was not always a progressive force on civil rights. Labor leaders had to straddle their political goals and the racism and resistance to change among many of the rank and file and secondary union leadership. Thus, labor faced criticism from its political allies in the civil rights and liberal community for not going far enough to address racial discrimination, while it faced criticism from union members and lower-level union leaders, particularly but not exclusively in the South, for going too far in support of civil rights. Although cooperation in passing civil rights legislation eventually helped smooth over these differences between the mainstream labor and civil rights leadership, the emerging New Left and many labor union members were increasingly estranged from the labor movement. The unavoidable tension over race complicated labor's efforts to build a larger liberal coalition.

Racial tension surged in the South in the wake of the *Brown v. Board of Education* decision in 1954 ordering school desegregation, setting the labor movement even further back in this region.²⁵ A UAW report on the rise of White Citizens Councils and their antilabor and antiblack activities in the mid-fifties noted that "organizers . . . assigned to work in the South know that they must be extremely careful in what they say on the segregation issue at all times. It is becoming much more difficult to organize Negro and white workers employed on the same jobs, especially in areas where the neo-Klan movement has gained a foothold." The report further noted, "The labor movement which has some

political and economic power in the larger industrial areas of the South also appears to be immobilized."²⁶ When progressive forces in the Chattanooga central labor body passed a resolution commending the local school boards' efforts to comply with *Brown v. Board of Education*, nine locals publicly disavowed the declaration and several withdrew from the central body, resulting in a rescinding of the resolution.²⁷ In other areas unionists attempted to form alternative Klan-oriented labor organizations and to raid existing AFL-CIO unions. Although they were not very successful, the threat sent a message to national union leaders to stay out of local affairs. COPE contributions dried up, and many local labor leaders resigned.²⁸ Even progressive local leaders were torn between the pressure to support civil rights and the fear of losing their members in the right-to-work states of the South where there were no union security arrangements.²⁹

Although some Southern labor leaders were diehard racists, others were committed to building an alliance between labor and the black community. But racial progressives faced enormous challenges and constantly found themselves on the defensive. In 1961, after local papers reported a \$5,000 contribution by the AFL-CIO's Industrial Union Department (IUD) to the Congress for Racial Equality (CORE), Claude Ramsey, the progressive president of the Mississippi Labor Council, wrote to George Meany, "A great majority of the leadership of the movement in this state recognize the fact that the AFL-CIO can take only one position, and that is against racial discrimination. . . . We can overcome everything but the contribution of union funds."³⁰ Ramsey received so many death threats that he carried a firearm at all times.³¹ Even in this context, a number of AFL-CIO state councils in the South maintained their support for civil rights, tried to build local labor-black networks around common causes, and launched education efforts to convince white members of the need to ally with black workers.³² However, as Alan Draper notes of progressive labor leaders in the South, "They tried to build bridges to blacks but to their dismay discovered that their members were unwilling to cross them."³³ In this atmosphere, it was very hard to overturn discriminatory practices of local unions or expand union membership in the South.

Racial tension and union discrimination, however, were not confined to the South. The main complaint of the black community was that white-dominated unions conspired with employers to deny black workers apprenticeship training, job upgrading, and even employment in some firms or industries. Even in

the UAW, long considered a leader on civil rights, black workers found it difficult to break into higher-status jobs in the plants and leadership positions in the national union into the 1960s.³⁴ Black members of the United Steelworkers—not only in Alabama but in Homestead, Pennsylvania—also complained that they were confined to the lowest wage positions.³⁵ Discrimination was particularly pervasive in the construction trades. In one of many racial incidents in the North, union construction workers struck the Bronx Terminal Market construction site when the contractor hired a black and three Puerto Rican workers who were not union members in an effort to comply with the state's fair employment law.³⁶

In the late fifties, the labor movement faced increasing criticism for failing to eliminate discriminatory practices and a growing rift with civil rights organizations. The NAACP, which had kept its public criticism of the AFL-CIO to a minimum, became increasingly vocal. It issued a report in 1960 that "argued that all too often there is a significant disparity between the declared public policy of the national AFL-CIO and the day-to-day reality as experienced by the Negro wage-earner in the North as well as in the South."³⁷ Delegates to the NAACP's 1960 convention voted to resort to NLRB decertification procedures and court action, if necessary, to fight union discrimination. Black unionists joined together in 1960 to form the Negro American Labor Council (NALC) to push the labor movement to act. A. Philip Randolph, the renowned civil rights leader, AFL-CIO Executive Council member, and president of the nearly all-black Brotherhood of Sleeping Car Porters, was elected president. Randolph's public criticism and his pressure on the AFL-CIO leadership to take immediate action against discrimination and to make greater efforts to organize black workers led to his censure by the Executive Council.³⁸ The rift had widened further by 1962 when the NALC threatened to picket the AFL-CIO convention if the federation did not deliver on its commitment to end union discrimination.

The AFL-CIO was also criticized for its failure to get involved in early on-the-ground civil rights struggles such as the Montgomery bus boycott, although many of the affiliates participated. Most controversial was Meany's opposition to official participation in the 1963 March on Washington because he argued that the protest could get out of hand and compromise pending civil rights legislation.³⁹ Although his critics suggest this was a pretense, it was a fear other civil rights advocates shared. Led by Reuther, many members of the Executive Council fought hard for official sponsorship, but Meany pressed the council to limit the AFL-CIO's commitment to announcing its support of the goals of the

march and to encouraging affiliates to participate. An estimated 40,000 of the 200,000 marchers were union members.⁴⁰

However, even at the height of the friction between civil rights organizations and the labor movement over union discrimination, there was close cooperation between civil rights groups and the AFL-CIO and many affiliates in the legislative arena. After the passage of the Civil Rights Act of 1964, the previous rifts between labor and civil rights advocates receded.⁴¹ Following the House vote, Clarence Mitchell of the NAACP wrote AFL-CIO legislative director Andrew Biemiller to thank him and noted that passage of the bill “could not have happened without the unstinting and whole hearted manner in which you threw yourself into the fight. . . . There could be no doubt in anyone’s mind about the full commitment to support the FEPC after you spoke and acted.”⁴² Meany announced a civil rights program for the AFL-CIO to bring the affiliates into compliance with the new law. Labor continued to be a key player in the passage of subsequent legislation such as the Voting Rights Act of 1965 and the far more controversial Civil Rights Act of 1968, which addressed discrimination in housing. Randolph dropped his criticism of the AFL-CIO.

The AFL-CIO’s role in the civil rights movement outside the legislative arena also expanded. Eventually, the AFL-CIO and a broader cross-section of the affiliates became more willing to participate in the ground battles of the civil rights movement, such as the 1965 Selma-to-Montgomery March.⁴³ The labor movement also won the praise of the civil rights community by becoming more involved in high-profile struggles of black workers in the late sixties, such as a strike of black sanitation workers in Memphis (the same strike that brought Martin Luther King Jr. to Memphis, where he was assassinated) and a strike of black hospital workers in Charleston, South Carolina.⁴⁴ By 1960, African Americans were more likely to be unionized than any other ethnic or racial group, which remains true today.⁴⁵

But the unevenness of the labor movement’s commitment to civil rights remained a problem. High-profile struggles over union discrimination, particularly in the construction trades, shaped many young white and black liberals’ attitudes toward the labor movement. Whereas labor had been in the vanguard of social justice in the 1930s, it was increasingly viewed as a reactionary force. But these attitudes missed the larger role the labor movement played in the civil rights struggle in the face of bitter internal opposition. Despite growing frictions, organized labor and mainstream civil rights organizations continued to cooperate in both legislative and electoral politics.

Mobilization of Black Voters

Organized labor recognized that in order to destabilize the conservative coalition, African Americans needed more than just equal legal rights—they needed to mobilize in electoral politics. Writing in the 1960s, Greenstone argued that organized labor became an arm of the Democratic Party, maximizing turnout for pro-labor candidates not only by targeting its own members but also by mobilizing other typically Democratic constituencies including blacks.⁴⁶ The CIO played this role as early as the 1930s, but the AFL-CIO launched more sophisticated efforts in the late fifties that continue to this day. The union movement began by focusing on registering and turning out black voters in the urban areas where the non-Southern black population was concentrated and then moved to leading or assisting drives to register black voters in the South.

Labor faced an uphill battle, however, in trying to overthrow the power of Southern conservatives through electoral efforts. In a report on the general outlook for the 1960 election, COPE director James McDevitt emphasized the intractability of the conservative coalition and the negative climate in the South as a result of school desegregation and efforts to register black voters. He noted that while Southern liberals tried to slate good candidates, they could not raise enough money, and more conservatives were likely to run unopposed in 1960 than in any recent election. This made a liberal landslide outside the South necessary to break the power of the conservative coalition, demonstrating the difficulty labor had in this period in electing pro-labor congressional majorities. McDevitt stressed the need for long-range efforts in the South, arguing, “The situation cannot be regarded as hopeless. This whole area is becoming more industrial, better educated and less susceptible to demagoguery. While one Representative from Georgia (Landrum) co-authored the Landrum-Griffin substitute, another (Mitchell) braved intensely concentrated pressure to vote against it.”⁴⁷ Other observers pointed to a successful model in the election of a strong labor-liberal, Ralph Yarborough, to a Texas Senate seat in a special election in 1957 with the support of a coalition of labor, liberal, black, and Latino voters.⁴⁸

COPE began to direct more money toward Southern liberal candidates and to intensify efforts to mobilize black voters in and outside the South. In preparation for the 1960 elections, a year-round COPE program was established in cooperation with fraternal and civic groups to register black voters in Alabama, Florida, Tennessee, Virginia, and Louisiana. The effort to maximize the minority vote in the 1960 election focused on the selection of fifteen states based on

“the potential minority group vote and the existence of an effective working relationship between the minority groups and the labor movement.”⁴⁹ The selected states included old Confederacy states such as Texas, border states such as Kentucky and Maryland, and a range of states with large urban populations including California, Illinois, and New York. Following the 1960 election, McDevitt noted that the heavy Democratic minority vote was “basic” to Kennedy’s victory in several crucial industrial states as well as North Carolina, South Carolina, and Texas. He emphasized the prospects for the future, noting that “this great reservoir of liberal votes has still barely been tapped.” McDevitt also recognized the need to mobilize other minority voters, noting that only 22% of Puerto Rican voters, who went 88% for Kennedy, voted. The “Latin-American” and Indian vote in Southwestern states had also not been mobilized.⁵⁰

The sophistication of the effort to mobilize minority voters increased over the course of the sixties and seventies as the effectiveness of the overall COPE voter registration and turnout operation improved. Minority turnout for Johnson and the Democratic Party, which had just led the fight for the Civil Rights Act of 1964, reached new highs, helping to produce the liberal electoral triumphs of that year that temporarily destabilized the conservative coalition in Congress. The black vote was viewed as critical to Johnson’s victory in a number of Southern states in 1964.⁵¹ After the passage of the Voting Rights Act the next year, Walter Reuther noted, “Instead of . . . Dixiecrats coming out of the deep south and joining forces with the most reactionary Republicans to block social legislation, you are going to have some of the most progressive congressmen coming out of the deep south. This is going to make one tremendous difference in the whole relationship of forces in the political arena of American society.”⁵²

In 1965 the AFL-CIO made a large contribution to the formation of the A. Philip Randolph Institute, named for the labor and civil rights leader.⁵³ Bayard Rustin, the prominent civil rights leader hired to coordinate the March on Washington, became the director. The institute was created to strengthen the cooperation between the civil rights and labor movements in pursuit of common legislative objectives dealing with jobs, education, and housing. Labor also hoped the institute would help educate the black community about the labor movement. The mission of the institute reflected the persisting tensions between these two allies. In a letter requesting continued financial support for the Randolph Institute, Don Slaiman, director of the AFL-CIO’s Department of Civil Rights, noted, “The present situation, especially in the south, the possibi-

ties of new liberal developments and candidates succeeding because of the increased Negro vote, make all the more important the extension of knowledge of the labor movement's real contributions in the Negro community. At the same time we become increasingly aware that lack of knowledge of labor's program and labor's contributions to civil rights among many in the Negro community permit labor to be made a scapegoat, too often."⁵⁴

Bayard Rustin became a prominent voice in the mainstream wing of the civil rights movement, which, unlike the growing black radical wing, supported coalition with progressive forces and working through the political system. Under Rustin's leadership, the institute mobilized the civil rights community behind particularized trade union goals such as repeal of 14(b). The institute helped launch joint apprenticeship programs with some of the building trades unions to try to recruit more minorities. Within the confines of its tax-exempt status, the institute also came to play a major role in cooperation with the NAACP, the Urban League, and black churches in voter registration and mobilization with financial assistance from the labor movement.

By the 1970s the efforts in the South seemed to be paying off. When liberal Henry Howell just barely lost the governorship of Virginia, COPE director Al Barkan cited the election as "buttressing" his "feeling that more and more, the south is moving into the mainstream of the Democratic party (this, regardless of the fact Howell ran as an independent) and that it will progressively be more fertile ground for liberal governors and national legislators."⁵⁵ These hopes were somewhat misplaced, as discussed in greater detail in Chapter 6. Urban districts and districts with large concentrations of black voters in the South did eventually elect liberals, but the South as a whole remained quite conservative. As blacks came into the party, Southern whites left, helping to produce a string of Republican electoral victories first at the presidential level and later in Congress.

Race, Vietnam, and the Election of Nixon

The conflict over race and the war in Vietnam preempted labor's strategy to develop more progressive politics in the late sixties and seventies. The enfranchisement and empowerment of African Americans was necessary to labor's future success and the success of the labor-liberal coalition, but in the aftermath of the major gains of the civil rights movement, race remained a problematic fissure in organized labor and in the Democratic Party. In 1968 and 1972 this

fissure contributed to the election of Nixon, who skillfully manipulated the racial issue to destabilize the New Deal electoral coalition.⁵⁶ Vietnam produced additional problems for the Democrats and created deep divisions in the labor-liberal coalition.⁵⁷ In the party and the labor movement, the issue of Vietnam alienated liberals while the issue of race alienated conservatives, leaving both the party and organized labor sorely disunited.

Emblematic of the disunity in the labor movement in the late sixties was the pullout of the UAW from the AFL-CIO. As a condition of the merger in 1955, Walter Reuther assumed the leadership of the newly created Industrial Union Department. He hoped the department would preserve the CIO's legacy as a social movement within the federation and lead massive organizing drives, particularly in the South. Although the drives in the South were never very large or effective, Reuther's department helped coordinate affiliates' organizing efforts and assisted in the organization of untapped areas such as the service and public sectors. But discontented with his second-rate position and concerned about the stagnating membership base, Reuther became increasingly vocal in his criticism of the leadership and the direction of the federation as the sixties progressed. In an open letter to all UAW locals in December 1966, Reuther asserted that "the AFL-CIO lacks the social vision, the dynamic thrust, the crusading spirit that should characterize the progressive, modern labor movement."⁵⁸ He criticized the federation's position on social issues and increasingly its commitment to Vietnam. He also criticized its undemocratic decision-making process.⁵⁹ After a series of bizarre actions in 1967 including more open letters, submission and withdrawal of a resolution to the AFL-CIO Executive Council setting up a plan for reform of the labor movement, and a call for a special convention of the federation, the Executive Council suspended the UAW in May 1968 for failure to pay its dues. Several months later the UAW, then the largest union in the AFL-CIO, formally disaffiliated from the federation. Reuther's criticism further reinforced the image held by New Left liberals and activists in the peace, student, and women's movements that the AFL-CIO, along with most of the labor movement, was stale, reactionary, hawkish, and even corrupt.

Continuing internal union problems with racial discrimination further exacerbated the split between the labor movement and other liberals. Particularly in the building trades, union members viewed efforts to ensure minority access and racial diversity as circumventing their hard-won seniority rights and their privilege of sponsoring their children and friends for admittance into appren-

ticship programs. Many local unions resisted every effort by government, civic groups, the national union leadership, and the AFL-CIO to cajole or force them into accepting more minority members. As the civil rights movement moved outside the South with controversial policies like open housing initiatives and school busing arrangements, white ethnic communities with a lot of union members revolted.⁶⁰ A memo on labor strategy for the 1968 election noted, "In 1966 labor suffered erosion because of the race issue and open occupancy is still political dynamite. The flight of 50% of union members to the suburbs is actually more from GI and FHA financing than from racial tension, but the latter contributed."⁶¹ Many of the rank and file became alienated from the Democratic Party, which they associated with these disruptions to their communities, and the political activities of the AFL-CIO, which continued to support integration. AFL-CIO lobbyist Ken Young noted, "I'm not convinced that our members are bigots or a damn bit different than anyone else. But I'm also sure that the Detroit worker who has finally gotten out of the city damn well doesn't want his kids bused back in. He's scared to death of violence. He knows he now has better schools. And I think he has a case to say who the hell are we to tell him he has to send his kids back in there."⁶²

In the South, the revolt of the rank and file continued to present serious management problems for the AFL-CIO. For example, a running feud emerged between the Georgia State AFL-CIO and the regional director assigned to the state by the national federation. The feud finally culminated in a fistfight at the state federation's 1968 convention between the regional director and his allies and the supporters of the state leadership when state officials defied national AFL-CIO policy by working for segregationist George Wallace's presidential candidacy and tried to remove all literature endorsing Democratic presidential nominee Hubert Humphrey from the convention hall.

Despite the splits in the labor movement, organized labor exerted significant influence in the 1968 elections. After Lyndon Johnson, besieged by the Vietnam issue, declined to run again, labor successfully engineered the Democratic nomination of its favored candidate, Vice President Hubert Humphrey, the heir to Johnson's policy in Vietnam.⁶³ Humphrey had not even participated in the Democratic primaries. Following the convention, labor journalist Victor Riesel noted, "It was, and is, the full coming of age of American labor. The movement has become a party, and this party within a party is on its way to govern, as do its labor brethren in Britain."⁶⁴ But Humphrey's nomination infuriated the antiwar contingency within the party. That Humphrey, the crusader for civil

rights and the liberal challenger to the status quo in 1948, had become the establishment candidate, whose nomination brought protests in the streets outside the convention, reflected how deep the divisions in the liberal coalition were. Given these divisions, the Wallace candidacy, and the riots in the wake of Martin Luther King Jr.'s assassination, organized labor was fighting an uphill battle to elect Humphrey. COPE documents point out that a particular problem for the Humphrey campaign was "the bankruptcy of the National Democratic Party which made it necessary for the labor movement to supply such basics as buttons, bumper stickers, almost all literature and an important proportion of the funds for routine advance work connected with campaign appearances."⁶⁵ Yet Humphrey lost by only 0.7% of the popular vote, or 500,000 votes out of 72 million cast.

Although the media focused a great deal of attention on Wallace's vote counts in early primaries in industrial states, labor's work in the final weeks of the campaign steered union member support from Wallace to Humphrey. Labor-commissioned polls indicated shifts of between 10% and 35% toward Humphrey in certain areas.⁶⁶ After initially polling well among union members, Wallace ultimately got only 14% of the union household vote. As a result of the labor effort, the presidential election was much closer than pundits predicted, and the loss of congressional liberals was limited to four senators and two House members. The New Deal coalition largely remained intact in 1968 with the exception of near absolute defection of the South in the presidential election from the party that led the fight for civil rights.

The election of 1972 was a different story. In the wake of the disastrous 1968 Democratic Convention, the party created the McGovern Commission to develop new procedures for the presidential nomination process. The fight over the new rules marked a major rift in the labor-liberal alliance.⁶⁷ Most of the reformers pushing for change were openly critical of the role labor and the party establishment played in the selection of Humphrey in 1968 and saw the reforms as a way to open up the nominating process to fresh voices and solidify the ties of the party to the "new politics" social movements. The Democratic Party adopted quotas for delegate slots to the convention for minorities, women, and youth. Delegates also had to be selected by primaries, caucuses, or conventions open to all party members for the first time in 1972. The role of elected politicians and local party regulars in the nominating process was significantly reduced. Many, though not all, labor leaders saw the implementation of the reforms as an effort to undermine labor's deserved power in the party and

redistribute it to rivals.⁶⁸ George McGovern, the chair of the commission, became the first presidential nominee under the new system in 1972. An embittered Meany convinced the Executive Council to vote against AFL-CIO endorsement of McGovern in an apparent attempt to teach the party a lesson.⁶⁹ A significant number of unions, including such large unions as the American Federation of State, County, and Municipal Employees (AFSCME), the Communications Workers (CWA), the International Association of Machinists (IAM), the Oil, Chemical and Atomic Workers (OCAWU), and the Retail Clerks (RCIU), joined two of the major unions outside the AFL-CIO, the UAW and the National Education Association (NEA), in campaigning for McGovern in the general election. But the labor movement was badly fragmented, and a majority of the labor vote and a large victory went to Nixon in 1972, unlike in 1968.

Nixon's appeal to union and other historically Democratic voters was linked to his political strategy to divide the Democratic coalition. In 1969 the Nixon administration initiated the "Philadelphia plan," named after the city where the program was piloted, to require racial quotas for unions working on government contracts. Knowing that the unions would see this as an assault on sacrosanct union seniority and recruiting practices and that organized labor would likely publicly resist the plan, Nixon hoped to split labor and blacks, two of the most important Democratic constituencies. The predicted labor reaction to the plan also exploited the tension between organized labor and other liberal organizations such as Americans for Democratic Action that supported affirmative action. Nixon tapped into what political analysts Richard Scammon and Ben Wattenberg termed the "social issue" in a book that inspired Nixon's 1972 campaign. The "social issue" was the growing frustration of the majority of Americans who were "unyoung, unpoor, and unblack" with "crime, race, values, busing, drugs, disruption, quotas, welfare, pornography, patriotism, draft-dodging, dependency, permissiveness, capital punishment, disparagement of America, and much more."⁷⁰ The Nixon campaign effectively tarred the Democratic Party with the economic, cultural, and social disruptions of the sixties and early seventies that frightened middle America and many of the union rank and file.

The Nixon years were rough for organized labor politically, economically, and organizationally. But Nixon's disgraceful exit from office facilitated the election of a wave of liberal Democrats to Congress. Despite the deep divisions within the labor movement and between labor and other liberal groups over Vietnam, labor and the New Left, or "new politics," groups often cooperated in

national policy making.⁷¹ These groups expanded the base of the party as well as the reform coalition in Congress. As a result, reformers finally successfully challenged organized labor's nemeses, the conservative coalition, and many of the institutional features of Congress that empowered it.

Restructuring Politics Part II: Congressional Reform

A series of significant congressional reforms was adopted in the early to mid-seventies. Nixon's election reinforced the drive for reform as liberals hoped to exert influence and leadership in Congress to counter the president. But the reform effort was the culmination of more than two decades of endeavors by liberals in Congress to reshape congressional and party institutions to allow liberals and their allies, such as organized labor, greater influence in the legislative process. The AFL-CIO and most of the affiliates were among the most prominent actors outside Congress pushing for congressional reform during this period. Political institutions shaped labor's power, but labor also demonstrated the capacity to exert influence on various political institutions.

Early Skirmishes

The first attempts at congressional reform came in the late 1940s. But instead of favoring the goals of organized labor, early reforms further undermined them. Recognizing that Congress was ineffectively organized and incapable of overseeing or countering the burgeoning executive branch, Congress passed the Legislative Reorganization Act of 1946. Conservatives and liberals deadlocked over reforming seniority provisions and the Rules Committee, and these institutions escaped untouched. But the act cut the number of committees and increased committee staff, making the remaining committee chairs even stronger. Moreover, in the wake of the act, seniority became sacrosanct. The 1946 legislation thus sowed some of the seeds of the liberals' discontent in later decades.

Following the 1948 election, which returned control of Congress to the Democrats, both the House and the Senate opened with a fight over rules reform geared to the passage of civil rights legislation. In the House, the target was the Rules Committee. Over the opposition of many Republicans and Southern Democrats, the House passed the twenty-one-day rule, which allowed the chairs of the committee favorably reporting a bill to call the legislation directly to the floor if the Rules Committee reported unfavorably on it or failed to act within twenty-one calendar days. The rule was used to bring a poll tax repeal

bill to the floor in 1949, and the threat of its use led Rules to report a handful of important bills including the 1949 minimum wage increase and 1950 Social Security improvements.⁷² But the twenty-one-day rule was repealed with the support of the conservative coalition and its business group allies at the beginning of the next Congress.⁷³

The Senate featured a far more contentious fight over cloture reform. Various parliamentary rulings, including one issued in the 1948 fight over a poll tax bill, had made the Senate's cloture rule totally ineffective, allowing unlimited debate on controversial measures. Afraid this might tie the Senate in knots, liberals in Congress, the Truman administration, and the Republican leadership all supported restoring an effective cloture rule. But after the administration came out in favor of the CIO's proposal to allow cloture to be invoked by a simple majority, the congressional coalition for reform began to break down.⁷⁴ Republicans felt the administration was being insincere and trying to appease important constituencies with a proposal it knew had no chance of passing. Southerners accused the administration of kowtowing to the CIO and violating the separation of powers by interfering in the legislative branch, with Senator William Fulbright (D-AR) even comparing Truman's cloture proposal to FDR's court-packing plan.⁷⁵ The changes that ultimately passed in some ways made cloture even harder to invoke. The rules change did reestablish an effective cloture procedure (except for filibusters against rules changes that were still subject to endless debate), but the cloture threshold was increased from two-thirds of senators present and voting to two-thirds of the entire Senate.

Many labor leaders sensed a conspiracy. While the CIO wanted to take up the cloture issue, AFL leaders warned that it threatened to postpone action on Taft-Hartley repeal until after important spring contract negotiations. One such leader, Communications Workers president J. A. Beirne, argued that the Democratic leadership had fallen victim to an effort by Republicans to derail the administration's legislative agenda in taking up the divisive issue of cloture reform at the beginning of the session.⁷⁶ UAW and CIO leaders accused Republicans of backing away from reform in collusion with Southern Democrats based on an agreement that Southerners would oppose repeal of Taft-Hartley in exchange for Republican opposition to meaningful cloture reform.⁷⁷

Spurned in Congress, labor activists tried to make congressional reform a party issue. They joined with other liberal activists to lobby Democratic presidential candidates to endorse reform and to make congressional reform a plank in the party platform.⁷⁸ The 1952, 1956, and 1960 Democratic platforms called

for improved congressional procedures, but these planks had little effect. As a draft of a UAW memo entitled "Relations with the Democratic Party" noted, "The CIO problem has not been one of counting votes in the national convention. The majority of the delegates are sufficiently friendly and the leading Democrats are sufficiently aware of the importance of the labor vote that they listen to our preferences." The memo argued:

Our real problem is with the Congress. Here we are not dealing with the Democratic Party as a whole, but only with those who get elected. That is a significant difference. In the party as a whole, the liberals and the friends of labor are in the majority. But when liberal Democrats are defeated by Republicans, and conservative Democrats are elected, the proportion changes. This balance is lowered still farther by a Democratic (and CIO) desire to pick up some Republican votes. Thus, the Democratic position in Congress is not as good as in convention, and what comes of Congress is watered down even more. The question is: How can we tighten up the Democratic Party? How can we make it into an organization? How can we refine its ingredients so as to make them purer liberals? How can we improve its discipline or sense of responsibility so that wandering congressmen can be tied to the party line?

Among the many suggestions were proposals to strengthen the congressional party caucuses and hold committee chairs accountable. The memo suggested a threat should be made "that unless the Democrats in Congress agreed to drop the seniority system and to appoint committee chairmen and members on the basis of ability, loyalty to the program, etc., we would refuse to support the Party and its candidates in 1956. If we really did this, and meant it, it would be a thrilling revolution in American politics. But we won't do it."⁷⁹ This last sentence was scratched out in the draft. As much as many labor leaders would have liked to teach the Democrats a lesson by pulling their support, they were afraid to take the risk. The last time labor had largely sat out an election, in 1946, it got a Republican Congress and the Taft-Hartley Act. Thus, labor did not pull its support for Democrats but continued to implore party leaders at every opportunity to take up congressional reform.⁸⁰ Many of the changes labor supported were eventually adopted.

Growing Momentum behind Reform

The 1958 elections, which brought many new non-Southern Democrats to Congress, marked a turning point in the reform effort, initiating a period of

reform that would extend for two decades. After eight years out of the White House, congressional Democrats wanted to build a platform for the Democratic presidential nominee in the 1960 elections focused on legislation to deal with the problems of urban areas. But this was precisely the type of legislation blocked by the conservative coalition. A growing contingent within the Democratic Party saw the party's future in the liberal, urban, and labor vote and was determined to move the party away from its conservative, rural, Southern past. The reformers wanted to improve Democratic Party discipline and minimize opportunities for minority obstruction in the legislative process. Thus, there were two tracks of reforms—those targeted at the rules and norms of the Democratic caucuses and those targeted at the organization and parliamentary procedures of the Senate and House. Although progress came in fits and starts, the reform movement picked up steam.

Reform in the Senate

In the late fifties and early sixties, a group of liberals led by junior senator Joseph Clark (D-PA) called for party discipline and a clear Democratic agenda. In a speech on the Senate floor in 1959, Clark condemned the strategy of passing “veto-proof” legislation, which was the term conservative Democrats used to describe and defend legislation built on compromises with Republicans and the Eisenhower administration. He added:

Democrats who come from one-party states do not need a party record on which to run for re-election next year. Their contests are not with Republicans but with other Democrats, and they run on their personal and not their party records.

But those of us who come from states where the two-party competition is rough *do* need a party record. We need a Democratic program—based on the Democratic platform—which will clearly present the Democratic philosophy. . . .

It will not matter which of our Senatorial hopefuls for the Democratic nomination may win the prize, because the record of the Democratic Senate on which he runs will be indistinguishable from the position of the Republican Administration which he is seeking to displace. If the people can detect no difference between the parties, they will hardly vote to make a change.

I hope that those who seek to blur the difference between the parties—who seek to fuse and blend the Democratic and Republican programs, point by point, in the dark recesses of committee and conference action—will ponder the damage they are doing to our party as we prepare for the campaign next year.⁸¹

These liberals called for strengthening the Democratic Policy Committee, responsible for party policy and strategy in the Senate, and making the Democratic Steering Committee, responsible for committee assignments, more representative and more accountable to the Democratic Caucus. Reformers argued that these committees were far more conservative than the caucus after the 1958 elections. In fact, Clark and another liberal senator, William Proxmire (D-WI), argued that committee assignments in general did not reflect the “industrial base” of the party.⁸² In 1965, the Steering Committee was finally enlarged, and Majority Leader Mike Mansfield gradually moved the committee to the left by appointing liberals to vacancies. After Nixon’s election, Senate Democrats revived the Democratic Policy Committee, hoping to use it to take on the president, although it never became very influential.⁸³ Continued liberal attacks on seniority culminated in a caucus decision in 1975 that made it easier to challenge Democratic committee chairs. These changes were not nearly as far reaching as those pursued in the House, and they did not substantially improve party discipline. But they did have an impact on the climate in the Senate, convincing many committee chairs to be more responsive to the rank and file.

The number one goal in reforming Senate rules was modification of Rule 22, which governed cloture. In 1953 and 1957 liberal Senate Democrats and frustrated Republicans attempted to alter Rule 22 because it made passage of civil rights legislation seemingly impossible. Since the 1949 change to require support of two-thirds of the entire Senate to invoke cloture, there had not been a single successful cloture vote. The UAW prepared an influential legal brief in 1951 arguing that Rule 22 was unconstitutional because it permitted “the minority to block the will of the majority,” violating founding principles.⁸⁴ The brief also suggested a procedural path for reform. It argued that the Senate, like the House, was not a continuing body and that its rules did not carry over from one Congress to the next. Walter Reuther suggested, “This is a convenient piece of folklore invented by those who wish to rule future Senates through the dead hands of past Senates.”⁸⁵ Instead, new Senate rules could be adopted at the opening of a congressional session with a simple majority vote. Liberals felt this was the only way Rule 22 could be changed because if the existing rules were in effect, efforts to change Rule 22 would inevitably be successfully filibustered. Utilizing this strategy, Senate reformers moved to drop all Senate rules and institute new ones at the beginning of the 1953 and 1957 sessions, but both efforts failed. Testifying before a Senate committee in 1957 in favor of cloture reform, Reuther noted how close the pro-reform coalition was, arguing, “It is

inevitable that the foolhardy attempt of March 17, 1949 to ‘nail the Senate’s feet to the floor for a thousand years’ is going to be undone and corrected sooner or later—and not much later. . . . We have 7 Senate votes to go; 7 Senators must be persuaded or elected to support the ending of rule by filibuster and to vote for substitution of majority rule.”⁸⁶ The founding convention of the AFL-CIO endorsed a change in Rule 22 to permit a majority to invoke cloture, and year in and year out, the federation put the issue high on its agenda.

The influx of liberals arriving in the Senate in 1959 convinced reformers they might finally have the votes to change the cloture rule. As in the Truman years, liberal reformers including organized labor again pushed a proposal to allow cloture to be invoked by a simple majority, but they still did not have enough support. Instead, then majority leader Lyndon Johnson pushed through a compromise to lower the cloture threshold to two-thirds of senators present and voting as it had been before 1949. The change also permitted cloture to be invoked on filibusters of changes to the Senate Rules, improving the prospects for change in the future. Although the change represented a modest improvement in the cloture rule, labor leaders were furious. As UAW leader Roy Reuther suggested in a heated discussion with the secretary to the Senate Majority, “How can we get our people to work for the Democratic Party candidates if this is what happens after we win?”⁸⁷

Cloture reform eluded reformers for another decade and a half. Efforts to reduce the number needed for cloture from two-thirds to three-fifths of the Senate in 1961 and 1963 were both successfully filibustered. As noted in the previous chapter, the AFL-CIO again considered pushing filibuster reform in the midst of the 1965–66 fight over repeal of 14(b), but labor lobbyists counted only 53 votes in support—a majority, but not the supermajority needed to end a filibuster of filibuster reform. Their count was on the mark. In 1967 another effort to invoke cloture to end a filibuster against a reform proposal to reduce the cloture threshold from two-thirds to three-fifths gained exactly 53 votes in support. A successful filibuster of filibuster reform became a biennial ritual in the Senate until 1975, when reformers finally had enough support to invoke cloture. They amended Rule 22 to reduce the majority required to cut off a filibuster to three-fifths of all senators or 60 votes, although a two-thirds majority was still required to invoke cloture on filibusters of Senate rules changes. The gathering momentum behind reform, the increased interest among a broader range of actors, and the liberal gains produced by the fallout from Watergate made the cloture change possible. Over the next several years, additional re-

forms were passed to make filibusters less disruptive of the Senate calendar and to prevent postcloture dilatory tactics. A minority would still be able to obstruct action in the Senate, but the AFL-CIO hoped it would be much easier to meet a threshold of 60 votes than 67.

Reform in the House

In the House, the first target of reformers was the Rules Committee. A group of liberals pressed Speaker Rayburn at the opening of Congress in 1959 to rein in the power of the Rules Committee, which, under the chairmanship of the famously anti-labor Howard Smith (D-VA) since 1955, remained a graveyard for a number of measures advocated by liberals including most civil rights bills. Like their counterparts in the Senate, liberal House Democrats were concerned about building a Democratic record for the 1960 presidential elections, and Rules was a major obstacle. Not only did Rules refuse to report certain bills, anticipation of Rules Committee opposition affected proposals in other parts of the legislative process, forcing the substantive committees to report out watered-down bills members thought might survive. Liberals on Rules sometimes were even encouraged by the party leadership to make deals with Smith. In such deals, liberals agreed to vote against measures the chairman did not want to release but on which he feared he would not have the cooperation of the Republicans; in exchange, the chairman would vote in favor of other provisions endorsed by the liberals or considered important to the party.⁸⁸ Sometimes the chairman would simply not hold committee meetings on a bill he opposed. Rayburn assured the group that Rules would not bottle up legislation in the 86th Congress. But Rayburn could not rein in the committee, and it continued to stymie legislation. However, the obstruction of the Rules Committee was not the only problem for liberals.

Prior to the 1970s explosion in congressional staff, members of the House had rather limited sources of information, which empowered committee chairs and undermined liberals' effectiveness on the floor.⁸⁹ Committee chairs were often a conservative force in the legislative process. They controlled the debate, and committee reports on pending bills were not typically made available until just prior to floor consideration, preventing members from evaluating legislation in advance. Political scientists also suggest that the procedure for amendments tended to produce a conservative bias.⁹⁰ Prior to a rules change in the early seventies, unrecorded "teller votes" were typically taken on amendments in the Committee of the Whole, where bills are amended. Only a hundred

members are required to form a quorum in the Committee of the Whole, a parliamentary device created to allow the House to operate more efficiently. Because these votes were not recorded, fewer than a third of members generally participated, even though amendments could substantially transform legislation. Southern Democrats, typically coming from safe, one-party districts, were far more likely to be on the floor for these teller votes than other Democrats from competitive districts who were busy dealing with constituent affairs.

The smooth passage of Landrum-Griffin in the House reflected many of these problems. The anticorruption bill became an anti-labor bill through the amendment process in the Committee of the Whole, where liberals had not participated in adequate numbers. As a group, the liberals were disorganized with virtually no communications system to alert allies to legislative developments.⁹¹ Complicated amendments to the labor bill were voted on before opponents could mount a defense. The final version of the bill infuriated organized labor, whose active support in elections was deemed crucial to the non-Southern wing of the Democratic Party. The experience with Landrum-Griffin convinced a core group of liberals that something had to be done to strengthen their influence in the party and Congress.

In September 1959, less than a month after the passage of Landrum-Griffin, liberal House members formed the Democratic Study Group (DSG). There were no formal membership lists, but participants in the DSG included a group of eighty members who signed a “liberal manifesto” of legislative goals in 1957 and many of the liberal freshmen elected in 1958. Of a speculative list of DSG founding members put together by Congressional Quarterly, more than two-thirds of all members and four-fifths of the freshmen had received recorded labor union campaign contributions.⁹²

The DSG served as an informal liberal caucus within the Democratic Caucus. One of the DSG’s most remarkable accomplishments in the sixties was its growing sophistication as an information and whip organization, providing liberals timely information on pending legislation and alerting them to the need to be on the floor for certain votes. The DSG formed task forces to handle special issues, some of which were quite successful in forcing legislation out of committee and preventing crippling amendments on the floor.⁹³ The Johnson administration utilized the DSG whip system on the Civil Rights Act of 1964 and other Great Society initiatives. The National Committee for an Effective Congress noted of the 1965 Congress, “Whereas in previous years the DSG had to maneuver for the attention of House leaders, not to speak of Presidents, in 1965 it was

wooded and consulted almost daily by the White House, the heads of Departments and the House leadership. This difference is reflected in the legislative record."⁹⁴ The whip system was tied into the liberal lobbying network to pressure wavering legislators. When new liberals were elected to Congress, the DSG held social events to introduce them to liberal lobbyists and electoral allies in the AFL-CIO and national unions. Over the course of the sixties, the DSG increased turnout for votes in the Committee of the Whole and produced greater cohesion among its members,⁹⁵ overall serving labor's goals.

The DSG also mobilized support for congressional reform. The first major accomplishment of the DSG was a successful push to expand the size of the Rules Committee. At the beginning of the 87th Congress, the DSG, labor, and the newly elected Kennedy administration pressured the Democratic congressional leadership to reform the Rules Committee, expected to be a major obstacle to Kennedy's New Frontier agenda. Liberals feared that failure to pass Kennedy's agenda would hurt the Democratic Party's electoral prospects in the populous Northern states. John Blatnik (D-MN) argued on the House floor in January 1961, "My constituents did not cast a free ballot for the office of U.S. Representative to Congress to have the functions of that Office limited by one or two or even six other Members."⁹⁶ Rayburn proposed temporarily enlarging the committee from twelve to fifteen, adding one Republican and two Democratic members, which would break the conservative coalition majority.

Because the Rules Committee change made it more likely that liberal proposals would make it into law, numerous interest groups lobbied for and against the enlargement.⁹⁷ Smith called on organizations such as the National Association of Manufacturers and the Chamber of Commerce, frequent opponents of labor's agenda, to lobby against the Rules change. Other organizations that opposed Kennedy's legislative priorities, such as the AMA, also lobbied against it. Kennedy called on the labor movement to put as much pressure as possible on Rayburn and the House Democratic leadership to pursue Rules reform, and labor led the lobbying fight to help Rayburn get enough votes to pass it.⁹⁸ Labor was joined by many of the affiliates, the National Education Association, the National Farmers Union, the U.S. Conference of Mayors, and civil rights groups.⁹⁹

The House passed the temporary expansion of the Rules Committee 217–212. Only one non-Southern Democrat voted against it, while 57% of Southern Democrats did. The efforts of the AFL-CIO were also crucial in picking up a number of Republican votes, which produced the winning margin and

overwhelmingly came from Republicans representing urban, industrialized districts.¹⁰⁰ In 1963 the House voted to make the change permanent. The reform cleared the legislative path for a number of labor-backed measures over the next few years including the groundbreaking Civil Rights Act of 1964, but it did not eliminate obstruction from Rules as various bills of interest to labor continued to face problems. In the next Congress, labor, other organizations within the Leadership Conference on Civil Rights, and the DSG pushed through two more changes.¹⁰¹ As mentioned in discussion of repeal of 14(b), the twenty-one-day rule was reinstated, allowing committee chairs to call a committee-reported bill to the floor if Rules did not act on the bill within three weeks, and the power of Rules to block bills from going to conference with the Senate was all but eliminated. The Rules Committee's long reign as the institutional stronghold of the conservative coalition was over.

In addition to trying to undermine the power of the conservative coalition through changes in congressional rules, the DSG exerted its power within the Democratic Caucus. The group lobbied for the appointment of liberal members to important committees like Education and Labor, which was stacked with liberals on the Democratic side by the late sixties. The DSG also helped engineer the defeat of the nomination of Phil Landrum (D-GA), the conservative sponsor of the Landrum-Griffin Act, to a prized seat on the Ways and Means Committee (discussed in Chapter 3). The DSG flexed its growing power in 1965 to lead successful efforts in the Democratic Caucus to strip seniority from two Southern Democrats who had supported Barry Goldwater in the election.

The DSG also tried to make rank-and-file Democrats aware of the need for congressional reform. Representative James O'Hara of Michigan, a leading member of the DSG and a strong ally of labor, tried to phone all the DSG members early in 1968 to find out their perceptions and attitudes toward greater congressional reform. He found an "awful lot of ignorance" of the process of how members became chairs.¹⁰² Some members thought the seniority system was provided for in the House rules, federal law, or even the Constitution. The vast majority were unaware that the principle of seniority did not develop until after the revolt against an imperious Speaker at the beginning of the twentieth century and thought it was a sacrosanct parliamentary tradition. Most members had absorbed the philosophy of Speaker Rayburn expressed in the oft repeated phrase "you have to go along to get along," and they were afraid of antagonizing powerful chairs. The complacency of moderate and liberal members was

one of the major obstacles to congressional reform, and O'Hara realized "a major education effort" was needed.

The DSG sought the revival of the Democratic Caucus, which had fallen into disuse during the Rayburn years. They called for regular monthly meetings of the caucus at which they hoped informal pressure could be placed on the leadership and committee chairs. The meetings would also allow reformers to educate the rank and file about the rules and procedures of the caucus and the House. The proposal was approved in 1969, more than twenty years after labor leaders first called for strengthening the caucus and making it an instrument to enforce party discipline. The DSG continued to educate the caucus and circulated a number of voting studies revealing the collusion of Democratic committee chairs with Republicans on roll call votes.¹⁰³ As a result, rank-and-file Democrats increasingly came to share labor's indignation with the seniority system, which produced chairs who did not serve the national party's goals.

Congressional Reorganization

After the House reformed the Rules Committee, the House and the Senate established a Joint Committee on the Organization of Congress in 1965 to consider other proposals for modernizing the legislative process. But the committee was prohibited from considering contentious issues like filibuster reform and declined to take on seniority. The committee ultimately recommended several proposals, generally endorsed by labor, to curtail the power of committee chairs, open up the committee process to public scrutiny, and strengthen the role of Congress in the budget process. However, organized labor strongly opposed a proposal to split the House Education and Labor Committee and the Senate Committee on Labor and Public Welfare into separate labor and education committees. Labor feared that a labor committee would become ineffective and polarized between staunch liberals and conservatives. The Johnson administration worried that a split would damage "the highly fruitful relationship existing between the lobbying groups" working on health, education, and labor issues. A Johnson staffer noted, "Labor would be isolated in an unpopular committee. Health and education would lose the labor shock troops that help pass bills for them."¹⁰⁴ Legislation based on the committee's recommendations passed the Senate in 1967 but died in the House. However, the growing intensity of the rivalry between Congress and the president kept interest in reorganization alive. Dating from the time of Roosevelt, liberalism had been associ-

ated with support for a strong executive branch. Vietnam and Nixon's election ended that association as liberals sought to reassert the power of Congress to counter the executive branch.

Provisions from the 1967 legislation were resuscitated and a compromise Legislative Reorganization Act passed in 1970. Amendments to undercut seniority failed, but a number of provisions reduced committee chairs' influence over legislative outcomes. A committee majority was empowered to call for floor consideration of a bill after it was cleared by Rules.¹⁰⁵ This provision was largely aimed at the House Education and Labor Committee's Chairman Powell, who had refused to call legislation on common situs picketing to the floor for several years. One of the major targets of reformers was the unrecorded teller votes on amendments that allowed members of Congress to escape responsibility for votes on major legislative changes. Rank-and-file representatives were permitted to demand a roll call on amendments. There were several other antisecrecy provisions including public disclosure of roll call votes in committee and the opening of committee meetings to the public. As Burton Shepard notes, public disclosure "would end the opportunities for 'closet' liberals or conservatives to say one thing and vote another."¹⁰⁶ It also allowed interest groups such as the AFL-CIO to follow congressional members' votes more closely. Not only did this discourage representatives from missing votes, but it also made members more likely to respond to constituent or interest group pressure, rather than pressure from committee chairs. Because of labor opposition, the Joint Committee's original recommendation to split the education and labor committees was not considered. The bill passed both the House and Senate with overwhelming support, including that of a number of Republicans who were also frustrated with the way the House operated.

The Growth of the Reform Coalition

Nixon's election, subsequent political scandals, and the influx of new members into Congress created a hospitable environment for reform that was exploited by a growing reform coalition. In the late sixties and early seventies, a larger range of interest groups mobilized around the reform issue, including new public interest groups such as Common Cause and Public Citizen. Some of the groups had ties to the labor movement. Common Cause, for example, had its origins in the National Urban Coalition, which was formed by various urban interests, liberal unions, and the AFL-CIO to force greater political attention to the needs of urban areas. Although labor cooperated with these groups on a

range of shared goals, there was often tension. Many of the leaders and members of these groups were highly critical of the AFL-CIO's support for Vietnam. They also saw labor as a "special interest" that was often a party to backroom deals in smoke-filled rooms. Organized labor, civil rights organizations, and groups like the ADA had been pushing congressional reform since the 1940s in order to make the legislative process more open to the liberal public policies they favored. However, the new public interest groups had a less instrumental view of reform, pushing reform for reform's sake to open up the political system and make it more democratic, rather than to generate a set of public policy outcomes.¹⁰⁷ They opposed the institutions that empowered the conservative coalition because they undermined democratic accountability, not because they blocked labor law or health reform. While there were many areas of agreement, labor ended up in skirmishes with some of the new public interest groups over particular reforms. However, labor's position tended to prevail in these skirmishes.¹⁰⁸ Despite the divisions, these groups helped labor achieve long-standing goals. They brought new assets to the coalition in their effective use of the media and their influence in suburban, middle-class districts, where labor was not very powerful.¹⁰⁹ What had been a trickle of reforms would become a tidal wave in the early seventies.

The Democratic Caucus Takes on Committee Reform

In the early seventies, liberal Democrats returned to the issue of reforming congressional party institutions in addition to House rules. The shift to party reform was reinforced by changes in the composition of the Democratic Caucus. Over the course of the sixties and into the seventies, the two-party system was beginning to creep into the South and into areas of historical Republican dominance in the Northeast. The center of gravity in the Democratic Caucus was pulled to the left.¹¹⁰ The Democratic Caucus, which met regularly as a result of the reforms of 1969, became the locus of reform efforts. In 1970 the Democratic Caucus chair in the House, Representative Dan Rostenkowski of Illinois, under pressure from the DSG, appointed a committee to recommend caucus reforms that became known as the Hansen Committee after its chairwoman. Its recommendations inspired a series of reforms adopted by the Democratic Caucus in the early seventies.

Reforms continued to chip away at the power of committee chairs. Seniority was the first target. Under pressure from the growing chorus of groups demanding reform, the national Democratic Party also went on record in favor of efforts

to strengthen the caucus and weaken seniority. The plank on congressional reform was written with a new level of specificity in 1972, and it railed against seniority as “crippling effective Congressional leadership” and making it “impossible to present and enact a coherent legislative program.”¹¹¹ As labor leaders had long demanded, the platform called for the election of committee chairs by separate ballots based on their party loyalty. The caucus finally took action to rein in committee chairs in the early seventies, first permitting an open vote on the appointment of individual committee chairs on the request of ten members and then allowing the votes to be secret if 20% of the members requested.¹¹² Other reforms, such as the so-called Subcommittee Bill of Rights adopted in 1973, weakened the committee chairs by empowering subcommittees. Together these reforms made committee chairs more accountable to the caucus, spread power to more junior members of Congress (who were more likely to be liberal), and constrained the ability of committee chairs to dictate the shape of legislation and to intimidate committee members into voting for the chair’s position.

Other proposals were designed to strengthen both the power of the caucus and the party leadership elected by the caucus. In a proposal strongly endorsed by the AFL-CIO and Common Cause, the Rules Committee was required to sit on a bill at least four days when a committee chair requested a closed rule on a bill, which prohibited amendments.¹¹³ During this time, if fifty Democrats wished to submit an amendment to the bill, a caucus would be called to consider whether the amendment could be offered. This proposal was primarily directed at the imperial power of Ways and Means chair Wilbur Mills, who typically got closed rules to keep his work intact on the floor. The AFL-CIO had criticized the conservative bent of legislation emanating from Ways and Means for years. The leadership was given a greater role in committee assignments, and a Democratic Steering and Policy Committee, on which the leadership would serve, was also formed to make recommendations to the caucus regarding party policy.

1974: A Watershed Year for Reform

In addition to the numerous caucus reforms, the whole House took action in 1973 to create a bipartisan Select Committee on Committees under the chairmanship of Representative Richard Bolling (D-MO) to investigate rationalizing committee jurisdictions. Organized labor demonstrated its influence in the reform process by killing a renewed effort to split the House Education and Labor

Committee when the Bolling Committee released its recommendations the next year. The opposition of the AFL-CIO and many of the affiliates to the Bolling plan placed much of the labor movement at odds with some of the good government groups such as Common Cause, which endorsed a dramatic overhaul of the committee system.¹¹⁴ Ultimately, the far-reaching Bolling plan was rejected in favor of a compromise brokered by the Hansen Committee that made far more modest changes in the committee system backed by organized labor. The AFL-CIO pushed the Hansen proposal, and its lobbyists felt the best provisions of the Bolling plan were retained in the final package of reforms.¹¹⁵ Other reforms would have a significant impact on the legislative process. One allowed the Speaker to refer bills to multiple committees. Viewed by some as a way to diffuse power on major legislation in the House and by others as a way to empower the Speaker and the majority party,¹¹⁶ multiple referral made it more likely that a conservative committee's proposal would face competing proposals. Another change tripled the number of professional staff allowed committees, which further enabled Congress to counter administration proposals.

Congress also passed legislation that significantly changed the nation's budgeting process in the Budget and Impoundment Act of 1974. Many of the changes had been called for by the AFL-CIO for years. In part a response to battles with the Nixon administration over spending on social programs, the act was an effort to rationalize the budget process and shift leadership on the budget away from the president and back to Congress. Not only did it alter Congress's role in taxing and spending, but the budget legislation also created a process called reconciliation that would later be used on certain types of bills to circumvent various obstacles in the legislative process including the filibuster. Presidents Ronald Reagan, Bill Clinton, and George W. Bush would later use reconciliation to pass controversial tax legislation. Ultimately, the reconciliation procedure made possible, over unanimous Republican opposition, the passage of the massive health care reform bill worked out between Barack Obama's administration and congressional Democrats.

The 1974 election in the wake of the Watergate scandal produced a large new class of seventy-five Democratic freshmen representatives and the most liberal majority since the 1964 elections, which supported a whole new round of reform. The divisions in the reform coalition were quickly smoothed over as both organized labor and the good government groups recognized the potential for far-reaching reform. The organizational session of the caucus for the 94th Congress held in December passed a wave of additional reforms to

strengthen the leadership and the caucus. Most of these reforms came from a package assembled by the DSG in November to quickly take advantage of the outcome of the elections. The power to assign members to the substantive committees was transferred from the Democratic members of Ways and Means, many of whom were more conservative than the average Democrat, to the Democratic Steering and Policy Committee. The power to appoint the chair and the Democratic members of Rules was transferred to the Speaker with caucus approval. There were also limitations on the number of committee chairs a member could hold. Partly in anticipation of an upcoming fight over national health insurance, the Ways and Means Committee was expanded to allow appointment of more junior, and likely more liberal, representatives.¹¹⁷ Finally, there were several “sunshine” reforms mandating open committee meetings, open conference committee meetings, and release of recorded votes in the Democratic Caucus.

The multiple caucus reforms prior to the 1974 election had marginal impact, but the so-called Watergate babies made use of the reformed procedures to exert a real challenge to seniority and its associated conservatism. In an institution in which deference to seniority had been sacrosanct, the freshmen held their own caucus to drill standing committee chairs about their views.¹¹⁸ A Common Cause report on the performance of the individual committee chairs that specifically targeted several as unresponsive to party or public sentiment proved quite influential.¹¹⁹ Many of the freshmen joined with DSG reformers in the Democratic Caucus to replace three sitting chairs, finally launching a successful challenge to seniority.¹²⁰ This action put all chairs on notice that they had better pay attention to majority sentiment in the caucus or risk losing their positions. The reforms, combined with the changes in the Southern electorate, eroded the dominance of conservative Southern committee chairs. The era of committee government in Congress had come to an end. Labor alone did not produce this outcome, but it played a very important role in fostering and sustaining the reform coalition that made it possible.

Irritated by the Democratic reforms, Representative John Anderson (IL), then the chair of the GOP Conference (comparable to the Democratic Caucus), provided a cautionary note when he called attention to the fact that a majority of the majority party was still a minority of the House.¹²¹ That would become obvious in labor’s legislative failures in the wake of reform. Yet labor and liberals in general stood to benefit from the attacks on the institutional bases of the conservative coalition’s power. While reforms did not produce an omnipotent

liberal legislative majority, liberals had a better chance of moving legislation that would have died in committee two decades earlier.

Other Reforms

Although organized labor focused on reforming congressional rules and practices, the sixties and seventies were a tumultuous period that produced a range of other reforms that had consequences for organized labor's political position in subsequent decades. Several reforms affected congressional districts. As mentioned in the previous chapter, the Supreme Court took the initiative in addressing the malapportionment of congressional districts and state legislatures in a series of decisions in the mid-sixties that ended the rural domination of state legislatures in many industrial states such as Michigan and reduced the representation of rural interests in the U.S. House. Because of urbanization and redistricting, the number of congressional districts with a rural majority declined from 214 to 130 between the 1964 and 1972 elections, making the House far more representative of metropolitan areas.¹²² The court-ordered redistricting also corresponded with the disappearance of a pro-Republican bias in non-Southern congressional districts in which Republicans won a share of seats greater than their share of the vote.¹²³ This improved the chances of electing pro-labor House members. In the South, the Court's rulings against vote dilution, combined with enforcement of the Voting Rights Act of 1965 and state redistricting efforts, eventually undermined the electoral base of many conservative Southern Democrats.¹²⁴ The multiple currents of reform came together in the symbolic defeat of the imperious Rules Committee chairman Howard Smith in the 1966 primary. As a result of court-ordered redistricting, Smith's Virginia district was redrawn to include a sizable black constituency. The AFL-CIO got involved in the election and helped his liberal challenger win.¹²⁵ In an ominous sign, however, the seat was won by the Republican candidate in the general election.

Some reforms did not necessarily serve labor's interests even though the AFL-CIO and many of the affiliates played a role in shaping them. The 1971 Federal Election Campaign Act and its 1974 amendments placed limits on campaign contributions but facilitated the precipitous growth of corporate political action committees (PACs). In 1976 Democrats received roughly two-thirds of their PAC contributions from labor; by 1980 the figure had fallen to 43%.¹²⁶ A 1978 internal postelection COPE report warned of rising corporate campaign contributions, even to longtime allies of labor. The report suggested that a

number of candidates with voting records under 75% in support of labor's position who received significant corporate contributions might "cave to business" on legislation.¹²⁷ The diversification of funding for Democratic candidates meant that labor had to step up its lobbying operation in the 1970s and 1980s to ensure the support of non-Southern Democrats it might have previously taken for granted.

Conclusion

Organized labor played a leading role as part of a larger labor-liberal alliance in changing the contours of the American political system in the first three decades of the postwar period. Labor broadened the coalition for civil rights within the Democratic Party, despite tensions within its own ranks, and developed and relentlessly pursued an agenda for congressional reform that was eventually supported by a majority in the party. When organized labor started to advocate civil rights legislation and congressional reform back in the 1940s out of frustration with the conservative coalition's power over public policy, labor strategists hoped the changes would allow labor-liberals to take control of the Democratic Party and the government. When civil rights legislation and congressional reforms were finally adopted in the sixties and seventies, labor did not get the liberal transformation of the political system it expected. The immediate impact was disarray in both the Democratic electoral coalition and the legislative process, resulting in continued stalemate on labor's most ambitious policy goals, as discussed in the next chapter. But the changes during this period set off a slow-moving regional realignment of the parties, with the Republicans eventually becoming strongest in the South and Plains states and the Democrats becoming strongest in the Northeast, industrial Midwest, and Pacific Coast states, where labor—and the broader labor-liberal coalition—was more influential.