THE FIERCE URGENCY OF NOW

LYNDON JOHNSON, CONGRESS, AND THE BATTLE FOR THE GREAT SOCIETY

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We have also come to this hallowed spot to remind America of the fierce urgency of now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy.

—Martin Luther King Jr.,
August 28, 1963, at the Lincoln Memorial, Washington, D.C.
Lyndon Johnson hated being vice president. He was at heart a legislator who had been relegated to the sidelines of legislation. For almost three years he had watched John F. Kennedy fumble most of the big domestic issues of the day, either because the president was unwilling to take on the toughest challenges of the moment, or because he was too afraid of the political fallout, or because he knew he lacked the ability to win the legislative battles he faced on Capitol Hill. At the time of Kennedy’s death, most of his major domestic initiatives—including civil rights, a tax cut, federal assistance for education, and hospital insurance for the elderly—were stalled in Congress or had not yet been introduced there. Kennedy and his advisers had made a conscious decision to keep Lyndon Johnson out of their inner circle, despite his extensive experience on Capitol Hill, for fear that his well-known thirst for power would cause problems for the president.¹

At 4:00 a.m. on November 23, 1963, the day after Kennedy’s assassination gave him the presidency, Johnson reclined on his bed, his top advisers arrayed around him for an impromptu meeting. He mapped out a grand vision for his team. The new president told Jack
THE FIERCE URGENCY OF NOW

Valenti, Bill Moyers, and Cliff Carter, with "relish and resolve," according to Valenti, "I'm going to get Kennedy's tax cut out of the Senate Finance Committee, and we're going to get this economy humming again. Then I'm going to pass Kennedy's civil rights bill, which has been hung up too long in the Congress. And I'm going to pass it without changing a single comma or a word. After that we'll pass legislation that allows everyone anywhere in this country to vote, with all the barriers down. And that's not all. We're going to get a law that says every boy and girl in this country, no matter how poor, or the color of their skin, or the region they come from, is going to be able to get all the education they can take by loan, scholarship, or grant, right from the federal government." After pausing to catch his breath, almost as if exhausted by his own ambitions, the president concluded, "And I aim to pass Harry Truman's medical insurance bill that got nowhere before."

Jack Valenti's recollection of that moment perfectly portrays the Lyndon Johnson who had suddenly become the nation's leader. He was a creature of Congress, a legislator by character and long experience, who was determined to push through a transformative body of laws that would constitute nothing less than a second New Deal.

Though many liberals had long doubted that Johnson was anything but a southern racist conservative who sometimes pretended to be one of them, he was, when he became president of the United States, truly determined to expand the role of the federal government in domestic life far beyond what his hero Franklin Roosevelt had accomplished. Johnson had started in politics as a New Deal liberal, and over the years he had grown ever more determined to deal with issues FDR had ignored and on which Johnson himself had been ambivalent at best during his own political career, most notably civil rights and health care. He wanted to use the presidency to build legislative majorities behind the ideas that liberals had been discuss-
ing and deliberating—but not enacting into law—for more than a decade.

Lyndon Johnson's vision of a presidency that would spearhead major liberal legislation faced enormous obstacles, however. Historians have often failed to understand how the Great Society—President Johnson's agenda of big domestic programs—was enacted, because they have accepted two myths about the nature of the political challenges the Great Society had to face.

The first myth presents the 1960s as the apex of modern American liberalism, the culmination of those forces that arose in the Progressive Era at the turn of the twentieth century when the federal government came to be seen as a positive good, when social movements leaned toward the left, and when conservatives were marginal and irrelevant.

A recent generation of historians has shattered this portrait of the liberal era in politics. They have rediscovered the enormous influence of conservative activists, philanthropists, organizations, and politicians in the decades that directly followed the New Deal. Shifting attention away from the White House and toward the U.S. Congress is one of the most effective ways to gain a very different perspective on the dynamics of American politics before the age of Reagan. Though many of the nation's presidents had embraced liberal ideas, Congress was a powerful institution dominated by a conservative coalition of southern Democrats and Republicans who rejected liberalism. During the 1930s, as the political scientist Ira Katznelson has shown, FDR was already forced to compromise his New Deal to appease southern Democrats and Republicans by agreeing to federal legislation that protected the racial order of Dixie and made it difficult for organized labor to gain a foothold in that low-wage nonunion region.3

After the 1930s, Congress was a graveyard of liberal legislation.
At the time of President Kennedy's death, the record for liberal reform was meager. The spirit of the New Deal seemed a distant memory. It had been two and a half decades since any significant social legislation had been passed. President Truman lacked the skills of his predecessor, and he spent much of his political capital advancing the nation's involvement in the cold war. Congressional conservatives killed most of his marquee domestic proposals, including national health care, and even turned back one of the hallmark achievements of the New Deal, the Wagner Act, which had guaranteed the right of workers to organize into unions and created the National Labor Relations Board to supervise union elections, by passing the 1947 Taft-Hartley Act, which allowed states to enact “right to work” laws that made it more difficult for unions to organize workers. The Republican president Dwight Eisenhower, though he accepted the permanence of the New Deal, had limited domestic policy aims and spent much of his second term pushing back against liberal Democrats in Congress who were demanding that the government do more, and spend more, to tackle social problems. President Kennedy, a hard-nosed pragmatist who continually rebuffed liberals who he believed had unrealistic expectations of what could be accomplished through legislation, saw his fears confirmed when he was soundly throttled by the conservatives in Congress on a number of proposals. As Kennedy pointed out in an interview in 1962, "I think the Congress looks more powerful sitting here than it did when I was there in the Congress."

Many of the southern Democratic committee chairmen, who, with their Republican allies, dominated Congress, opposed the changes Johnson hoped to pursue. These long-serving southern Democrats were dead set against racial integration in public accommodations and believed that a proposal to provide insurance to cover the hospital stays of the elderly was socialized medicine. They believed in the right to vote in principle but didn’t support giving the
attorney general any power to ensure that African Americans could exercise that right. These conservatives vehemently opposed the idea that the federal government would provide financial assistance to the schools that educated the nation's children, and they claimed that communists were pulling the strings of all the grassroots movements that were seeking racial equality and economic justice.

The committee chairmen were shocked but not moved by Kennedy's assassination. When Johnson called on the nation to fulfill Kennedy's agenda in order to honor the life of the martyred leader, congressional conservatives responded with stolid indifference. When Johnson took office, liberalism was in bad shape, fragile and ineffective, beset on all sides by powerful enemies. If Johnson was going to persuade Congress to pass his policy wish list, he would have to change the power structure that reinforced the conservative stranglehold on the legislative process.

Despite the nostalgia many feel today for the Congress of the 1960s—wishful memories of an institution where it was easier to pass legislation—the truth is that until 1964 Congress was seen as a dysfunctional branch of government, where southern Democrats and Republicans regularly brought the legislative process to a complete standstill. The short period in which Congress enacted most of the Great Society programs was more an aberration than the norm in those years.

The second myth about the 1960s has to do with presidential power. Much of the history written about the Great Society in this period presents it as the product of Lyndon Johnson's brilliant legislative prowess—how he wielded the power of the presidency to force legislators to vote for legislation they had long vehemently opposed. "Johnson left huge footprints wherever he stepped," wrote the historian Bruce Schulman, "overwhelming nearly everyone who crossed his path and achieving more than nearly any other American politician."
The fierce urgency of now

The central image of the myth is Johnson as practitioner of “the Treatment”—this imposing man, six feet four and whose fluctuating weight crept up to 240 pounds, literally leaning on his colleagues, physically and verbally bullying, cajoling, lobbying, and threatening until they had no way out but to give him what he wanted. In photographs of the Treatment we see Johnson, having barged into the personal space of his target, putting his hands on the man’s shoulders or inching his nose right up to his face as he bends the man to his will. “The Treatment,” wrote the columnists Rowland Evans and Robert Novak, was “an almost hypnotic experience and rendered the target stunned and helpless.” Although the physical dimension was gone when Johnson tried to convince over the phone, he used the same bullying techniques to win people over with his voice. The Treatment could be seductive or terrifying, or usually a little of both.

Yet Johnson did have an uncanny command of the legislative process, which he had perfected as Senate majority leader in the 1950s. He employed powerful strategies for scheduling debates, manipulating arcane parliamentary rules, learning the background and personality of every legislator and using all this information to his advantage, conducting votes on legislation, and using pork barrel politics to build voting alliances on the floor. His mastery of all these tactics has been used to explain how, as president of the United States, Johnson changed the way Americans lived their lives.

Johnson remains a central figure in the debate about the triumph of presidential power in these decades of the twentieth century—the so-called rise of the “imperial presidency.” In this context, Johnson is the essential clue to how presidents can make Congress work by handling legislators and the legislative process in the right way.

When health-care and financial regulation bills were stuck in Congress in late 2009 and early 2010, Democratic senators were reading Robert Caro’s most recent volume about the Senate majority leader Lyndon Johnson to figure out how President Obama could get
his troubled bill through an obstructionist Congress. “A few of us joked that we should just get Robert Caro’s book on Lyndon Johnson, highlight a few pages, and leave it on the president’s desk,” one White House aide recalled. “Sometimes a president just needs to knock heads. It’s kind of what the combatants secretly want. [Johnson] twisted their arm, they had no choice—he was going [to] defund them, ruin ‘em, support their opponent, whatever the fuck—and the deal was cut. It lets them off the hook. They had no choice. I mean, for fuck’s sake, he’s the goddamn president.”

But all the political savvy in the world has never been enough to move a Congress where the legislators who controlled the chambers fundamentally opposed the proposals that were coming from the White House. The veneration of the Treatment obscures how politics works; it overemphasizes the capacity of “great men” to effect legislation by force of personality and undervalues the more complicated and significant effects of the political environment in which a president must operate—congressional coalitions, interest groups, social movements, and voting constituencies. In 1963, Johnson understood this better than most, given his extensive experience on Capitol Hill. Political scientists correctly remind us that the institutional rules and procedures of Congress play a huge role in determining what kinds of opportunities presidents have in office because they structure the incentives and behavior of legislators on Capitol Hill.

This was as true for Johnson as it has been for all other presidents. In November 1963, the committee process defined Congress. Johnson knew that the conservative committee leaders in the House and the Senate had the power to set the congressional agenda, to put certain issues on the front burner and ignore others, regardless of what opinion polls or grassroots activists were saying the American people wanted, to say nothing of what the president of the United States wanted. Senior committee chairmen could prevent bills from being debated or voted on; they could attach rules to legislation that would
make floor debates unmanageable and susceptible to tricks and tactics that would subvert legislation. The secretive nature of Congress in this period, when television cameras were still prohibited from the chambers and when most hearings were conducted behind closed doors, gave elected officials the liberty to subvert legislation without being subject to public scrutiny. Senators had the right to engage in filibusters, speeches of unlimited length on any topic that stopped the normal progress toward a vote and could not be ended except by a virtually impossible supermajority of sixty-seven senators.

Johnson often complained of the limits of his power and scoffed at the perception that he had extraordinary human skills that enabled him to move his colleagues. Indeed, he had lost some of his ability to directly shape this process as he wanted when he moved from Capitol Hill to the White House. As president, he had to rely on legislators to do for him much of the legislative work he had once done for himself. About his power, President Johnson once complained, "The only power I've got is nuclear... and I can't use that."9

The key to the success of the Great Society had less to do with the overwhelming popularity of liberalism or the presidential power of Johnson than with the specific changes between the summer of 1964 and the November elections that created unusually good conditions in Congress for passing domestic bills. In other words, we need a less Johnson-centric view to understand how this historic burst of liberal domestic legislation happened. We need to ask not only what Lyndon Johnson did that was so special but what legislative conditions existed that allowed someone with Johnson's skills to succeed.

During this critical period, the power of the conservative coalition was diminished, first by the actions of the civil rights movement, which in 1963 and 1964 placed immense pressure on legislators in both parties to pass laws that would benefit African Americans, and subsequently by the 1964 elections, which gave liberals the huge majorities they needed to prevent conservative committee chairmen
from thwarting their domestic policy aims in Congress. Not only did liberal Democrats have the votes necessary to pass bills and kill filibusters, but Republican moderates, a sizable force in their party, were running as fast as they could from all positions that might allow Democrats to brand them as right-wing extremists in the wake of the ultraconservative senator Barry Goldwater's landslide loss in the presidential election.

Johnson deserves his share of credit, but less for being an especially skilled politician who could steamroll a recalcitrant Congress than for taking advantage of extremely good legislative conditions when they emerged. Moreover, Johnson's success with domestic programs resulted from a risky political maneuver he undertook in 1964 and 1965 to maintain momentum for his legislation. Resisting all the opposition he faced from White House advisers and legislators, including hawks like the Georgia senator Richard Russell, Johnson escalated American involvement in the war in Vietnam. There were many reasons why he ended up listening to the hawks and embarking on a disastrous war in Southeast Asia, including his general agreement with the domino theory of communism, but one of the most important was a political calculation that a liberal Democratic president had to be hawkish on foreign policy in order to be successful. Otherwise, Johnson believed, he would give conservatives—who had thrived on foreign and domestic anticommunist crusades in the early 1950s—too much ammunition with which to attack his administration as weak on defense.

Johnson was forced to deal with the consequences of this decision when legislative conditions deteriorated after the 1966 midterm elections. The ability of Republicans to play on concerns about inflation and Vietnam, and a brewing racial backlash among northern Democratic constituencies in response to urban riots and the black power movement, significantly reduced the size of the Democratic congressional majority. The conservative coalition rebounded after its losses
in 1964, and when Johnson once again had to face a strong conservative coalition, all the Treatment and parliamentary tricks in the world had little practical effect on Congress. Johnson spent his final two years as president contending with the politics of austerity as he pushed for a desperately needed tax hike and congressional conservatives pushed back for steep cuts in domestic spending, all of which, combined with the protests over Vietnam, virtually crippled his ability to secure more big legislation.

Although this period of liberalism was much more fragile, contested, and transitory than we have usually remembered, the programs that came out of it have endured. One of the most remarkable aspects of the Great Society is how much still lives with us today, fifty years later, so much so that most Americans regard its programs as essential manifestations of the national government's responsibility to its citizens.

This is a book about how the work of grassroots activists and changes in the power structure of Congress enabled a liberal president to fulfill his grand legislative ambition—the creation of a second New Deal that would complete the work of Franklin Roosevelt, expand the welfare state, and extend the full rights of citizenship to African Americans and the poor. The conditions in which these achievements were possible existed only for a short time. When those conditions changed, the great period of liberal legislation was ended by a resurgent opposition, but the achievements of the period were never overturned and have remained irrevocable.