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Intraparty Organization in the U.S. Congress

by

Ruth Frances Bloch Rubin

A dissertation submitted in partial satisfaction of the

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University of California, Berkeley

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Professor Eric Schickler, Chair

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Intraparty Organization in the U.S. Congress

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Abstract

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The purpose of this dissertation is to supply a simple and synthetic theory to help us to understand the development and value of organized intraparty blocs. I will argue that lawmakers rely on these *intraparty organizations* to resolve several serious collective action and coordination problems that otherwise make it difficult for rank-and-file party members to successfully challenge their congressional leaders for control of policy outcomes. In the empirical chapters of this dissertation, I will show that intraparty organizations empower dissident lawmakers to resolve their collective action and coordination challenges by providing selective incentives to cooperative members, transforming public good policies into excludable accomplishments, and instituting rules and procedures to promote group decision-making. And, in tracing the development of intraparty organization through several well-known examples of party infighting, I will demonstrate that intraparty organizations have played pivotal — yet largely unrecognized — roles in critical legislative battles, including turn-of-the-century economic struggles, midcentury battles over civil rights legislation, and contemporary debates over national health care policy.

“If you would understand anything, observe its beginning and development.”

— Aristotle —

For my family,

Michele Bloch, Jeffrey Rubin, Ted Bloch Rubin, and Gregory Elinson

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Chapter 1. Towards a Theory of Intraparty Organization

Here is a mushroom. Yesterday when you passed it was not there. It has come up as by magic. “Wonderful!” you exclaim. “Out of nothing this great growth in a night!” Wonderful indeed; and yet the growth has not been as sudden as you think. Yesterday nothing was in sight, but the earth was filled with the fibers of the mushroom plant. The puffball you see is only the blossom. The real plant is below. It was there all the time. It has simply shoved up the puffball when it got ready. Things were working in the mysterious underground all the time. This mushroom growth of a single night is the result of slow preparation. It is surprising because it comes into view so suddenly — that’s all.

— Herbert Quick for *La Follette’s Weekly Magazine*¹

In March 1910, a “little group of willful men” toppled one of the most powerful party leaders in congressional history.² For nearly a decade, “Uncle Joe” Cannon, Speaker of the House of Representatives and leader of its Republican majority, had ruled the lower chamber with an iron fist. As Speaker, Cannon nimbly managed his Republican delegation, controlling the appointment of House committees and regulating the legislative agenda to minimize sectional conflict between vying Republican factions. Throughout his tenure, the Speaker labored to, in his own words, “bring forth the best results for the party.”³

But, determining just what results were best for the Republican Party proved controversial. Firmly allied with eastern finance-capital and industrial interests, Cannon spurned pleas for federal assistance from Republican farmers crippled by debt. Powerless to meet the farmers’ demands for assistance, reform-minded Republicans vowed to do away with the constellation of rules and procedures Cannon had long used to control the congressional agenda. Against all odds, after several failed attempts, they managed to do just that. Catching the Speaker and his loyal Republican allies off guard, the reformers forced Cannon to relinquish his seat on the House Rules Committee, and with it, his primary means to control floor activity and

¹ Herbert Quick, “Draft: Here is a Mushroom,” enclosed in letter from Fred MacKenzie to Robert La Follette, February 20, 1911, Library of Congress Manuscript Division (LOCMD), Robert La Follette Papers, Box 68, Series B.

² Kenneth W. Hechler, *Insurgency: Personalities and Politics of the Taft Era* (New York: Russell & Russell Inc., 1964), 223.

³ Blair Bolles, *Tyrant from Illinois: Uncle Joe Cannon’s Experiment with Personal Power* (New York: Norton & Company, 1951), 198.

the chamber body. Describing Cannon's defeat the following day, journalists declared the reformers' victory a "startling triumph," "surprising," and "sudden."⁴

In truth, the Republican reformers' triumph against their party leader was neither entirely surprising nor at all sudden. Rather, the reformers' successful effort to reign in Cannon's power as Speaker was the result of painstaking preparation. Indeed, their story is instructive. Beginning in 1908, the reformers joined ranks, forming a cadre of partisan insurgents committed to revising House rules. To effectively challenge Cannon, the lawmakers recognized, they had to counter the Speaker's institutional power base with an organizational scaffolding of their own. Over the course of many months, the reformers relied on organization to plan their fight, determine the details of their proposed rules changes, and orchestrate their offensive. In short, Cannon's defeat was the culmination of extensive, dissident organization.

While scholars have since characterized the Cannon Revolt as a singular moment in American history, the episode is but one stitch in a larger pattern of congressional lawmaking.⁵ Marking every decade of the past century, dissident lawmakers have developed organizations — distinct from their party institutions and other so-called "congressional member associations" — to secure policies opposed by party leaders (see Figure 1.1).⁶ When and why do these *intraparty organizations* form? How do they structure congressional policymaking?

The purpose of this dissertation is to supply a simple and synthetic theory to help us to answer these questions and to understand, more broadly, the development and value of organized intraparty blocs. I will argue that lawmakers rely on intraparty organizations to resolve several serious collective action and coordination problems that otherwise make it difficult for rank-and-file party members to successfully challenge their congressional leaders for control of policy outcomes.⁷ In the empirical chapters of this dissertation, we shall see that intraparty organizations empower dissident lawmakers to resolve their collective action and coordination challenges by providing selective incentives to cooperative members, transforming public good policies into excludable accomplishments, and instituting rules and procedures to promote group decision-making.

⁴ "All Night Fight to Oust Cannon: Insurgents and Democrats Move Together," *The New York Times*, March 18, 1910, A1.

⁵ Karen Orren and Stephen Skowronek, *The Search for American Political Development* (New York: Cambridge University Press, 2004), 10.

⁶ As we shall see, intraparty organizations are characterized by substantively different membership requirements, internal procedures, and political objectives than so-called "congressional member organizations" (e.g. the Congressional Black Caucus) which are registered as Legislative Service Organizations with their respective chamber's Oversight Committee. Indeed, the majority of the intraparty organizations discussed in this dissertation are *not* (or were not) officially registered with the appropriate chamber oversight committee.

⁷ To be sure, intraparty organizations are likely not the "only way" to solve these coordination and collective action dilemmas. Such organizations are merely one way. But, they have been almost totally ignored by the Congress and parties literatures.

Moreover, in tracing the development of intraparty organization through several well-known examples of party infighting, I will show that intraparty organizations have played pivotal — yet largely unrecognized — roles in critical legislative battles, including turn-of-the-century economic struggles, midcentury battles over civil rights legislation, and contemporary debates over national health care policy.

Figure 1.1: Cases of Intraparty Organization in the Twentieth and Twenty-First Centuries

The balance of this chapter is devoted to outlining in greater detail the spatial logic underlying this view of intraparty organization. First, I briefly review the prominent models of party organization in Congress and the expectations these models generate about the relative balance of power between party leaders and their membership. I then explore the collective

action and coordination dynamics that drive the formation of intraparty organizations. Next, I identify three institutional features that help to explain the varying structure of intraparty organization across legislative chambers. I also consider how changes in key congressional and partisan institutions have affected the underlying purpose and structure of intraparty organization. I close with a summary of the study's research design and a brief review of the project's empirical findings.

1. The Push and Pull of Party Power

Much of what has been written about political parties in the U.S. Congress focuses on the tense relationship between party leadership and membership. Such studies often characterize American political parties as weak, compared to their counterparts in other economically advanced democracies.⁸ In this *candidate-centered* political system — where individual members, rather than parties, are responsible for generating financial and electoral support in their districts — scholars have argued that rank-and-file members seek maximum autonomy to act according to their constituents' preferences, even if such behavior runs counter to party orthodoxy.⁹ Indeed, as Dodd and Oppenheimer write: "Throughout most of the postwar years, political parties in Congress have been weak, ineffectual organizations...perhaps best exorcised from attempts to explain congressional organization, behavior, and process."¹⁰ Historical accounts often reinforce this view of congressional activity. Particularly in the decades following the New Deal, it is clear that congressional leaders had relatively limited control over lawmakers' legislative activity and voting behavior.¹¹

However, in recent decades, a second, contrasting view has emerged. Proponents of a *party-centered* model of congressional activity contend that party leaders possess a great deal of

⁸ See, for example, Woodrow Wilson, *Congressional Government* (Boston: Houghton Mifflin, 1885) and Martin P. Wattenberg, *The Decline of American Political Parties, 1952-1996*, 5th Ed. (Cambridge: Harvard University Press, 1998).

⁹ David R. Mayhew, *Congress: The Electoral Connection* (New Haven: Yale University Press, 1974); Joseph Cooper, David W. Brady, and Patricia A. Hurley, "The Electoral Basis of Party Voting: Patterns and Trends in the U.S. House of Representatives, 1887-1969," in *The Impact of the Electoral Process* eds. Louis Maisel and Joseph Cooper (Beverly Hills: Sage Publications, 1979), 133-65; Roger H. Davidson, "Subcommittee Government: New Channels for Policy Making," in *The New Congress* eds. Thomas Mann and Norman J. Ornstein (Washington, D.C.: American Enterprise Institute, 1981), 99-133.

¹⁰ Lawrence C. Dodd and Bruce I. Oppenheimer, "The House in Transition," in *Congress Reconsidered* eds. Lawrence C. Dodd and Bruce I. Oppenheimer (New York: Praeger, 1977), 41.

¹¹ James A. Robinson, *The House Rules Committee* (Indianapolis: Bobbs-Merrill, 1963); Richard Bolling, *House Out of Order* (New York: Dutton, 1966); James A. Robinson, *The House Rules Committee* (Indianapolis: Bobbs-Merrill, 1963); Charles O. Jones, "Joseph G. Cannon and Howard W. Smith: An Essay on the Limits of Leadership in the House of Representatives," *Journal of Politics* 30 (1968), 617-46; John F. Manley, "The Conservative Coalition in Congress," *American Behavioral Scientist* 17 (1973), 223-247; Joseph Cooper and David W. Brady, "Institutional Context and Leadership Style: The House from Cannon to Rayburn," *American Political Science Review* 75 (1981), 411-425.

power to constrain and direct the behavior of party members.¹² These scholars emphasize the benefits to individual legislators of membership in a political party. To earn these benefits — a favorable reputation with voters, a viable political program, the capacity to deploy aggressive procedural tactics to pass legislation preferred by a majority of the majority, or to obstruct legislation that lacks such support — members must accept limits to their personal autonomy. Party leaders are elected to enforce these limits; members who fail to accept constraint will be punished, while those who cooperate will be rewarded. This view, too, finds support in the historical record. The Cannon era, among others, offers strong historical evidence that party leaders can — and do — play a dominant legislative role. “It is because chamber parties act both cohesively and contrary to the preferences of a majority of its rank and file, but consistent with leadership preferences, that party organization...has mattered substantively to the...trajectory of American political development.”¹³

Cox and McCubbins are perhaps the most prominent advocates of this party-centered view of congressional activity. In their view, although members of Congress may care deeply about advancing their personal policy preferences, they are equally committed to winning reelection and securing their party’s majority status. To further these two goals, members understand that their party must have a strong record of legislative accomplishment. This, in turn, requires the party to solve a myriad of collective action and coordination problems that “gum up” the legislative process. Lawmakers resolve these collective action and coordination problems by creating and delegating authority to elected party leaders. Charged with encouraging cooperation and enforcing discipline on matters important to the party’s record, the leaders use their control over chamber procedure and the distribution of legislative spoils to advance the party orthodoxy — even when it may be at odds with an individual lawmaker’s preferences.¹⁴

Questioning this party-centered model of congressional activity, Krehbiel argues that parties have little independent effect on legislators’ behavior. In his view, legislative outcomes are not shaped by party leaders but, rather, are due “first and foremost, to politicians who

¹² Melissa P. Collie and David W. Brady, “The Decline of Partisan Voting Coalitions in the House of Representatives,” in *Congress Reconsidered* eds, Lawrence C. Dodd and Bruce Oppenheimer (Washington, D.C.: CQ Press, 1985), 272-287; Gary W. Cox and Mathew D. McCubbins, *Legislative Leviathan: Party Government in the House* (New York: Cambridge University Press, 1993).

¹³ Scott C. James, *Presidents, Parties and the State* (New York: Cambridge University Press, 2000), 20.

¹⁴ Gary W. Cox and Mathew D. McCubbins, *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives* (New York: Cambridge University Press, 2005), 20-30. As Cox and Magar observe, the majority party allocates chairmanships, determines committee membership, and receives a disproportionate share of legislative earmarks and appropriations. Consequently, as Jenkins and Monroe report, majority party leaders routinely dole out such spoils to incentivize cooperation, offering side payments to party members for losses they may suffer holding the party line. See Gary W. Cox and Eric Magar, “How Much is Majority Status in the U.S. Congress Worth?” *American Political Science Review* 93 (1999), 299-309; Jeffrey A. Jenkins and Nathan W. Monroe, “Buying Negative Agenda Control in the U.S. House,” *American Journal of Political Science* 56 (2012), 897-912.

straightforwardly and individualistically express their preferences.”¹⁵ Krehbiel contends that in a system of strong two-party competition, party leaders’ efforts to influence the votes of their membership are either negligible or cancelled out by reciprocal efforts made by opposing party leaders to encourage defection (and to encourage their own members’ loyalty). To the extent that the reward for loyalty is matched by the reward for defection, party members will be free to vote according to their preferences, or those of their constituents, without regard to pressure from party leaders. Instead of lodging power in party leaders, Krehbiel emphasizes the role of the legislative median in shaping policy outcomes.¹⁶ In this view, the preferences of the median legislator and other pivotal players empowered by the Senate’s rules and the Constitution’s requirements for enacting legislation, will constrain the viable policy options available to party leaders.¹⁷

Striking a balance between the candidate-centered and party-centered models of congressional activity, Rohde and others have argued that the power of party leaders waxes and wanes as the uniformity of members’ preferences change.¹⁸ When members agree on the substance of their party’s agenda, they are more willing to delegate power to leaders who will promote that agenda. Conversely, when a party is internally divided over matters of policy, members prefer to retain as much individual power as possible. In Rohde’s view, “strong leaders are still possible in an era of individualistic members, but the collective membership becomes ‘the Boss.’”¹⁹

Extending this theory of “conditional party government,” Schickler and Rich link the fluctuating power of party dissidents to the size and ideological homogeneity of the majority party. In their view, a dissident party member exerts maximum influence when she is included among a “sufficient number of [other] party dissidents to constitute a permanent majority should they ally with the minority party.”²⁰ With a fragile majority, party leaders have limited incentive to punish dissident members lest they defect permanently to the minority. Only when party leaders control a strong and unified majority can they exert the sort of legislative control envisioned by the party-centered model.

¹⁵ Keith Krehbiel, *Pivotal Politics: A Theory of U.S. Lawmaking* (Chicago: University of Chicago Press, 1998), 185.

¹⁶ Keith Krehbiel, *Information and Legislative Organization* (Ann Arbor: University of Michigan Press, 1991); David W. Brady and Craig Volden, *Revolving Gridlock* (Boulder: Westview, 1998).

¹⁷ Krehbiel, *Pivotal Politics*, 165-72. See also Keith Krehbiel, “Where’s the Party?” *British Journal of Political Science* 23 (1993), 235-266.

¹⁸ David Rohde, *Parties and Leaders in the Postreform House* (Chicago: University of Chicago Press, 1991), 35-37. See also John Aldrich and David Rohde, “The Transition to Republican Rule in the House: Implications for Theories of Congressional Politics,” *Political Science Quarterly* 112 (1997): 541-67.

¹⁹ Rohde, *Parties and Leaders*, 37.

²⁰ Eric Schickler and Andrew Rich, “Controlling the Floor: Parties as Procedural Coalitions in the House,” *American Journal of Political Science*, 41 (1997), 1342.

Despite their analytic differences, both the proponents of the party-centered and candidate-centered models of legislative behavior make similar assumptions about the chamber median. Exploiting a spatial framework common to many contemporary studies of congressional politics, Cox and McCubbins and Krehbiel assume that the ideological distribution of lawmakers is such that the chamber median is occupied by a single legislator. While Schickler and Rich base their analysis on the proposition that the number of dissident members at the chamber median can vary from one congressional session to another, they too assume that lawmakers at the median will act with singular purpose, choosing to defect en masse or not at all. As with other simplifying assumptions, the idea that the chamber median can be reduced to one, identifiable lawmaker makes it easier to understand certain complex dynamics fundamental to the U.S. Congress. At minimum, it makes clear that all rank and file party members are not created equal; some legislators are better equipped, institutionally, to influence policymaking than others.

However, simplifying political activity to achieve analytic traction risks obscuring other equally important dynamics. What if multiple members of Congress are positioned near the chamber median, such that their preference for a particular policy alternative is functionally indistinguishable? A simple example can help illuminate this concern.

Suppose that the House of Representatives is debating whether or not to raise the federal minimum wage. Further, imagine that the chamber's Democratic Speaker (P) hopes to double the minimum wage from six dollars an hour (sq) to twelve dollars, in keeping with the preferences of her party's median member. However, the chamber's median voter (M) — also a Democrat — prefers to increase the minimum wage to only ten dollars per hour. To determine which of these policy options (if any) will ultimately pass the House, we must consider two possible scenarios.

Let us first assume that the Democratic Speaker is able to restrict the range of policy alternatives by securing a closed rule prohibiting all lawmakers from amending her wage proposal. Drawing a cut-point — a dividing line equidistant between the policy proposal (\$12) and the status quo (\$6) — can help us to identify which members of Congress will vote for the Speaker's minimum wage bill. Lawmakers to the left of the cut-point (represented below by the dashed line at \$9) will vote for the proposed minimum wage bill; legislators to the right will vote to maintain the status quo. Given the position of the two policy alternatives, a floor majority will prefer to abandon the status quo and vote to double the minimum wage. This dynamic is illustrated in Figure 1.2.

Figure 1.2: Legislative Outcome Under Closed Rule

Now, let us suppose that the Speaker is unable to secure a closed rule, and must instead implement a weakly restrictive rule, allowing only members of the majority party to amend her minimum wage bill. In this situation, the Speaker must be most attentive to an amendment offered by the floor median, as the Democratic majority hinges on the median's vote. If the median member offers an amendment raising the minimum wage to ten dollars an hour — her ideal point — we can identify a new cut-point (\$11), as shown in Figure 1.3. So long as the Speaker cannot discipline members for voting in favor of the median's amendment, a cross-party coalition of Democrats and Republicans to the right of the cut-point will favor the ten dollar wage amendment over the majority party's proposal. (Although some Republican legislators may prefer the status quo to the median's amendment, all members of the minority will prefer the amended bill to the majority party's original proposal.)

But what if the Speaker is able to reward obedient majority party members and punish dissident ones? Theoretically, if supporting a more modest minimum wage carries a cost, every majority party member to the right of the cut-point (in the shaded zone) should still prefer to have the Speaker's wage proposal reduced so that it reflects the ideal point of the chamber median. However, with multiple lawmakers in the shaded zone, no individual can be certain that her vote is necessary to pass the amendment. Consequently, each lawmaker is incentivized to let her peers vote to pass the amendment, while she accepts a side payment or avoids punishment in exchange for holding the party line.²¹

In this view, even though members in the shaded zone share a common interest in pulling policy towards the median — raising the minimum wage by a more modest amount — each individual may be better able to maximize her personal gain by cooperating with party leaders (provided that at least one lawmaker in the shaded zone votes for the amendment).²² In short, the optimal strategy for any individual lawmaker is to “free-ride” on the provision of a more modest

²¹ Indeed, as Cox and McCubbins note, party leaders are aware that centrist members may “suffer a net policy loss” from the party's cartel agreement, and “this loss must be counterbalanced by office and distributive benefits in order to secure the centrists' support.” Cox and McCubbins, *Setting the Agenda*, 46.

²² In some instances, it may be sufficient to simply threaten defection until compromise is induced.

minimum wage increase.²³ Unless the cut-point between the leadership's preferred minimum wage rate and the amended wage rate falls just between the median voter and the next member to the right — making the median voter certain of her pivotality — the incentive for members in the shaded zone to free-ride will always exist.²⁴

Figure 1.3: Legislative Outcome Under Weak Restrictive Rule

The crucial feature of the legislative process that facilitates this collective action problem is the fact that moderated policy closely resembles a “public good.” As defined by economists, a public good is a good that, once produced, can be enjoyed by an unlimited number of consumers without any exclusions. Unlike congressional earmarks or targeted appropriations bills, regardless of who works to secure more moderate policy, all moderate members of Congress benefits from having the legislation brought closer to their ideal point. In our example, as long as enough members to the right of the cut-point vote for the more modest wage increase, the fact that it cannot be made excludable incentivizes other lawmakers in the shaded zone to free-ride on its provision.

To be sure, in some instances, individual legislators may calculate that the payoff to voting for more moderate policy exceeds the benefits of free-riding. For example, a lawmaker may view a vote on minimum wage policy as an opportunity to signal and affirm her commitment to moderate ideals to her constituents. However, even in such a case, it is likely

²³ This is consistent with Olson’s prediction that “unless the number of individuals is quite small, or unless there is coercion or some other special device to make individuals act in their common interest, rational, self-interested individuals will not act to achieve their common or group interests.” Mancur Olson, *The Logic of Collective Action: Public Goods and Theory* (Cambridge: Harvard University Press, 1965), 2.

²⁴ The only situation where the median member can be assured of her pivotality is when the cut-point between the Speaker’s proposal and the amendment falls just between the median and the adjacent member to her left. In this situation, the policy difference between the amendment and the bill would of course be very small, and neither the Speaker or the median would likely have strong feelings about which policy won out. Put another way, whenever there is a substantive disagreement between the majority party median and the floor median, there are likely to be many majority party members to the center of the cut-point between a bill at the party median and an amendment at the floor median. In this situation, the collective action problem will be acute.

that the legislator will prefer to “jump with friends,” for mass defection provides political cover, draws greater attention to the issue, and often attaches a brand which lawmakers can use to broadcast their position-taking to voters.

Compounding this collective action problem is the challenge of coordinating activity across multiple members of Congress. Even when members share the same policy or procedural interest and are committed to sharing the burden of defection, they may have difficulty reaching agreement on substantive policy and strategy questions. Indeed, part of their coordination problem may simply be reaching agreement on what amendment to propose; some lawmakers may prefer amending the proposed policy in one way, while others may prefer to amend it somewhat differently. Party leaders recognize and routinely exploit these weaknesses, co-opting policy proposals in ways that complicate the division of spoils and divide members near the median — all to maintain a chamber majority.

In spite of their importance, neither this collective action problem nor this coordination problem has received much discussion in the literature. In fact, the sole reference to either is supplied by Cox and McCubbins in their foundational text, *Setting the Agenda*. There, they write: “Potential defectors must *coordinate*, not just in the sense of jumping at the same time but also in the sense of negotiating, *before* actually defecting, with their prospective new partners over the division of spoils.”²⁵ Although the authors allude to the difficulty of coordinating dissident members’ activities, they do not elaborate or discuss the matter further. Perhaps as a consequence (or an indicator of existing trends in the literature), students of Congress have paid exceedingly limited attention to this coordination problem and to the collective action dynamic described in the preceding paragraphs. This is regrettable. There is much to be learned about party politics and patterns of policymaking in Congress by paying proper heed to the organizational barriers lawmakers face. Further, as Ostrom argues is true in social science more generally, “without an adequate theory of self-organized collective action, one cannot predict or explain when individuals will be able to solve a common problem through self-organization alone, nor can one begin to understand which of many intervention strategies might be effective in helping to solve similar problems.”²⁶ I hope that following chapters will remedy this relative neglect, and contribute to the development of a new, empirically supported theory of rank-and-file legislative behavior.

2. The Role of Intraparty Organization

What can dissident members do to resolve these collective action and coordination problems? The central claim of this dissertation is that intraparty organization is key to transforming lawmakers’ potentially pivotal votes into the policy outcomes they desire, particularly when those outcomes are at odds with the interests of party leaders. Internally bounded alliances formed between co-partisans, intraparty organizations develop specialized

²⁵ Cox and McCubbins, *Setting the Agenda*, 31, emphasis in the original.

²⁶ Elinor Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action* (New York: Cambridge University Press, 1990), 25.

institutional arrangements to support and enforce their members' commitment to work together.²⁷ The design of these institutional arrangements varies and can evolve over time. Some organizations develop a *bureaucratized* structure, incrementally incorporating formal disciplinary tools and operating procedures to govern members' behavior; other organizations are *entrepreneurial* in design, operating on an improvisational, sometimes ad hoc, basis to give members' maximal independence. Despite this structural variation, intraparty organizations are nonetheless characterized by certain common attributes. Across all such organizations, we can observe that members identify publicly with the group, meet regularly, and consent to be bound by group decision-making in some form.

As we shall see in the succeeding empirical chapters, intraparty organizations work to ameliorate division and disorder among party dissidents in three important ways. First, intraparty organizations provide participating legislators with *selective incentives* to reward their investment in collective action — much like political parties themselves. These selective incentives can include help in gaining promotion to desirable committee posts, access to party leaders, and assistance procuring local programming, a political brand, and electoral support, among others. Just as with political parties, these carrots can be withheld, turning them into sticks to discourage free-riding and defection from the organization's ranks. Lawmakers may even use their organizational resources to actively undercut the electoral fortunes and personal policy initiatives of disloyal members.

Second, to further diminish the incentive for legislators to free-ride, intraparty organizations can convert the public good lawmakers collectively desire into a partially excludable one. In a legislature as large as the U.S. Congress, it is difficult for an individual senator or representative to convince her constituents that she was directly responsible for securing a policy that benefits the broader public good. Indeed, to credibly claim responsibility for legislative outcomes, "it becomes necessary for each congressman to try to peel off pieces of governmental accomplishment for which he can believably generate a sense of responsibility."²⁸ To be sure, intraparty organization cannot transform the public-good policies dissident lawmakers seek into the "particularized benefits" that constitute the ripest fruit for credit-claiming. However, the organizations can recast the goods as "excludable accomplishments" by publicly validating credit-claiming by participating members and disputing claims made by other lawmakers.

Finally, intraparty organizations offer participating legislators a forum to debate and ultimately reach agreement on the substance of the policies they desire and the strategies they will use to pursue them. By helping dissident lawmakers to coordinate their activities, intraparty organization prevents members from working at cross-purposes in ways that limit their numerical clout. These same coordinative resources also benefit dissident lawmakers in

²⁷ Following from Polsby, by internally bounded, I mean that such alliances are composed of an identifiable set of co-partisans selected on the basis of some criteria set forth explicitly or implicitly by the group. Nelson W. Polsby, "The Institutionalization of the U.S. House of Representatives," *American Political Science Review* 62 (1968), 145.

²⁸ Mayhew, *The Electoral Connection*, 53.

negotiations with congressional leaders. Members of an intraparty organization can more credibly threaten to defect en masse than can individual dissidents, just as they can more credibly deliver a bloc of votes in exchange for policy concessions.

Despite the clear advantages of intraparty organization, it is not without significant cost. Like institution-building more generally, constructing and maintaining these kinds of organizations requires a considerable outlay of time, creative energy, and material resources. Moreover, because intraparty organizations typically generate leverage by committing members to abide by group decision-making, legislators must cede some personal autonomy for the sake of organizational unity. In light of these costs, lawmakers are unlikely to invest in intraparty organization except in circumstances where existing legislative institutions have failed to help them achieve their desired outcomes.

Indeed, only when the benefits of organization outweigh the costs should we expect members of Congress to turn to intraparty organization to achieve their collective aims. For these same reasons, lawmakers are likely to limit the authority of any intraparty organization they establish, endowing it with additional powers only when the organization fails to meet the group's shared objectives. In this way, both bureaucratized and entrepreneurial intraparty organizations — like most institutions — will develop incrementally, as legislators gradually incorporate rules and procedures intended to promote group cohesion and collaboration as circumstances require.

3. Intraparty Organization and Institutional Variation

In both chambers of Congress, pressure from party leaders generates similar incentives for dissidents to organize collectively. However, differences in chamber rules and norms, access to committee leadership posts, and chamber size can alter dissident senators' and representatives' assessments of the relative costs and benefits of organization. Let us consider these differences in turn.

As students of Congress have long observed, the Senate's inherited rules and norms — specifically, the institution's expansive right to recognition and custom of unanimous consent — accord individual senators great power to obstruct chamber activity.²⁹ “In fact, the Senate's rules offer so many opportunities and so much protection to individual senators and minority groups of senators, that a strict adherence to its rules would make it difficult for the Senate to function.”³⁰ For this reason, Senate leaders may seek the tacit or explicit support of even minor senators before introducing a legislative proposal to avoid a filibuster.³¹ In the House, however, lawmakers have far more limited procedural opportunities to gain recognition in floor debates,

²⁹ Stanley Bach, “Filibusters and Cloture in the Senate,” Congressional Research Service (2001), 1-23.

³⁰ Judy Schneider, “Minority Rights and Senate Procedures,” Congressional Research Service (2005), 1.

³¹ Sarah A. Binder and Steven S. Smith, *Politics or Principle: Filibustering in the United States Senate* (Washington, D.C.: The Brookings Institution, 1997), 151.

and lack the institutional resources to obstruct chamber activity.³² Indeed, “majority-party leaders in the House enjoy more prerogatives than their Senate counterparts: their control of the agenda is firmer and their ability to shape committee composition and committee deliberations is greater.”³³ In short, all else equal, rank and file House members are less likely to be pivotal to chamber outcomes than their Senate counterparts. Given this dynamic, we should expect that dissident senators will be less likely than dissident representatives to use intraparty organization to pursue their legislative ends, relying instead on traditional chamber prerogatives to bring policy in line with their preferences. Furthermore, when dissidents in the upper chamber do turn to intraparty organization, we should expect that their organizations will be entrepreneurial in design, operating on an ad-hoc basis to preserve members’ existing autonomy.

Established by lawmakers in the early nineteenth century, Congress’s specialized system of standing committees allows both representatives and senators to draft legislation without aid or interference from the executive branch. Committee leadership posts, in particular, offer lawmakers opportunities to shape the content of legislation before it reaches the floor or to obstruct its progress, if so desired. In addition to these procedural opportunities, committee posts provide members with considerable resources independent of party control, including additional staff and meeting space. However, the size of the Senate means that, among members of similar seniority, individual senators are more likely than their representative counterparts to hold these positions of power.³⁴ Indeed, the ratio of available committee leadership positions to total number of members has long been higher in the Senate than the House. Even when limited to major standing committees, the Senate ratio is still more favorable to individual lawmakers.³⁵ Able to access committee resources and with opportunities to shape the content of policy before it reaches the floor, dissident senators will have weaker incentives to invest in new forms of organization to shape chamber policy-making than their House counterparts.

Finally, in the Senate — where only two lawmakers represent each state — the number of dissident legislators is likely to be far smaller than in the House.³⁶ In turn, the smaller size of any dissident blocs that may form lessens lawmakers’ propensity to develop intraparty organization for two reasons. First, small groups reduce the profitability of free-riding, as

³² Stanley Bach, “The Legislative Process on the House Floor: An Introduction,” Congressional Research Service (2001), 1-14.

³³ Eric Schickler, “Institutional Development of Congress,” in *The Legislative Branch* eds. Paul J. Quirk and Sarah A. Binder (New York: Oxford University Press, 2005), 36.

³⁴ Andrew J. Taylor, “Size, Power, and Electoral Systems: Exogenous Determinants of Legislative Procedural Choice,” *Legislative Studies Quarterly* 31:3 (2006), 323-345.

³⁵ Doubtless, the relative value a legislator can derive from a committee post is likely to be dependent on the historical era and committee in question. Nevertheless, regardless of whether a committee possess any real policy jurisdiction, committee posts have historically afforded members valuable resources — at minimum, staff and office-space — that lawmakers have used to advance their personal legislative agendas.

³⁶ This is not to say that dissident factions in the Senate will always be the same size. Rather, the claim is that, all else equal, dissident factions in the Senate will be considerably smaller than any analogous bloc formed in the House.

members' contributions (or lack thereof) are more easily traced.³⁷ Second, small groups lower the barriers to informal collaboration, as members can rely on "voluntary information flows" rather than "more formal institutions of information dissemination and enforcement."³⁸ Intuitively, a group of five legislators will have an easier time coordinating their activities informally than a group of fifty. For these reasons, we should expect that Senate dissidents will be more likely to find that the relative expense of building an extensive intraparty organization outweighs the advantages it offers. And, in instances where intraparty organizations do emerge, senators are again more likely to prefer an informal, entrepreneurial design.³⁹

In conclusion: given the considerable institutional resources and procedural protections for senators, dissident lawmakers in the upper chamber will pursue intraparty organization less frequently than their House counterparts. When senators do form intraparty organizations, they will tend to rely on relatively informal entrepreneurial structures, foregoing binding mechanisms and rules governing participation, and instead incorporating looser and more collaborative arrangements that permit members to retain significant autonomy and equality. In the House, by contrast, I argue that dissident lawmakers will adopt bureaucratized organizational arrangements; instituting formal procedures and disciplinary tools in the hopes of securing themselves a pivotal role in chamber decision-making.

4. Intraparty Organization in Political Time

Although much has changed in American politics over the course of twentieth century, patterns of intraparty organization are striking for their continuity. Despite significant developments in party structure, legislative organization, and electoral competition, dissident lawmakers have regularly turned to intraparty organization to resolve the collective action and coordination problems explored in this chapter. Indeed, legislators continue to rely on many of the same strategies to challenge party leaders for control of policy outcomes that were pioneered by dissident organizations at the turn of the century. As we shall see, intraparty organizations have regularly engaged in the kind of sophisticated electoral collaboration — pooling resources, soliciting endorsements, and campaigning on behalf of their colleagues — that is generally believed to characterize only modern political parties. We can also observe similarities in the strategies intraparty organizations pursue within the halls of Congress, most notably their efforts to promote members' institutional fortunes in committee and in private negotiations with party leaders.

At the same time, intraparty organizations have not been entirely insulated from broader changes in their political environment. As congressional elections have grown more competitive and costly, electoral coordination has become an increasingly important component of intraparty

³⁷ Olson, *The Logic of Collective Action*, 22.

³⁸ Avinash K. Dixit, *Lawlessness and Economics: Alternative Modes of Governance* (Princeton: Princeton University Press, 2004), 66.

³⁹ Indeed, as Taylor finds is true for the Senate, "the smaller a legislative body is, the more decentralized its procedures will be." See Taylor, "Size Power and Electoral Systems," 329.

organization. Although members of turn-of-the-century intraparty organizations routinely assisted one another in their campaigns for office, the efforts of more contemporary groups have grown in both scale and intensity. As might be expected, modern intraparty organizations have professionalized their electoral operations, establishing formal political action committees (PACs) to fundraise on a continual basis and hiring permanent campaign consultants and field officers to aid members in their reelection drives. Similarly, their efforts to cultivate a nationally identifiable brand differ in scope from those of predecessor organizations. While intraparty organizations across historical eras have all sought to capitalize electorally on their collective identity as dissident factions, contemporary organizations are increasingly dedicated to developing a reputation distinct from, and competitive with, their national party's label.

Shifts in the structure of congressional parties — in particular, the centralization of party authority — have also influenced the configuration of intraparty organizations. In eras characterized by a high degree of centralized chamber control, party leaders possess a wide array of institutional tools to silence dissident voices and punish defection. With limited opportunity to pursue their aims independently, the value of intraparty organization to dissident legislators is at its apex. In contrast, in eras where chamber control has been devolved to congressional committees, rank and file members have a freer hand to shape legislative policy independent of organization.

The relative size of the majority party has similarly constrained the value of intraparty organization. As Schickler and Rich argue, in congresses where a party has a strong majority, the position of individual dissident lawmakers is precarious.⁴⁰ The knowledge that a strong majority equips party leaders to punish defectors exacerbates members' incentive to free-ride on their colleagues' efforts to procure more favorable policy. Here, the need for intraparty organization is particularly acute. In contrast, where party leaders control a slim majority, their capacity to punish defection is more limited, thus diminishing the need for dissident lawmakers to organize collectively.

Intraparty organizations have also been subject to the ebbs and flows of congressional polarization. As numerous scholars have documented, contemporary levels of congressional party polarization have reached a high point not seen since the early part of the twentieth century. Indeed, following three decades of relative partisan comity after the second World War, "over the past thirty years, the parties [in Congress] have deserted the center of the floor in favor of the wings." However, unlike earlier eras of more balanced party polarization, this recent trend has been fairly one-sided, as Republicans have moved farther to the right than the Democrats have to the left.⁴¹

As levels of congressional polarization have increased, it has become harder for lawmakers to sustain intraparty organization. In particular, as the ideological gulf between the

⁴⁰ Schickler and Rich, "Controlling the Floor," 1342.

⁴¹ Nolan McCarty, Keith T. Poole, and Howard Rosenthal, *Polarized America: The Dance of Ideology and Unequal Riches* (Cambridge: The MIT Press, 2008), 1.

two parties has grown, the capacity of dissident members to credibly threaten to defect from their party coalition to the opposition has diminished. Put another way, as the preferences of the most conservative Democrat have diverged ever more sharply from those of the most liberal Republican, each has found it more difficult to persuade party leaders that cross-party collaboration is even possible, let alone likely.

Intraparty organization, however, is increasingly essential to achieve even modest legislative gains. Securing effective bipartisan compromise requires dissident members to buck party leaders and insist on moderated policies that both sides find palatable. Without an infrastructure to support and protect these lawmakers, the prospects for cross-party collaboration are slim. Given the asymmetric nature of polarization today, the burden of forging legislative cooperation falls disproportionately on moderate and conservative Democrats. I return to these developmental implications in Chapters 6 and 7.

5. Investigating Intraparty Organization

Let me conclude this introductory chapter with a brief discussion of my research design and the content of the six chapters to come. The following empirical chapters explore five different cases of intraparty organization. Proceeding chronologically, Chapters 2 and 3 describe the collaborative activities of progressive Republicans at the turn of the twentieth century (1908-1912), focusing in particular on their insurgent pursuit of parliamentary reform in the House and economic reform in the Senate. Chapters 4 and 5 examine the intraparty organizations established by southern senators and representatives at midcentury (1937-1964). There, I trace the development of southern organization in the decades following the New Deal, tracking shifts in the organizational strategies southern senators and representatives used to forestall the passage of civil rights legislation. Chapter 6 considers a contemporary case of intraparty organization — the Blue Dog Coalition (1994-2010). This chapter chronicles the evolution of centrist Democratic organization in the post-reform House and discusses how organization empowered dissident Democrats to limit the scope of recent health care legislation. In Chapter 7, I conclude.

The five cases examined in this dissertation were selected with a view to understanding why dissident lawmakers form intraparty organizations, why they choose particular organizational mechanisms over others, and how these choices affect their political influence. These questions are unlikely to have static answers: like any other political institution, intraparty organizations may well change over the course of their lifespans. For these reasons, I have limited my analysis to cases of “successful” intraparty organization — episodes where actual organizations formed, regardless of members’ subsequent political achievements. I do not consider cases of “failed” organization — situations where intraparty organizations had the potential to develop, but did not. As a consequence, the dissertation provides a relatively narrow and tentative discussion of the conditions under which intraparty organizations will (and will not) emerge.

Why choose Insurgent Republicans, Southern Dixiecrats, and Blue Dogs? First, this configuration of cases offers variation with respect to several important exogenous factors that may confound the theory articulated here. Specifically, the cases incorporate variation across political party, time period, degree of congressional centralization, and level of ideological polarization. As we shall see, most of these exogenous factors — while important — do little to alter the pattern of intraparty organization outlined in this chapter. However, given that the theory relies in part on the distinction between a majoritarian House and a nonmajoritarian Senate, I have limited the universe of cases to the thirteen episodes of intraparty organization following the 1890 congressional reforms, which fully established majoritarian rule in the lower chamber (as shown in Figure 1.1).

Second, the selected cases offer variation with respect to several important endogenous factors. Each organization is distinct in terms of the specific policy objectives it pursued and the particular institutional form it adopted. By focusing on cases with a variety of political aims, we can assess whether intraparty organizations are able to promote both “positive” (change-seeking) and “negative” (status quo-maintaining) agendas. Similarly, we can evaluate whether the institutional arrangements lawmakers adopt vary with the nature of their political agenda.

Third, including paired comparisons of partner intraparty organizations in the House and Senate allows me to analyze patterns of intraparty organization across legislative chamber, while holding policy and other historical variables constant.

Finally, these cases were selected because they concern some of the most important legislative landmarks of the past century, including the Cannon Revolt of 1910, the Civil Rights Act of 1964, and the Patient Protection and Affordable Care Act of 2010. I hope to persuade readers that a focus on intraparty organization will permit a better understanding of the turn-of-the-century economic struggles, midcentury battles over civil rights legislation, and contemporary debates over national health care policy that have so captivated political scientists and historians.

In short, the cases I have selected here are those that provide key information about the processes involved in developing durable intraparty organizations and their role in recasting existing partisan and congressional institutions.

To trace the development of individual intraparty organizations over the past century, I reviewed tens of thousands of pages of private legislative correspondence, confidential congressional and executive memoranda, organization meeting minutes and internal documents, and newspaper and magazine articles. These materials were drawn from nearly twenty archival collections housed in libraries across the country. In the case of the Blue Dog Coalition, where most lawmakers’ personal papers have yet to be made public, I conducted several dozen confidential interviews with current and former members of Congress and their staff. An overview of these archival collections and a description of my interview process are provided in Appendices A and B, respectively.

Leveraging this rich and extensive collection of archival and interview material, I employ a process-tracing approach within each case study to develop my theory of intraparty organization.⁴² Process-tracing offers two key advantages over more conventional modes of legislative analysis. First, to understand how intraparty organizations may be intervening in and shaping lawmakers' individual and collective behavior prior to voting, we must consult sources of information that precede their activities on the chamber floor. For this reason, commonly used sources of data — materials published in the Congressional Record and official roll-call votes, for example — are inadequate. Just as we cannot explain “votes with votes,” neither can we rely on post hoc measures of legislators' ideology to approximate their ex ante motives or preferences.⁴³ Put another way, if intraparty organization is an independent variable that explains subsequent legislative behavior, using roll-call and other data drawn from floor activity to assess the influence of intraparty organization misses the real action and introduces problems of endogeneity. In contrast, archival and interview data allow researchers to follow members of Congress “off the floor and behind closed doors,” enabling us to observe more clearly when and how intraparty organization influences legislative behavior.

Second, and more broadly, process-tracing permits researchers to make credible claims about the true preferences underlying lawmakers' actions. Whereas statements made on the chamber floor often reflect a mix of position-taking and credit-claiming, tracing ideology through members' private correspondence provides more direct access to their unvarnished beliefs. To be sure, these data are far from perfect. Members of Congress do not preserve all of their correspondence and may not be entirely forthcoming in even confidential letters. Nevertheless, these materials offer the best opportunity to assess legislative preferences prior to voting and to track changes in members' thinking over time.⁴⁴

⁴² Alexander L. George and Andrew Bennett, *Case Studies and Theory Development in the Social Sciences* (Cambridge: The MIT Press, 2005), 206-208.

⁴³ John E. Jackson and John W. Kingdon, “Ideology, Interest Group Scores, and Legislative Votes,” *American Journal of Political Science* 36 (1992), 806.

⁴⁴ Interviews doubtless provide more limited access to legislators' private thoughts and strategies than archived personal paper collections. However, they give us the closest possible look at the behind-the-scenes activities of lawmakers in the contemporary Congress.

Chapter 2. Procedural Revolt and the House Insurgency, 1908-1910

We are banded together for a single purpose and no other. Our sole aim as a body is to restore to the House of Representatives complete power of legislation in accordance with the will of a majority of its members. We are striving to destroy the system of autocratic control which has reached its climax under the present speaker.

— Resolution adopted by the Insurgent Bloc, January 10, 1910¹

“I present a matter made privileged by the Constitution!”² Rising from his seat, Rep. George W. Norris (R-NE) strode past his Republican colleagues to the well of the House floor. Handing the waiting clerk a sheaf of papers, Norris turned to Speaker Joseph Cannon (R-IL) and demanded that his proposal be recognized. Though House rules would normally have found the matter out of order, Norris cited Cannon’s ruling from the previous afternoon, stating that measures pertaining to the Constitution were granted privilege over regular House business.³ Given the Speaker’s recent ruling and the fact that his proposal concerned a matter explicitly discussed in the Constitution, Norris argued that the measure superseded existing legislation scheduled for consideration. In the Congressman’s own words:

It was the hour for which I had been waiting patiently. I had in my pocket a resolution to change the rules of the House. Unknown to anyone, even to my closest insurgent colleagues, I had carried it for a long time, certain that in the flush of its power the Cannon machine would overreach itself. The paper upon which I had written my resolution had become so tattered it scarcely hung together. That was the best evidence of long waiting for the minute that had come, and the frequency with which I had studied it alone in my office.⁴

¹ Nelson, “Meeting Minutes,” January 10, 1910, Wisconsin Historical Society (WHS), John Mandt Nelson Papers, Box 10. Responding to a smear campaign orchestrated by the Taft Administration and Cannon’s allies in the legislature, the Insurgents issued this resolution to make clear to the public their political objectives and continued affiliation with the Republican Party.

² *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 3291.

³ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 3241-3250. On March 16, 1910, Census Committee chairman, Rep. Edgar Crumpacker (R-IN), motioned that a measure calling for a new census be debated on the House floor. Though under House rules Crumpacker’s proposal was unlikely to be considered, as the measure had only recently been reported to the full chamber and many more bills should have received first consideration, the chairman hoped his loyalty to the Speaker would tip the scales in favor of his motion. As expected, Cannon ruled Representative Crumpacker’s request to be in order. The Speaker declared: “Taking of the census as to population [has] invariably been admitted as involving constitutional privilege, presenting a privilege higher than any rule of the House would give.”

⁴ George W. Norris, *Fighting Liberal: The Autobiography of George W. Norris* (New York: The MacMillan Co., 1945), 113.

As the clerk prepared to read the resolution aloud to the chamber, Cannon granted that if the matter was in fact privileged by the Constitution, then Norris had a right to present it. Whispers became shouts as House members learned the resolution would strip the Speaker of his power to sit on and appoint legislators to the Committee on Rules, the primary means by which majority party leaders controlled floor activity and managed the chamber body.⁵ Realizing his perilous position, Cannon sought delay as he mustered Republican supporters to vote down the rules change. Over the next several days, the House debated the proposed resolution and Norris's right to introduce it, while the Speaker deliberated with his closest colleagues over the best course of action.⁶ Eventually, Cannon was forced to allow the Norris resolution to come to a vote, ever hopeful that the Republicans loyal to him would outnumber the cross-party coalition rallied against him. Ultimately, an amended version of the resolution passed, 191 to 156, ending the era of czar rule in the House.⁷

A legislative "breakpoint," the passage of the Norris resolution profoundly transformed congressional operation.⁸ Consistent with his own account, both historical and contemporary treatments of the Cannon Revolt tend to identify Norris as the central actor responsible for executing the rebellion.⁹ Although many of these works acknowledge the important role of the minority party in helping to build a procedural majority in favor of rules reform, scholars often take Democratic support for granted, paying little attention to the structural conditions internal to the Republican Party that facilitated Norris's success and assured the cooperation of House Democrats. Binder, for example, argues that it was Norris who "secured" the necessary

⁵ The resolution provided a new structure for the Committee on Rules, requiring that the committee be geographically and politically representative. The redesigned committee would consist of fifteen members, eight representing the majority party and seven the minority party, distributed throughout the country. The resolution denied the Speaker the right to sit on the Committee and stripped him of the power to appoint House members to standing committees. Norris's proposed Committee on Rules would, among its new duties, appoint House members to other standing committees. Norris, *Fighting Liberal*, 115.

⁶ Kenneth W. Hechler, *Insurgency: Personalities and Politics of the Taft Era* (New York: Russell & Russell, 1964), 70-71.

⁷ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 3436. As discussed in the chapter's penultimate section, this amended resolution stripped Cannon of his seat on the Rules Committee, but allowed the Speaker to retain appointment power to other standing committees.

⁸ Karen Orren and Stephen Skowronek, *The Search for American Political Development* (New York: Cambridge University Press, 2004), 10.

⁹ For example, see Charles R. Atkinson, *The Committee on Rules and the Overthrow of Speaker Cannon* (New York: Columbia University Press, 1911); Anne Firor Scott, "A Progressive Wind from the South," *Journal of Southern History* 29 (1963): 53-70; Charles O. Jones, "Joseph G. Cannon and Howard W. Smith: An Essay on the Limits of Leadership in the House of Representatives," *Journal of Politics* 30 (1968): 617-646; Sarah A. Binder, *Minority Rights, Majority Rule: Partisanship and the Development of Congress* (New York: Cambridge University Press, 1997); David Brady and David Epstein, "Intraparty Preferences, Heterogeneity, and the Origins of the Modern Congress: Progressive Reformers in the House and Senate, 1890-1920," *Journal of Law, Economics & Organization* 13 (1997): 26-49; Donald R. Wolfensberger, "The Motion to Recommit in the House: The Creation, Evisceration, and Restoration of a Minority Right," in *Party, Process, and Political Change*, eds. David Brady and Mathew D. McCubbins (Stanford: Stanford University Press, 2007), 271-295; Adam Sheingate, "Creativity and Constraint in the U.S. House of Representatives" in *Explaining Institutional Change: Ambiguity, Agency and Power*, eds. James Mahoney and Kathleen Thelen (New York: Cambridge University Press, 2010), 168-203.

Republican votes to form what she terms an “easily fostered” coalition with the minority party.¹⁰ Likewise, Sheingate writes, “Beyond [his] opportunistic timing, Norris exploited the complex features of House rules...to move authority over the rules out of the hands of Speaker Cannon... [and to] the House floor, where the power of a procedural majority held sway.”¹¹

This chapter, by contrast, highlights the efforts of Norris’s Republican allies to construct an intraparty organization, and demonstrates how the development of such organizational capacity was essential to secure the movement’s desired public good: rules reform. As I demonstrate in the following pages, intraparty organization enabled a ragtag group of Republican dissidents to draft and unite behind a common rules reform proposal, and to build the cross-party coalition that scholars agree was critical to the legislation’s passage. From a developmental perspective, the structure and capacity of the so-called “Insurgency” expanded incrementally, as Republican reformers struggled to balance their strong sense of individualism and diverse convictions with the need for disciplined action and alliance with the minority party. After finding informal means of coordination insufficient either to hold members to a common objective, or draw Democratic support, the Insurgent reformers worked to institutionalize their presence — devising a series of mechanisms to foster consistent participation, cohesive strategy, and electoral and political security for individual reformers.

Tracing the development of the Insurgent’s bureaucratized organization makes clear that one cannot attribute the reformers’ success merely to the combined circumstances of Norris’s ingenuity and Democratic support for rules reform. First, as a matter of historical record, Norris’s strategic exploitation of Cannon’s ruling on constitutional privilege reflected a tactic proposed and considered by the Insurgent Committee on Procedure in 1909. Second, the resolution Norris offered on the floor of the House in March 1910 was nearly the same resolution the Insurgent bloc had drafted and passed in February 1909. Third, the procedural majority of Democrats and progressive Republicans in favor of rules reform was a necessary but not sufficient condition for the revolt to succeed. Indeed, archival materials indicate that Democratic participation was not inevitable. Rather, the cross-party coalition formed between the minority party and Republican dissidents resulted from the Insurgency’s hard fought efforts to win the trust of Democratic leaders. In sum: if the Republican reformers were to have seceded en masse from their party coalition at any point during the 60th (1907-1909) and 61st (1909-1911) Congresses, they would have comprised a bloc of votes sufficient to grant the Democrats majority status. However, organization would prove essential to assure the Insurgents’ collective defection and to construct a procedural majority in favor of rules reform.

1. Understanding Insurgent Organization

In this chapter, I argue that Insurgent Republican intraparty organization furthered three objectives essential to challenging Speaker Cannon and achieving their desired public good

¹⁰ Binder, *Minority Rights*, 134-135.

¹¹ Sheingate, “Creativity and Constraint,” 197.

policy: reform of House rules. First, the organization enabled reformers to coordinate strategy amongst themselves, helping to resolve internal ideological disputes over what aspects of rules reform would take first priority, as well as practical disagreements over how their policy goals would best be achieved. That is, intraparty organization offered a structural apparatus through which the dissidents could design, field-test, and ultimately promote their “common carrier” proposals.¹²

Second, intraparty organization provided the Insurgents with a variety of mechanisms to encourage continued collective action. By leveraging their connections with influential progressive newspaper and magazine editors, the reformers were able to reward loyal members with selective incentives, and rebuke — to devastating effect — those who rejoined the Speaker. Additionally, reformers deployed their intraparty organization to promote the electoral prospects of loyal Insurgents, rally constituent support for the group’s agenda, stoke animosity towards their opposition, and solicit and disburse campaign assistance to vulnerable members. Although individual Insurgents had long cooperated on an informal, ad hoc basis with members of their state delegations, this new electoral alliance operated at a scale and scope previously reached only by organized political parties.¹³ These selective incentives helped reformers to offset and minimize the cost of their disloyalty and to increase the cost to Republican leaders of continuing to persecute them.

Third, by promoting group cohesion, intraparty organization helped to make the Insurgents a more credible partner for the Democratic opposition, as many minority members shared the reformers’ desire to limit Cannon’s authority, but doubted the strength of the Republican dissidents’ convictions. With limited prospects for success absent an organized bloc of Republican defectors, House Democrats were unwilling to pursue parliamentary reform aggressively — despite having pledged to prioritize changes to chamber rules in their 1908 party platform.¹⁴ In fact, many members of the minority party preferred to bide their time in anticipation of upcoming elections and allow Cannon to remain in office as a convenient symbol of Republican intransigence. However, as the Democratic leadership observed the Insurgents’ capacity to maintain unity in the face of considerable pressure from “Regular” Republicans, they came to believe that a viable coalition was indeed possible.

2. Methodological Approach and Sources of Evidence

To trace the development of the Insurgent bloc as it formed in the House at the turn of the

¹² Eric Schickler, *Disjointed Pluralism: Institutional Innovation and the Development of the U.S. Congress* (Princeton: Princeton University Press, 2001), 14.

¹³ Indeed, the activities of the Insurgents would ultimately help to form the basis of the Progressive Party. Beginning in the summer of 1910, progressive members of the Insurgency in the House and Senate began to use the group’s electoral infrastructure and contacts with the press to organize a third-party challenge in the 1912 presidential election. Robert Collier to Robert La Follette and Victor Murdock, July 1, 1910, LOCMD, La Follette Papers, Box 63.

¹⁴ Gerhard Peters and John T. Woolley, “Democratic Party Platform of 1908,” July 7, 1908, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=29589> (date accessed: February 4, 2013).

20th century, I exploit a diverse collection of archival evidence. Specifically, I draw on the personal papers of Insurgent legislators and Republican leaders in Congress and the White House, period newspapers and the papers of Progressive Era journalists, and materials published in the *Congressional Record* and *House Journal*. To detail the substance and development of Insurgent strategy, I rely on the organization's internal records, including meeting minutes, proposed resolutions, and attendance logs. These materials were collated and maintained by Rep. John M. Nelson (R-WI), who was appointed by his colleagues to act as secretary for the Insurgent organization. Nelson's materials reveal no evident bias; his records are attentive to both the successes and limitations of the Insurgent organization. Though these records provide the best available account of the bloc's internal workings, including the thought processes and preferences of its membership, I also draw on Insurgent correspondence where possible to verify and contextualize the data.¹⁵

As the chapter unfolds, the reader will observe that the scope of the inquiry widens at certain stages to include nonlegislative actors, including members of the progressive-affiliated press and the Taft Administration. I introduce these actors for two reasons. First, Insurgent leaders regularly communicated with progressive editors in the hopes of inflaming public opinion against Cannon, and later rewarding loyal reformers and punishing those who deserted their cause. In other words, Insurgent leaders deployed the progressive press as a mechanism to encourage continued collective action.¹⁶ Likewise, the Insurgents sought Taft's endorsement of their reform efforts throughout their campaign, hopeful that the President would persuade Cannon to relinquish his powers gracefully. Perhaps more important, Cannon and his allies appealed to Taft both to counter the Insurgents' mobilization and to defend the reputation of the Republican Party.¹⁷ Second, in light of the critiques leveled at "institution by institution"

¹⁵ Included in the Nelson papers are a series of transcribed interviews with the Congressman conducted by Kenneth Hechler as part of the latter's research for *Insurgency: Personalities and Politics of the Taft Era*. Attentive to concerns of potential bias, these interviews are used primarily to contextualize the information provided by the bloc's meeting minutes.

¹⁶ Nevertheless, the relationship between the Insurgent members and their journalist colleagues is complex. The historical record reveals that House reformers often communicated with progressive Republican editors, and were largely successful in influencing news coverage of the Insurgent organization. The Insurgents' success notwithstanding, the newspaper editors were, for their part, independently committed to parliamentary reform. As a result, it is problematic to argue either that the Insurgents were *fully* responsible for the coverage they received, or that the coverage they received is an entirely independent variable that influenced the reformers' ultimate success. Nonetheless, correspondence among Insurgents and members of the press suggests that progressive publications were an important resource for Insurgent legislators, and that with the cooperation of sympathetic journalists, certain electoral and organizational objectives were advanced. See correspondence with the editors of *Collier's Magazine*, *The American Magazine*, and *Kansas City Star*: Collier to Murdock, March 10, 1909, LOCMD, Murdock Papers, Box 22; Collier to Murdock, March 19, 1909, LOCMD, Murdock Papers, Box 22; Richard Lloyd Jones to Murdock, May 13, 1910, LOCMD, Murdock Papers, Box 28, Folder "F."; John S. Phillips to Murdock, March 15, 1909, LOCMD, Murdock Papers, Box 22, Folder "Phillips, John S."; Henry J. Haskell to Murdock, January 28, 1910, LOCMD, Murdock Papers, Box 28, Folder "Haskell, Henry J."

¹⁷ Taft's personal correspondence corroborates this view of history, suggesting that the President was reluctant to intervene in the congressional contest and did so only as a result of appeals by Republican and Insurgent leaders. Taft to William Allen White, March 12, 1909, LOCMD, William Allen White Papers, Box 2; Archibald W. Butt, *Taft and Roosevelt: The Intimate Letters of Archie Butt, Military Aide* (New York: Doubleday, Doran & Co., 1930), 5-8.

accounts of American politics, broadening the narrative's focus to include non-legislative actors permits a more comprehensive treatment of Insurgent organization and Republican mobilization to police irregularity in the party's ranks.¹⁸

In the following section, I briefly describe the political and economic conditions that precipitated Insurgent unrest and the reformers' revolt against Speaker Cannon. I then detail the development of the House Insurgent organization, paying particular attention to the reasons the Insurgents sought to collaborate and to the particular organizational mechanisms they implemented over time. Where appropriate, I further consider how House Democrats reacted to Insurgent activity. To conclude, I revisit the fateful series of events that led to Cannon's downfall, tracing out how the Insurgent bloc made George Norris's entrepreneurship and Democratic collaboration possible, and how the organization was later adapted to accommodate new progressive causes.

3. Precipitating Unrest

In his early years as Speaker, Cannon's drive to centralize party leadership and consolidate it in House institutions met with little resistance from the chamber's Republican and Democratic membership. Using the same tools vested in the speakership that others had used to expand the power of that office, Cannon extended his control over committee and floor activity.¹⁹ Coupled with his strategic post as chairman of the Committee on the Rules, Cannon could fully regulate the flow of legislation, debate, and amendment — blocking those bills he opposed, while expediting the passage of those he favored. As Schickler argues, these changes initially proved advantageous to Republican representatives, assuaging party infighting by preventing consideration of divisive legislation. Likewise, House Democrats and Republicans collectively benefitted from the chamber's increased clout in intra- and inter-branch negotiations.²⁰

Regrettably for Cannon, his pursuit of legislative and partisan control ultimately ran afoul of the agrarian crisis smoldering in the western regions of the country. In the years following the Civil War, the railroads' penetration into western territories, and innovations in agricultural science and machinery, encouraged farmers in the region to devote more of their resources and

¹⁸ Paul Pierson, "The Costs of Marginalization: Qualitative Methods in the Study of American Politics," *Comparative Political Studies* 40 (2007): 145-169.

¹⁹ Following a pattern of congressional leadership pioneered by former Speaker Thomas Reed (R-ME), Cannon placed members of Congress loyal to him in committee chairmanships and packed supporters into key committees, sometimes displacing more senior, independent Republicans. He also tightened the rules of recognition on the floor, refusing to grant recognition to members who had not explained their intentions to him in advance. Randall Strahan, *Leading Representatives: The Agency of Leaders in the Politics and Development of the U.S. House* (Baltimore: Johns Hopkins University Press, 2007).

²⁰ Schickler, *Disjointed Pluralism*, 70.

land to agricultural production.²¹ Newly settled in the region, Union veterans were the backbone of farm expansion, supplying the human capital necessary to cultivate greater acreage.²² To afford the machinery that would make it possible to grow and harvest crops sufficient for railroads to transport to meet eastern demand, farmers required additional financial capital. To acquire such capital they mortgaged their land, which often resulted in permanent debt, as well as enmity toward the eastern companies that supplied farmers with mortgages.²³ Agrarian debt was compounded by the appreciation of the dollar's purchasing power as crop prices fell.²⁴ At the same time, farmers faced exorbitant prices on machinery and equipment because these industries were protected by a series of domestic tariffs. Farmers' limited access to banks drove up interest rates, further exacerbating the plight of the debtor.²⁵

Faced with the loss of property and savings, rural communities demanded relief from their state and national governments. At the state level, politicians — foremost among them, then-Governor Robert La Follette (R-WI) — responded by wresting political control of the region from railroad and corporate interests.²⁶ At the national level, William Jennings Bryan and his populist Democrats, along with progressive Republicans, pressed for further regulation of the railroads, conservation of natural resources, the establishment of postal savings banks, more equitable taxation, and direct democracy.²⁷ Cannon, however, refused to accommodate the restive constituencies agitating for nationwide economic and political reform. Firmly allied with

²¹ The vast majority of Insurgent members of Congress hailed from the mid- and far-west: California, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Washington, and Wisconsin. A minority of Insurgents represented districts in the mid-Atlantic and New England: Massachusetts, Maryland, New Jersey, New York, Vermont, and West Virginia.

²² Many Union soldiers took advantage of the Homestead Act of 1862 to move westward at the close of the Civil War. As veterans of the Grand Army of the Republic, they were confirmed Lincoln Republicans, proclaiming, "Vote the way you shot!" Their increased presence in western states assured Republicans control of the region. Hechler, *Insurgency*, 17.

²³ Gretchen Ritter, *Goldbugs and Greenbacks: The Antimonopoly Tradition and the Politics of Finance in America, 1865-1896* (New York: Cambridge University Press, 1997).

²⁴ Over-production of agricultural commodities, once encouraged by advocates of western settlement, led to falling prices. Claire Strom, "James J. Hill: Empire Builder as Farmer," *Minnesota History Magazine* 54 (1995), 242-253.

²⁵ For more on the economic circumstances that rooted the political movements of the time, see Richard F. Bensel, *The Political Economy of American Industrialization, 1877-1900* (New York: Cambridge University Press, 2000); Elizabeth Sanders, *Roots of Reform: Farmers, Workers, and the American State 1877-1917* (Chicago: University of Chicago Press, 1999).

²⁶ According to Nelson, "Bob La Follette was the moving force behind this great fight to reform the rules of the House of Representatives, insofar as it is possible to single out one man who provided the inspiration for a great deal of the movement. It must of course be recognized that no one individual had control over the progress of the movement, nor was any one individual responsible for the crystallization of the discontent in the first rules revolution of March of 1910, yet La Follette provided much of the impetus." Nelson to Hechler, "Miscellaneous Interviews," February 5-7, 1939, WHS, Nelson Papers, Box 10, 1.

²⁷ While populist Democrats were often more radical in their demands than progressive Republicans, both movements called for similar reforms — with the exception of currency reform. As the journalist William Allen White described the difference between the two groups: "The Insurgents caught the Populists swimming and stole all of their clothing except the frayed underdrawers of free silver." Hechler, *Insurgency*, 21-22.

eastern finance capital and industrial interests, the Speaker found the reformers' agenda of government activism unacceptable. Unwilling to alter the status quo or yield to Republicans who advocated principles that ran counter to strict party regularity, Cannon used the tools of his office to rebuff efforts to pass reform legislation. However, "[b]y constricting the opportunities for individual members...to shape House decision-making, Cannon created an explosive situation where members were willing to attack the House to effect change."²⁸ Indeed, without the institutional means to meet their constituents' demands for assistance, Republican reformers trained their sights on the chamber's parliamentary rules and procedures.²⁹

4. Organizing for Insurgency

The first attacks against Cannon's command of House proceedings were levied by individual Republican dissidents. These sporadic strikes met with little success. Relying on his control of the "right to recognition" and the House Rules Committee, Cannon easily diffused their protests. Having failed to achieve reform independently, the dissidents attempted to work more collaboratively, first by circulating a petition and later through private correspondence and impromptu gatherings on the House floor. In both instances, the reformers sought to move beyond a consensus that changes to House rules were necessary, but found that their limited organization was insufficient to effectively coordinate and prioritize members' preferences and, in turn, to develop a shared plan of action.

Over the course of the first session of the 60th Congress, calls for parliamentary reform were made by those legislators who later became the mainstays of the Insurgent organization.³⁰ Frustrated by Cannon's steadfast refusal to entertain western legislators' private appeals for programmatic relief in their home states, progressive Republicans Nelson and Murdock repeatedly spoke out against "the immense power concentrated in the Speakership."³¹ Though their speeches garnered considerable favor from President Theodore Roosevelt, reform-minded

²⁸ Schickler, *Disjointed Pluralism*, 71.

²⁹ The western progressive Republicans were joined by a handful of representatives who, by some accounts, believed parliamentary reform would either ease the passage of their favored legislation — as was the case for Rep. George A. Pearre (R-MD) and Rep. Charles Fowler (R-NJ) — or promote "good government" more broadly, as articulated by Augustus Gardner (R-MA). Bolles, *Tyrant from Illinois*, 174-175.

³⁰ The period prior to Joseph Cannon's tenure as Speaker did not lack objection to House rules. In 1902, for example, Rep. Francis Cushman (R-WA) railed against the chamber's repressive legislative calendar, arguing that House rules enabled party leaders to push through at least some legislation by arbitrary procedure for partisan or personal benefit. "The Calendar!" he cried, "That is a misnomer. It ought to be called a cemetery. For therein lie the whitening bones of legislative hopes." *Congressional Record*, 57th Congress, 1st Sess., 1902, 35, 4320. However, scholars generally characterize the speeches leveled against House rules prior to the Insurgency as disorganized and polemic. Insurgent speeches, by contrast, were typically dispassionate and analytic.

³¹ In most instances, Nelson and Murdock were granted recognition to make their speeches during floor debate on appropriations bills, where it was House custom for members "to speak on any subject under the sun." Nelson explains that the custom for wide recognition when considering appropriations legislation on the floor acted "as a device to give the members a chance to make speeches for home consumption, and to ease up the tension caused by the powers that be, giving [members] no chance to speak on bills that [were] really under consideration." Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, WHS, Nelson Papers, Box 10, 12.

representatives and senators of both parties, and members of the press, they cost both men politically.³² Never content to turn a blind eye to the “slings and arrows” of parliamentary reform or a breach in party regularity, Cannon “vowed vengeance.”³³ From Cannon’s perspective, it was a relatively simple and routine matter to punish individual dissenters. The Speaker shunted Nelson to dead committees and threatened Murdock through the Kansas Republican machine.³⁴ Although both men objected to Cannon’s actions, neither could muster an effective response to lessen or counter his penalty’s toll.³⁵

More important, reformers Nelson and Murdock were ill-equipped to overcome the peculiar procedural features of the House that effectively precluded rules reform. Parliamentary reformers faced at least three different procedural obstacles. First, the Speaker controlled the right to recognition, severely constraining a legislator’s opportunity to mount a protest on the House floor. Second, if the Speaker were to grant recognition and a legislator were to introduce an amendment to reform House rules, the Committee on Rules — packed with members loyal to the Speaker — would have jurisdiction and thus the ability to bury the proposal.³⁶ Third, were the Committee on Rules to report the resolution to the floor (a very improbable scenario), a single legislator would be unlikely to have the capacity to forge the cross-party coalition necessary to win passage. As historian, and former member of Congress, Kenneth Hechler observes, Nelson and Murdock would come to see that the “reason the Insurgents needed to throw up a connected series of breastworks was their failure to achieve any results through haphazard individual effort.”³⁷

³² Nelson to Hechler, “Annotated Interview Notes,” February 13, 1939, WHS, Nelson Papers, Box 10, 13. Roosevelt’s relationship with the Insurgents varied considerably over time. Early in his first term, Roosevelt vowed to work with Cannon to push through the Republican agenda. In doing so, he achieved a momentary detente with the House leader. When it became clear that Cannon was intent on obstructing the progressive legislation Roosevelt had made the linchpin of his *own* agenda, the President’s relationship with the Speaker cooled. By late 1907, Roosevelt sought to straddle the cleavage between growing public opposition to Cannon in the west and the need to maintain a cohesive Republican majority for President-elect William Howard Taft. While he would later be a vigorous proponent of the Insurgent cause, as an elected official Roosevelt proved largely diffident to the organization — refusing, at one point, even to make introductions to Taft on the group’s behalf.

³³ Nelson recounted: “I found out that this speech was sent to Uncle Joe Cannon by an obliging enemy. He only laughed and said that everybody took a knock at the rules, but just the same he never forgave me for it, as I found out afterwards.” Nelson to Hechler, “Annotated Interview Notes - Part Two,” February 13, 1939, WHS, Nelson Papers, Box 10, 10.

³⁴ As Nelson explained, “The Cannon crowd vowed vengeance and I got no favorable committee assignments. I was placed upon the Election Committee, No. 2, the Committee on Arts and Expositions, and the dead Committee on Pacific Railroads.” Nelson to Hechler, “Annotated Interview Notes - Part Two,” February 13, 1939, WHS, Nelson Papers, Box 10, 10; *Congressional Record*, 60th Congress, 1st Sess., 1907, 42, 426-429; Murdock to White, December 9, 1909, LOCMD, White Papers, Box 2.

³⁵ Cannon’s determination to exact retribution should not be taken as an indication that the reformers posed a credible threat to the speakership. The institutional impediments to rules reform made it unlikely that the men would achieve their objective.

³⁶ James S. Sherman to Col. H.L. Swords, February 6, 1909, New York Public Library Rare Books and Manuscript Division (NYPL), James Schoolcraft Sherman Papers, Box 17, File “1909 Feb, 6-7.”

³⁷ Hechler, *Insurgency*, 194.

In March 1908, mindful that lack of progress on the reform front necessitated some measure of coordination, Nelson circulated a petition calling “for a change in some of the rules” among like-minded Republicans.³⁸ The purpose of the petition was twofold. First, the reformers needed a politically sensitive means to identify potential colleagues with whom to collaborate. Though some, like Norris, approached Nelson and Murdock following their speeches in the House, others sympathetic to the cause were cautious to express their support. Second, the early Insurgents sought to commit fellow reformers to action; the petition would act as a contract among members to press for substantive change. For Nelson, “[T]his was the beginning...of the [I]nsurgent movement.”³⁹

In fact, it would prove to be a slow start. Without a clear sense of what “change in some rules” entailed, and lacking a plan to guide the reformers’ efforts or a means to enforce the petitioners’ pact to prioritize the matter, other concerns took precedence. In western states, surging populist sentiment forecast a strong Democratic year, with Bryan leading the ticket. With the 1908 presidential election in full swing, members of the Republican Party — Insurgent and Regular alike — were pressed into service on party-nominee Taft’s behalf.

The results of the 1908 election gave the Insurgents much to celebrate. The GOP maintained its majority in the House (219-172) and progressive Republican losses were few. Swept into office by a tide of western opinion inimical to Cannon’s rule, a new cohort of legislators swelled the Insurgents’ ranks. Although the majority of Insurgents hailed from midwestern states — seven from Iowa, five from Kansas, four each from Nebraska and Minnesota, three from Ohio, and nine from Wisconsin — roughly a third of the membership drew from eastern and western delegations, including Vermont, Massachusetts, New York, New Jersey, Maryland, California and Washington (see Figure 2.1).⁴⁰ Were the thirty-odd Insurgents to join with House Democrats, the Republican leadership would lose control of the chamber, making parliamentary reform possible.⁴¹

³⁸ Nelson to Hechler, “Annotated Interview Notes,” February 13, 1939, WHS, Nelson Papers Box 10, 13-14.

³⁹ Sitting behind Nelson just after he had delivered his speech for parliamentary reform, Norris leaned forward and promised the congressman: “John, I’ll be with you on that.” Nelson to Hechler, “Miscellaneous Interviews,” February 5-7, 1939, WHS, Nelson Papers, Box 10, 2.

⁴⁰ Though sectional divisions would rankle the Progressive Party a short decade later, there is little archival evidence to suggest that a single state delegation dominated Insurgent proceedings in the House. Indeed, while the Wisconsin delegation boasted the largest state membership, leadership positions were not distributed in a way that favored that delegation in particular. The Wisconsin delegation’s principal influence came insofar as members from Wisconsin typically supported more radical reform measures, and voted cohesively in their favor. However, Wisconsin members’ capacity to dominate the substance of Insurgent proposals was limited by the reticence of some eastern reformers — whom the Insurgent leadership were unwilling to alienate.

⁴¹ At the time, the House numbered 391 members. Because a majority in the House required 196 members, twenty-four Insurgents would need to cooperate with the opposition to overpower Cannon’s regime.

Figure 2.1: Insurgent Membership by State Delegation

Member	State		
Everis A. Hayes	CA	Andrew J. Volstead	MN
Duncan E. McKinlay *	CA	Edmund H. Hinshaw	NE
Gilbert N. Haugen	IA	Moses P. Kinkaid	NE
William P. Hepburn	IA	George W. Norris	NE
Elbert H. Hubbard	IA	Ernest M. Pollard *	NE
James W. Good	IA	Charles N. Fowler	NJ
Nathan E. Kendall	IA	Herbert Parsons *	NY
Charles E. Pickett	IA	Asle J. Gronna	ND
Frank P. Woods	IA	David A. Hollingsworth	OH
Daniel R. Anthony *	KS	Leonard P. Howland *	OH
Philip P. Campbell *	KS	Adna R. Johnson	OH
Edmond H. Madison	KS	David J. Foster	VT
Victor Murdock	KS	Miles Poindexter	WA
Charles F. Scott *	KS	William J. Cary	WI
George A. Pearre *	MD	Henry Allen Cooper	WI
Augustus P. Gardner	MA	James H. Davidson	WI
William C. Lovering	MA	John J. Esch	WI
Charles E. Townsend *	MI	Arthur W. Kopp	WI
James C. McLaughlin *	MI	Gustav Küstermann	WI
Charles R. Davis	MN	Irvine L. Lenroot	WI
Charles A. Lindbergh	MN	Elmer A. Morse	WI
Halvor Steenerson	MN	John M. Nelson	WI

* These ten Insurgents were identified as having “coldfeet” [*sic*] in the bloc’s February whip count and winter attendance logs. Of the ten congressmen, seven left the Insurgent organization (Scott, Anthony, Campbell, McLaughlin, Pearre, McKinlay and Foster).

Source: Nelson, “Attendance Records” and “Vote on Resolution of Feb. 9 & 10,” WHS, Nelson Papers, Box 10.

However, building a cross-party coalition would require a level of organization and commitment to cooperation the Insurgents lacked. Indeed, the loose federation generated by Nelson's petition was insufficient to compel adherence to any common plan or strategy.⁴² Writing several decades after the Cannon Revolt, Norris recalled "that the single objective which brought these men together was the taking from the Speaker of the vast, brutal power which the rules of the House gave him."⁴³

Though the Insurgents agreed on the necessity of parliamentary reform, they remained deeply divided over its prospective substance. In letters and impromptu conversations on the floor of the House, members entertained a variety of strategies they hoped would best achieve their objective.⁴⁴ Rep. Miles Poindexter (R-WA) and Rep. Charles Fowler (R-NJ) argued that removing the Speaker from his seat on the Committee on Rules would be sufficient to end the House dictatorship. Among those who believed autocratic committee assignments to be the source of legislative discord, Rep. William Hepburn (R-IA) suggested the Speaker be allowed to fill no more than one-third of each committee's seats. Others argued this proposal would unduly restrict the majority party, suggesting instead that the Speaker appoint no more than three-fifths of all seats. Norris, for his part, proposed that the Speaker be stripped of the power of appointment altogether. Still others viewed restrictions on recognition as the source of Cannon's authority; some proposed changes to the legislative calendar, such that committees would be given the opportunity to introduce legislation on the floor on a weekly basis.⁴⁵ Rules to discharge legislation from committees — in the form of petitions or other procedures — were favored as alternatives.⁴⁶

Nor could the Insurgents reach agreement on more practical matters of political strategy, as evidenced by their initial, haphazard efforts to challenge Cannon for the speakership. Indeed, upon returning to Washington in November 1908, many Insurgents worked at cross-purposes, promoting a crowd of names to oppose Cannon, rather than throwing their combined support behind a consensus candidate.⁴⁷ Correspondence among Insurgents reveals a host of competing

⁴² Hechler, *Insurgency*, 45; Miles Poindexter to Norman Hapgood, November 17, 1908, University of Washington Libraries and Special Collections (UWSC), Miles Poindexter Papers, Box 8, Folder "Special Correspondence H."

⁴³ Norris, *Fighting Liberal*, 108.

⁴⁴ Nelson to Hechler, "Miscellaneous Interviews," February 5-7, 1939, WHS, Nelson Papers, Box 10, 2.

⁴⁵ Hechler, *Insurgency*, 45.

⁴⁶ Norris, *Fighting Liberal*, 135; "Hepburn May Contest," *Washington Post*, December 2, 1908, p.1; Poindexter to Theodore Burton, November 10, 1908, UWSC, Poindexter Papers, Box 8, Folder "A Special Correspondence." See also Poindexter to W. H. W. Rees, November 24, 1908, UWSC, Poindexter Papers, Box 8, Folder "Correspondence P and Q."

⁴⁷ One might think that the Insurgents believed Cannon would be reelected and that, consequently, there would be little value in devoting resources to a unified campaign. However, Insurgent correspondence suggests otherwise; letters reveal that members believed speed of entry into the race was the primary variable in determining a rival candidate's success. Poindexter to Hapgood, November 17, 1908, UWSC, Poindexter Papers, Box 8, Folder "Special Correspondence H."

ambitions, as individuals sought to solicit support for themselves or regional allies.⁴⁸ With the opposition to his rule deeply divided, Cannon had little to fear.⁴⁹ For the Insurgents, the lesson of their initial campaign was clear: absent organizational mechanisms to translate members' broad commitment to rules reform into an agreed-upon and actionable plan, their efforts were unlikely to succeed.

The Seeds of Collective Action

Cognizant that prolonged internal wrangling would jeopardize their cause, Nelson called a formal meeting to devise a cohesive strategy for the bloc.⁵⁰ As Nelson recounted, "All those Republicans whom we believed favored a change of the rule [were invited to attend]... We found that they numbered about thirty-five."⁵¹ In this meeting, and throughout the winter of 1908-1909, the Insurgents worked to establish rules of procedure and a committee structure to facilitate the group's decision-making. The Insurgents were particularly concerned that their most radical members would balk at compromising with the bloc's more moderate rules reformers and, instead, set out on their own. Accordingly, they implemented several mechanisms to bind these and other members to the organization without resorting to explicit coercion. Hoping to redirect the energies of radical dissidents into the organization itself, the Insurgents appointed them to various leadership positions within the group. To discourage defection more generally, and promote consistency in debate, they relied on official note-taking to record the statements made in conference by Insurgent members as a means for holding them accountable in private, and, if necessary, in public. Determined to widen public support for rules reform among the electorate, the Insurgents carefully cultivated relationships with sympathetic newspaper and magazine editors. As we shall see, these efforts would later prove crucial to the success of the organization; in the summer and fall of 1909, the reformers relied heavily on their relationship with the press to reward legislators loyal to the Insurgency and to punish those who

⁴⁸ While Fowler flooded the mail with pleas for support in his bid for the speakership, western Insurgents busily mobilized around local candidates. Fowler to Poindexter, November 6, 1908, UWSC, Poindexter Papers, Box 8, Folder "Special Correspondence A"; Poindexter to Fowler, November 14, 1908, UWSC, Poindexter Papers, Box 8, Folder "Special Correspondence A"; William Ewart Humphrey to Poindexter, December 7, 1908, UWSC, Poindexter Papers, Box 8, Folder "Special Correspondence A."

⁴⁹ With the Insurgents divided, Cannon sought to clinch his control of the speakership for another term by persuading the White House to remain neutral on the matter. Cannon had some reason to fear that either President Roosevelt or President-elect Taft would intervene on the progressive Republicans' behalf, as the Speaker had proved a liability in the West. Dispatching his close confidant, Vice President-elect James Sherman, to speak with Taft and Roosevelt, Cannon convinced the White House that interfering in the battle over House rules would derail the party's capacity to implement its legislative agenda. Unbeknownst to the Insurgents, Taft withdrew his support of their budding cause. Shortly after the 1908 election, Poindexter wrote to President-elect Taft, urging him to consider supporting the bid of a progressive Republican to replace Cannon as Speaker. Taft did not respond. See Hechler, *Insurgency*, 44; Poindexter to Taft, November 10, 1908, UWSC, Poindexter Papers, Box 8.

⁵⁰ As Hechler observes, "Political strategy should have dictated a firm cohesion as the prime necessity of the Insurgents, but they failed to come to any agreement and thus lost much of their bargaining power." Hechler, *Insurgency*, 45.

⁵¹ Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, WHS, Nelson Papers, Box 10, 14. Other accounts, including that of Hechler, hold that the group numbered no more than twenty-five.

defected from its ranks.

Without the sanction of the Republican caucus, persuading those amenable to rules reform to broach the issue proved difficult. Potential Insurgents feared the consequences of open participation in a group that sought to defy the Speaker, well aware that Cannon had dealt harshly with party dissidents in the past.⁵² Answering this set of concerns represented a key organizational challenge for the Insurgency. A solution presented itself when, after some discussion, Hepburn volunteered to host the Insurgent meetings in his committee room. Though a “dyed-in-the-wool machine man on other issues,” Hepburn believed strongly in the importance of parliamentary reform and the decentralization of power away from the Speaker.⁵³ Hepburn’s party orthodoxy on other matters reassured would-be participants that their involvement in the rules reform effort would not damage their Republican credentials. Moreover, as an established figure in the Republican hierarchy, the Congressman’s presence offered cover for Insurgents apprehensive about Cannon’s possible response.⁵⁴

Meeting in Hepburn’s committee room in early December 1908, the Insurgents agreed that the first step must be to define the scope and nature of the parliamentary reforms they would collectively pursue. To this end, the group elected a regionally and politically diverse subcommittee, led by Hepburn, to identify and prioritize the possible changes to House rules.⁵⁵ The following week the Insurgents reconvened to hear the subcommittee’s report. The subcommittee identified House committee assignments and the legislative calendar as initial targets for reform. First, the subcommittee proposed that the House appoint a committee of nine members who would be charged with making assignments to standing committees.⁵⁶ Second, to ensure that legislation flowed freely from committees to the House floor, they recommended that two free days be allocated each week during which the Speaker would be required to call upon each

⁵² One local Kansas politician counseled Murdock against breaking with Cannon, even for the sake of pleasing his constituents: “As you will have ‘Uncle Joe’ on your neck up there — stay with him, we will protect your rear.” J. A. Burnette to Murdock, December 23, 1908, LOCMD, Murdock Papers, Box 21, Folder B. However, for some would-be Insurgents, Cannon’s penchant for punishment motivated their membership. Nelson explains, “I won Gussie Gardner over to our side in the fight on the Rules, by pointing out to him the injustices which Cannon had done to him personally, in the way of removing him from his committee chairmanship.” Nelson to Hechler, “Miscellaneous Interviews,” February 5-7, 1939, WHS, Nelson Papers, Box 10, 5.

⁵³ According to Nelson, “In many caucuses, Hepburn would arise and read the riot act to Uncle Joe, but when the vote was taken and afterward, Hepburn would inevitably submit to the party steamroller and remain regular.” Nelson to Hechler, “Miscellaneous Interviews,” February 5-7, 1939, Wisconsin Historical Society, John Mandt Nelson Papers, Box 10, 3.

⁵⁴ According to Murdock, “It was only through the use of the headquarters of Hepburn, a dyed-in-the-wool machine man on other issues, that most...consented to attend.” Hechler, *Insurgency*, 195.

⁵⁵ The committee consisted of Hepburn, Rep. Charles Townsend (R-MI), Rep. Henry Cooper (R-WI), Rep. Everis Hayes (R-CA), and Rep. David Foster (R-VT).

⁵⁶ The text of the Insurgent proposal: “The House shall elect at the commencement of each Congress the following standing committees...The House shall select a committee of nine members whose duty it shall be to nominate to the House the proper number of Representatives and delegates to constitute the above committees.” Nelson, “Meeting Minutes,” December 16, 1908, WHS, Nelson Papers, Box 10, p. 1.

committee to report out legislation.⁵⁷ By instituting these “calendar days,” the reformers hoped to increase floor access, particularly for less powerful committees.

In subsequent meetings in January 1909, the Insurgents debated the merits of the subcommittee’s report and the substance of its proposals. Although the group agreed on the importance of reforming committee assignment procedure, members divided over how drastic the changes should be. Hard-line reformers like Norris insisted that the Speaker be explicitly stripped of his power to assign committee seats, whereas others believed party leaders ought to work together with a proposed new House-appointed “Committee on Committees.” Ultimately, the bloc agreed with Norris, voting 18-5 in support of completely divesting the Speaker of appointment authority.

In an effort to address what some western Insurgents believed to be the outsized influence of eastern industrial and finance capital interests within the Republican coalition, the reformers decided to make geographical representation an explicit part of their agenda. To this end, the Insurgents proposed that when appointing members to the Committee on Rules, each legislator’s regional affiliation be taken into account. Concerned that the Speaker might continue to exert influence in this domain, Norris sought to grant regional delegations the authority to directly elect one representative apiece, proposing to the Insurgents “that the Committee on Rules should be elected by the membership of the House from geographical divisions.”⁵⁸ In the end, the group decided that the Committee on Rules, with a mechanism in place to ensure that its membership would be regionally representative, would also assume the duties of the proposed “Committee on Committees” and assign committee seats.⁵⁹ Unlike concern over the role of the Speaker, which divided the Insurgents, prioritizing geographical representation proved to be an appealing and popular notion, as members from all states stood to benefit from a procedural guarantee of regional interests.⁶⁰

⁵⁷ The text of the Insurgent proposal: “On each Tuesday and Thursday, the Speaker shall call the committees...and such call shall not be omitted unless by a vote on the day the House shall consent to such omission.” Nelson, “Meeting Minutes,” December 16, 1908, WHS, Nelson Papers, Box 10, p. 1-2.

⁵⁸ In the Insurgents’ final resolution, voted on in February 1909, the proposed Committee on Rules and Committees would consist of fifteen members: nine majority members, six minority members. By contrast, the Norris Resolution offered on the House floor in March 1910 called for eight majority members and seven minority members to be appointed to the proposed Committee on Rules and Committees. Nelson, “Meeting Minutes,” January 18, 1909, WHS, Nelson Papers, Box 10, p. 1-2. Meeting minutes suggest that no further action was taken on the Norris proposal at this time. Nelson, “February 4th Resolution,” February 4, 1909, WHS, Nelson Papers, Box 10, p. 3.

⁵⁹ Nelson, “Meeting Minutes,” January 26, 1909, WHS, Nelson Papers, Box 10, p. 1-2. Members debated whether the Committee on Rules ought to be the same committee that was tasked with assigning committee positions, and whether members on either committee could simultaneously sit on a standing committee. In a series of close votes, it was decided that the Committee on Rules would also assign committee seats, but that membership on the proposed “Committee on Rules and Committees” would not preclude legislators from sitting on other standing committees.

⁶⁰ Eastern Insurgents had perhaps the most to lose from a more equitable regional distribution of power in the House, as the region tended to dominate House proceedings. Nelson’s meeting minutes, however, reveal that this group of reformers believed that the status quo favored stand-pat eastern interests and limited their own access to the chamber’s most powerful offices. Nelson, “Meeting Minutes,” January 26, 1909, WHS, Nelson Papers, Box 10, p. 1-2. See also Hechler, *Insurgency*, 41-42.

Over the course of these winter meetings, the Insurgents developed a series of internal organizational procedures. For expediency's sake, the group agreed to formally adopt the basic structure of the typical congressional conference. Committees would be created to manage discrete tasks, reporting their progress at regularly held member-wide meetings.⁶¹ Attendees would follow basic rules of parliamentary order, and one individual would act as chair to settle disputes and keep matters germane. Though the duty of chair would rotate among members, Nelson was appointed permanent secretary of the House Insurgency. As secretary, Nelson was responsible for calling meetings, arranging meeting space, keeping detailed meeting minutes, and occasionally acting as whip for the group.

These organizational choices promoted two critical objectives. In part, these duties facilitated group efficiency: with logistics accounted for, members could focus on the substantive business at hand. But these same features also furthered collective action. As Nelson explained:

[I] kept very complete minutes of all of the meetings; Murdock once objected to this while I was reading the minutes, but I realized that only by recording every motion and speech could all of the members of our group be tied together and kept from drifting back. Another technique was to give certain people committee chairmanships to maintain their interest; thus Murdock was made Chairman of the Publicity Committee.⁶²

Nelson's account makes clear that Insurgent leaders were concerned about two potential sources of defection from their ranks. On the one hand, some Insurgent members might be persuaded to return to Cannon's fold, unwilling or unable to bear the costs of achieving rules reform. To prevent these members from "drifting back," the Insurgent leadership kept careful records of their debate proceedings, so that any individuals who might consider abandoning the cause could be reminded of their initial commitment to reform. On the other hand, the Insurgent leaders initially feared the defection of members who were deeply committed to a specific vision of rules reform and unwilling to compromise to ensure group cohesion.⁶³ To prevent these individuals from abandoning the Insurgent cause, the bloc's leadership sought to deepen their investment in the organization, as well as the cause — offering them leadership positions "to maintain their interest," and provide an outlet for their entrepreneurial proclivities.⁶⁴

⁶¹ The Insurgents eventually formed a Committee on Procedure, a Committee on Publicity, a Committee on Recruitment, and a Steering or Executive Committee to direct the group's strategy.

⁶² Nelson, "Miscellaneous Interviews," February 5-7, 1939, WHS, Nelson Papers, Box 10, p. 7. *See also* Hechler, *Insurgency*, 196.

⁶³ Nelson, "Miscellaneous Interviews," February 5-7, 1939, WHS, Nelson Papers, Box 10, p. 7-8.

⁶⁴ More broadly, the Insurgents' attention to matters of organization as a means of structuring consistent participation, ideological cohesion, and common strategy suggests a sort of institutional isomorphism between parties and their constitutive intraparty organizations. Indeed, the Insurgents' use of these party-like mechanisms to keep group members invested in their collective objective is striking. Whereas it is probably not the case that intraparty organizations are simply "nascent parties within parties, seeking to pour new wine into old bottles," the fact that Insurgent organizers looked to their party coalition for structural inspiration suggests a strong affinity between the two phenomena. James W. Ceaser, "Political Parties —Declining, Stabilizing, or Resurging?" in *The New American Political System* ed. Anthony King (Washington, DC: AEI Press, 1990), 90-91.

Though anxious to unify their bloc, the Insurgents nevertheless sought to preserve a meaningful degree of autonomy for individual members. Attentive to the potential contradictions of modeling the Insurgent bloc on the centralized authority of the Republican machine, the group tried to reflect in its organizational design a critique of the party structure it was seeking to reform. Indeed, as Hechler argues, in designing the bloc's administrative arrangements, the Insurgents were keenly aware that "centralizing power and authority in one leader...would be aping the very organization that they were fighting in the House."⁶⁵ Although majority votes were deemed acceptable during internal debates over the substantive details of the Insurgents' proposed resolution, the majority would not be permitted to dictate how individual members would vote if the resolution were to reach the chamber floor.

The Insurgents also declined to implement organizational mechanisms that would empower the group's leadership to enforce collective behavior.⁶⁶ Rather, the Insurgents hoped that knowledge that unity was the bloc's singular point of leverage would be sufficient to motivate consensus and cooperation.⁶⁷ Indeed, in the months preceding the opening of the 61st Congress in March 1909, the Insurgents carefully screened members of the incoming congressional class to ensure that new recruits would not threaten the group's hard-won consensus. Representing western, midwestern, and eastern interests, respectively, Rep. Everis A. Hayes (R-CA), Murdock, and Rep. George Pearre (R-MD) distributed literature on rules reform to newly elected Republican members of Congress, and corresponded individually with interested legislators to assess their "sympathy with [Insurgent] principles... and [their] support of this movement." In so doing, the Insurgents were able to incorporate those new members who supported the substance of the organization's desired reforms.⁶⁸

During this period, the Insurgents met frequently to develop a strategy for winning passage of their parliamentary reforms. As Rep. Ernest Pollard (R-NE) reported from the Committee on Procedure, they had not yet found a way to bring up the proposed rules changes for consideration *with* the Speaker's consent. However, Pollard suggested it might be possible to offer "amendments to some proposed rule of the Committee on Rules, and then vot[e] to overturn the decision of the Speaker" that the rules amendments were out of order. Pollard believed that forcing a vote against the Speaker on a ruling at any time in the congressional session might be used to secure certain concessions from the majority leadership. After considerable discussion of Pollard's idea, the Insurgents agreed that "it would be unwise to do anything revolutionary."⁶⁹ Better to wait for the opening of the new Congress in March 1909, when the

⁶⁵ Hechler, *Insurgency*, 195.

⁶⁶ Murdock to White, August 1, 1910, LOCMD, White Papers, Box 4.

⁶⁷ Nelson, "Meeting Minutes," January 10, 1910, WHS, Nelson Papers, Box 10, p. 3.

⁶⁸ Poindexter to Murdock, February 20, 1909, LOCMD, Murdock Papers, Box 22, Folder "Poindexter, Miles"; William P. Sheffield to Murdock, February 16, 1909, LOCMD, Murdock Papers, Box 22, Folder "Sheffield, William Paine"; Irving L. Lenroot to Murdock, February 16, 1909, LOCMD, Murdock Papers, Box 22, Folder "Lenroot, I. L."

⁶⁹ Nelson, "Meeting Minutes," February 8, 1909, WHS, Nelson Papers, Box 10.

rules would once again come up for adoption. Though the evidence is only suggestive, one may wonder whether Norris recalled Pollard's proposal when, a year later, he offered his own resolution on the House floor with the aim of overthrowing the Speaker.⁷⁰

Though the majority of the Insurgents' formal conferences were devoted to debating the substance and logistics of procedural change, a sub-section of the group coordinated with their colleagues in the Senate to rally public opinion in favor of reform measures.⁷¹ Throughout the Insurgent campaign, reformers with strong ties to popular progressive Republican newspapers and magazines worked together with sympathetic journalists outside the halls of Congress to "spread sentiment against the present House rules" and to dispel allegations made against the bloc by "stand-pat" newspapers.⁷²

For their part, progressive newspapers and magazines routinely commissioned Insurgent members to write chapters describing their activities in Congress and explaining the rationale behind their reform efforts.⁷³ They also encouraged their readership to write to Cannon, imploring the Speaker to acquiesce to the Insurgent cause. These efforts culminated in a campaign by *Success Magazine*, a widely read national publication during this period, to document public support for rules reform and opposition to the present speakership. *Success Magazine* mailed ballots to 22,500 of its subscribers, asking recipients to vote on proposed rules

⁷⁰ In contrast to Pollard, Norris recognized that Cannon's ruling on constitutional privilege provided an opening to bring his resolution to the floor. However, in Norris's view, the critical factor was giving the House the chance to overturn the Speaker, thus devolving decision-making authority to the chamber body. "The entire membership knew with equal sureness that Mr. Cannon would sustain that point of order [against Norris's right to propose his resolution], and that I would appeal at once. It was then up to the House to decide whether my resolution was in order, and whether the House desired to consider it." Norris, *Fighting Liberal*, 115-116.

⁷¹ Although the House Insurgents received little counsel from their Senate counterparts on most aspects of their reform efforts, there is strong archival evidence that the two organizations coordinated on matters of press. La Follette and Murdock corresponded frequently to share news reports, material to be printed, and "story pitches." Even early on in the Insurgent campaign, the two chamber organizations worked closely together; in October 1908, La Follette wrote to Murdock urging the Congressman to run Insurgent editorials previously printed in *La Follette Magazine* in Kansas newspapers. F.W. Mackenzie to Murdock, October 22, 1908, LOCMD, Murdock Papers, Box 21, Folder "M."

⁷² Charles F. Scott to Alex Butts, November 14, 1908, LOCMD, Murdock Papers, Box 21, Folder "S"; Lawrence F. Abbott to Murdoch, March 13, 1909, LOCMD, Murdock Papers, Box 22, Folder "Abbott, Lawrence F."; Collier to Murdock, March 10, 1909, LOCMD, Murdock Papers, Box 22, Folder "Collier, Robert J." Both Murdock and La Follette, who had left his post as Governor of Wisconsin in January 1906 to serve the state as a senator, edited such publications.

⁷³ Haskell to Murdock, December 20, 1909, LOCMD, Murdock Papers, Box 22, Folder "Haskell, Henry J."

reform measures and to evaluate Cannon's and Taft's performances in office.⁷⁴ Readers were asked to return the completed ballots to the magazine at their own expense. The magazine received an astonishing number of completed ballots — more than 18,000 — along with hundreds of letters from readers articulating their views on parliamentary procedure, Speaker Cannon, and the Taft administration.

After compiling the results of its informal public opinion poll, *Success* consulted with Insurgent members “on the question of getting the largest possible influence on the figures by method of presentation to Congress.”⁷⁵ Ultimately, in addition to publishing the results of the survey in their magazine, the editors of *Success* decided to provide a copy to every member of Congress and to the White House (see Figure 2.2).⁷⁶ At a time when intercontinental correspondence was costly and modern public opinion polling did not yet exist, *Success Magazine's* national campaign was a very impressive achievement. Moreover, the effort provides evidence for the unique partnership between congressional reformers and progressive members of the press.

⁷⁴ The text of the *Success Magazine* ballot: “Please mail this ballot to SUCCESS MAGAZINE immediately... Answers to the questions below will be regarded by SUCCESS MAGAZINE as absolutely confidential as regards authorship. (1.) With what political party are you in general sympathy? (2.) For what Presidential candidate did you vote in November, 1908? (3.) Do you now believe that your vote was wisely cast? (4.) Are you satisfied with the first nine months [*sic*] experience in the administration of President Taft? (5.) Do you approve the position of Senator Aldrich in the recent tariff legislation? (6.) Do you approve the position of Speaker Cannon in the recent tariff legislation? (7.) Do you approve the position of President Taft in the recent tariff legislation? (8.) Is it your desire that President Taft should support and co-operate with Senator Aldrich and Speaker Cannon in the general public policies which they represent? (9.) Do you desire that he should oppose them? (10.) Who is your Representative in Congress? (11.) To what political party does he belong? (12.) Did he support Joseph G. Cannon for Speaker of the House, and in the fight on the rules at the beginning of the special session? (13.) Do you approve his position in the Speakership contest? (14.) Would you vote for him if there should be another election this month, provided that he were opposed by a reputable man of the opposite party? (15.) Is it your desire that he support the administration and policies of Speaker Cannon, or would you prefer that he oppose them?” Readers were asked to record their name, state, and city or town on the ballot. “Questions to Success Magazine Members of Auxiliary Editorial Board,” 1909, LOCMD, Murdock Papers, Box 23, Folder “Success Magazine.”

⁷⁵ Higgins to Murdock, December 3, 1909, LOCMD, Murdock Papers, Box 23, Folder “Success Magazine.”

⁷⁶ “Is President Taft Leader or Follower in His Party?,” *Success Magazine*, January 1910, 31.

Figure 2.2: Selected Results of the *Success Magazine* Survey

Question	Republican Respondents		Democratic Respondents	
Do you approve the position of Speaker Cannon in the recent tariff legislation?	Yes: 7% (490) No: 93% (6,485)		Yes: 2% (40) No: 98% (2,447)	
	Total votes cast: 6,975		Total votes cast: 2,487	
Is it your desire that President Taft should support and cooperate with Senator Aldrich and Speaker Cannon in the general public policies which they represent?	Yes: 10% (689) No: 90% (6,293)			
	Total votes cast: 6,982			
Are you satisfied with the first nine months' experience in the administration of President Taft?	Yes: 55% (3,092) No: 44% (2,490)		Yes: 20% (500) No: 80% (2,053)	
	Total votes cast: 5,582		Total votes cast: 2,553	

Question	Insurgent District	Stand-Pat District	"Coldfeet" District	Democratic District
Do you approve the position of your Representative in Congress in the Speakership contest last spring?	Yes: 90% (550) No: 10% (62)	Yes: 14% (33) No: 86% (199)	Yes: 15% (22) No: 85% (121)	Yes: 31% (10) No: 69% (22)
	Total votes cast: 612	Total votes cast: 232	Total votes cast: 143	Total votes cast: 32
Would you vote for your Representative of Congress if there should be another election this month provided that he were opposed by a reputable man of the opposite party?	Yes: 93% (191) No: 7% (14)	Yes: 23% (157) No: 77% (522)		
	Total votes cast: 205	Total votes cast: 679		

* Blank cells indicate cases where the data were not tabulated by the editors of *Success*.

Source: "Is President Taft Leader or Follower in His Party?" *Success Magazine*, January 1910, 31-32.

At the close of February 1909, the Insurgents worked to finalize the resolution they would present at the opening of the new Congress the following week. After months of revision, the final resolution denied the Speaker membership on any standing or conference committee, and expanded the size and scope of the Committee on Rules to accommodate greater political and geographical representation.⁷⁷ Members of the newly-designated Committee on Rules and Committees would be selected by representatives grouped together into geographical regions, such that each region would select one legislator to join the Committee. Thus constituted, the Committee would appoint House members to all other standing committees. Additional provisions specified the details of the revised legislative calendar.⁷⁸ With only a few modifications, this resolution — drafted, debated, and passed by the Insurgents in 1909 — would be submitted to the House by Norris one year later.⁷⁹

Cold Feet: A Setback for the Insurgency

Up to this point, the Insurgents had managed to balance the need for coordination and consensus with the preservation of individual opinion. The crucial vote to adopt the Insurgent resolution upset this hard-won equilibrium; Nelson's written whip count for the resolution reveals a growing reticence within a significant fraction of the Insurgent membership. To the surprise of Insurgent leaders, the individuals balking at the reform proposal were not the group's most radical dissidents — whose strident views had long been feared as an obstacle to compromise — but rather the bloc's moderate membership. Scribbling "cold foot" next to eleven names, Nelson identified a contingent of Insurgents who believed the proposed reforms to be overly broad and extreme.⁸⁰ Though the Insurgents had successfully kept their radical members in line, the group's internal vote revealed a new fracture. The reformers would have to find new institutional tools to manage this unexpected challenge.

The reticence of "cold foot" Insurgents discouraged the bloc's leaders. Why were members abandoning their commitment to parliamentary reform now that the resolution was finally drafted? Had the Insurgent leaders ignored seeds of discord sown months before, and were only now seeing them bear fruit? Nelson believed that the Insurgents had long harbored a subset of members ultimately indifferent to rules reform, but he had also assumed they would not have remained with the bloc for so long had they intended to defect. For his part, Murdock blamed the Regular Republicans, arguing that Cannon had coerced more vulnerable Insurgents — legislators with sizable stand-pat constituencies, pending legislation before the House, or patronage requests for which Cannon's favor would be necessary — to return to the party's Old

⁷⁷ The resolution created a "Committee on Rules and Committees to consist of fifteen members, nine of whom shall belong to the party having the largest representation in the House and six of whom shall belong to the party or parties having lesser representation in the House." Nelson, "Feb. 1909 Resolution, Annotated," WHS, Nelson Papers, Box 10.

⁷⁸ Nelson, "Feb. 1909 Resolution, Annotated," WHS, Nelson Papers, Box 10.

⁷⁹ Nelson to Hechler, "Miscellaneous Interviews," February 5-7, 1939, WHS, Nelson Papers, Box 10, 10.

⁸⁰ Nelson, "Vote on Resolution of Feb. 9 & 10," WHS, Nelson Papers, Box 10.

Guard.⁸¹ In the end, twenty-nine Insurgents joined in signing the resolution, eight of the ten “cold foot” members voted for a resolution pertaining only to the legislative calendar, and seven then seceded from the group.⁸² With its membership thus diminished, the Insurgents’ successful pursuit of rules reform now depended on every member of the Democratic minority voting in favor of the measure.⁸³

The divisive internal vote proved to be a critical moment of realization for Insurgent leaders. For Nelson and his colleagues, it was a reminder that mere agreement on the group’s broad goal of parliamentary reform would not be sufficient to secure the measure’s passage. By design, the organization was ill prepared to enforce discipline or voting regularity in its ranks. Unwilling to compromise individual autonomy by implementing a binding majority vote, the Insurgents insisted that collective action be assured without coercive measures. Despite this, Nelson and fellow members of the Steering Committee concluded that they needed new ways to incentivize cohesion and prevent future eleventh-hour defections.⁸⁴

For others, the vote underscored the continued power of the party leadership and the corresponding weakness of the Insurgent organization to defend itself from the Speaker’s incursion. Murdock, for one, recognized that Cannon could continue to weaken the organization by siphoning off individual members or small groups of members over time. Rep. Henry Allen Cooper (R-WI) shared Murdock’s concern, and believed that the Democratic leadership would not view the bloc as a credible ally for this precise reason.⁸⁵ And without the support of the Democratic minority, the Insurgents’ revision of House rules would be impossible to achieve.

But despite the divisions laid bare by the internal vote on their reform resolution, the Insurgents’ coordination and resolve impressed the Democratic leadership. Initially concerned that the Insurgents would seek compromise with the Speaker, securing little for the minority party, the bloc’s size and organization now persuaded the Democratic leadership that a profitable alliance could be formed with the remaining twenty-nine Insurgents.⁸⁶ Together, the Insurgent bloc and the Democratic minority would constitute a chamber majority capable of enacting parliamentary reform. In the days before the start of the 61st Congress, Minority Leader James “Champ” Clark (D-MO) worked closely with the Insurgent Steering Committee — Nelson, Rep. Augustus Gardner (R-MA), and Rep. Edmond Madison (R-KS) — to decide upon a joint plan of

⁸¹ Nelson to Hechler, “Annotated Interview Notes,” February 13, 1939, WHS, Nelson Papers, Box 10, 14.

⁸² Hechler, *Insurgency*, 46-47.

⁸³ At the close of the 60th Congress, the bloc of twenty-nine Insurgents required the full Democratic minority (167 members) to break the Republican majority (223 members), 196 to 194.

⁸⁴ Nelson to Hechler, “Miscellaneous Interviews,” February 5-7, 1939, WHS, Nelson Papers, Box 10, 10.

⁸⁵ Hechler, *Insurgency*, 48-49.

⁸⁶ Schickler, *Disjointed Pluralism*, 76.

action.⁸⁷ The legislators agreed to press for the adoption of the Insurgent resolution during the perfunctory adoption of House rules at the opening of the new Congress.⁸⁸ If the Insurgency remained unified and the cross-party coalition held, reform would be assured. If, instead, the Insurgents divided over the resolution on the floor, the Democrats made clear the consequence. Writing to Murdock, Clark's clerk warned: "The Democrats will stand fast if the [I]nsurgents muster their forces... if the latter lose their courage and fail that day, there will be no use for them to get Democratic aid later on."⁸⁹

Fracturing the Cross-Party Initiative for Rules Reform

Before the coalition could act on its plan, however, the Republican Regulars surprised the House by proposing a resolution to establish a legislative calendar very similar to that favored by the eight "mild" Insurgents.⁹⁰ Just as the Regulars intended, the "Calendar Wednesday" proposal widened the breach between the militant Insurgents intent on stripping the Speaker of his power to appoint committees and the more moderate reformers who sought a more limited intervention. Drawing laughter on the House floor, Murdock characterized the resolution as "a Trojan Horse...and sticking out of the paunch of that horse I think I see several notable cold feet."⁹¹ Though the Democrats and Insurgent leaders denounced the resolution, many members of both parties were hard-pressed to oppose the Regulars' proposal. The eight men who preferred limiting rules changes to the legislative calendar sided with the Republican machine, along with two other "cold foot" Insurgents identified by Nelson in his February whip count. Despite uniform Democratic opposition, the Insurgent bloc was too small in size to prevent the Regulars' resolution from passing by a slim majority, 168-163.⁹²

Meeting in Hepburn's committee room following the vote, the Insurgents agreed that they had much to learn from Cannon's victory and the "cold foot" defections from their ranks. On the

⁸⁷ Hechler, *Insurgency*, 196. The historical record is unclear as to who initiated the cross-party coalition. According to Nelson, he and Gardner approached Clark through Rep. Albert Burlison (D-TX), while Clark claims he reached out to the Insurgents first. Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, WHS, Nelson Papers, Box 10, 16.

⁸⁸ As Nelson explained the nature of the cross-party collaboration: "We only agreed to stand together on this issue and not on party policies generally." Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, WHS, Nelson Papers, Box 10, 16.

⁸⁹ Wallace D. Bassford to Higgins (and forwarded to Victor Murdock), March 9, 1909, LOCMD, Murdock Papers, Box 23, Folder "Success Magazine."

⁹⁰ The eight-man Insurgent resolution and the Regular Republicans' proposal differed in two respects. One, the latter sought to make the calendar day for the call of legislation from committees Wednesday rather than Tuesday. Two, the Regulars wanted to allow Calendar Wednesday to be set aside by a majority, rather than two-thirds, vote as the Insurgents preferred.

⁹¹ *Congressional Record*, 60th Congress, 2nd Sess., 1909, 43, 3570.

⁹² *Congressional Record*, 60th Congress, 2nd Sess., 1909, 43, 3572. It appears that the Democratic leadership determined that, as a matter of principle, the Insurgents could not be held accountable for dividing over the "concession resolution." Democratic leaders were sympathetic toward the mild, less radical Insurgents, who, they believed, were bound to support any reform proposal, regardless of its origins.

one hand, the episode made clear that the Insurgent organization could not withstand attrition by small concessions. Unless the Insurgents could find a way to prevent the majority leadership from picking off the group's more moderate members, the bloc would cease to be pivotal. On the other hand, the slim majority of the recent vote suggested that the Insurgents' cross-party alliance might be sufficient to break the Speaker's hold on the House. Had the Insurgents prevented just three of their members from defecting, the Speaker's majority would have fallen.⁹³

For students of congressional politics, this episode reveals at least two details of theoretical significance. First, Cannon's careful pursuit of less radical reformers suggests that the Speaker considered some portion of the Insurgent membership to be critical to maintaining a Republican majority. In this view, the moderate reformers Cannon targeted were, as individuals, pivotal to the policy outcome. Had they not defected from the bloc, the entire Insurgent group would have been pivotal — the reformers' unity would have assured Cannon's defeat.

Second, Cannon's tactical concession to fracture the Insurgent bloc speaks to the danger of co-optation for intraparty organizations. By incorporating a relatively innocuous part of the Insurgent agenda into Republican doctrine, the Speaker forced the bloc into a quandary: either the Insurgents could require those members who would have been satisfied with Cannon's concession to stick with their more radical colleagues to secure a better outcome, or the organization could permit members to vote as they saw fit. In either event, Insurgent cohesion was likely to fray considerably, suggesting that co-optation is an efficient strategy for party leaders looking to weaken intraparty organization. However, the Insurgent case also suggests that there are limits to the appeal of co-optation as a means of undermining intraparty organization. As the preferences of mild, less radical members of the intraparty organization diverge farther from those of party leaders, the larger the concession the party will need to offer to break these members' allegiance to the bloc. Additionally, to the extent that an intraparty organization's more radical members are able to keep more moderate concessions off the bloc's agenda, these members can reduce the potential risk of co-optation by party leaders.

Anxious to further fracture the nascent Insurgent-Democratic coalition before the House prepared to adopt new rules, Cannon petitioned President Taft for aid. The Speaker persuaded the President that the Insurgents' proposal for rules reform would destroy the machinery necessary to pass the upcoming tariff bill and other critical Republican legislation.⁹⁴ Confronting

⁹³ Hechler, *Insurgency*, 49.

⁹⁴ Explaining his position to progressive Republican journalist and newspaper editor White, Taft wrote: "I have got to regard the Republican party as the instrumentality through which to try to accomplish something. When, therefore, certain Republicans decline to go into a caucus, and stand out 30 against 190, it would be the sacrifice of every interest I represent to side with the [I]nsurgents, however much sympathy I may feel with the principle in respect to the House rules that they seek to carry out. Very early in the campaign I thought of encouraging a movement to beat Cannon, but I found that he was so strongly entrenched [*sic*] with the membership of the House that that was impossible. I then tried to secure some modification of the rules, and I am not at all sure that if the [I]nsurgents remained in the caucus we might not do something of the sort, because there were a great many in the caucus who sympathize with the principle; but the difficulty which the thirty [I]nsurgents are going to find, in my judgment, is that Cannon will be able to control enough Democrats to defeat them on the vote, and then they will be left utterly in the hole." Taft to White, March 12, 1909, LOCMD, White Papers, Box 2.

the Insurgent leadership in a meeting at the White House, Taft condemned the bloc for “conniv[ing]” with Democrats “to overthrow the House Organization.”⁹⁵ Though the Insurgents tried to assure the President that they had no intention of disrupting the passage of tariff legislation, Taft remained unconvinced.⁹⁶ Leaving the White House, Nelson described the group’s newly formed consensus on Taft: “We realized then that he was against us.”⁹⁷ Even Democrats marveled at Taft’s commitment to Cannon and the stand-pat faction of the Republican Party. As a clerk in Clark’s office observed, “Much pressure is being brought to bear by Cannon and his forces and by Taft, who has gone over bag and baggage to the reactionaries.”⁹⁸

Taft’s opposition to the Insurgent bloc fortified Cannon and offered new means to discipline the party’s dissenting faction. Indeed, in the days that followed their tense meeting with the President, the Insurgents found that “the whole [A]dministration was brought to bear against [them].” The White House threatened to withhold patronage, the Republican National Committee promised to mount primary challenges and limit campaign assistance, and senators from Insurgent states pressed their counterparts in the House to abandon the fight and rejoin the Speaker.⁹⁹

To Cannon’s and Taft’s surprise, the Insurgent bloc proved remarkably resistant in the face of the Administration’s assault.¹⁰⁰ In part, as we have seen, the Insurgents’ solidarity can be attributed to the support and encouragement of the progressive press, which the reformers had carefully cultivated in the preceding months. The editors of *McClure’s Magazine*, *Everybody’s Magazine*, *American Magazine*, *The Outlook*, and *Collier’s Weekly* — national publications with some of the widest circulations in the country — privately urged the bloc to continue fighting against “Cannonism.”¹⁰¹ In print, they excoriated the Speaker and ran in-depth features on

⁹⁵ Nelson to Hechler, “Annotated Interview Notes,” February 13, 1939, WHS, Nelson Papers, Box 10, 18.

⁹⁶ Hechler, *Insurgency*, 51-53. Whereas Roosevelt had encouraged the fractious progressive elements in the Republican Party, and resented Cannon’s tariff policy, President Taft viewed the “test of Republicanism” as “compliance with the party platform.” Cannon’s expressed commitment to implement the Republican platform — as he professed to Taft: “I am willing to aid you to carry out the party’s pledges” — merged the two leaders’ interests. Butt, *Taft and Roosevelt*, 303.

⁹⁷ Nelson to Hechler, “Annotated Interview Notes,” February 13, 1939, WHS, John Mandt Nelson Papers, Box 10, 18.

⁹⁸ Bassford to Higgins (and forwarded to Victor Murdock), March 9, 1909, LOCMD, Murdock Papers, Box 23, Folder “Success Magazine.”

⁹⁹ Nelson to Hechler, “Annotated Interview Notes,” February 13, 1939, WHS, Nelson Papers, Box 10, 18-19.

¹⁰⁰ As Nelson recounted: “Mr. Gardner, Mr. Madison, and myself agreed to stick to the fight but we wondered what the boys would do. One by one the boys dropped in or called up by telephone. I did not find one coward...there were no cold feet in the crowd.” Nelson to Hechler, “Annotated Interview Notes,” February 13, 1939, WHS, Nelson Papers, Box 10, 20.

¹⁰¹ In a joint letter to the Insurgents, the editors stated that their readership exceeded five million Americans across the United States. “News Endorsement,” 1909, WHS, Nelson Papers, Box 10. Writing to Murdock, the editor of *American Magazine* promised: “Some of us periodical men are sending you a round robin of encouragement today by wire. All power to the elbows of you and your fellows in this fight.” Phillips to Murdock, March 15, 1909, LOCMD, Murdock Papers, Box 22, Folder “Phillips, John S.”

Insurgent members, extolling their efforts against Cannon and branding them American patriots. The close vote over the Regulars' legislative calendar resolution further bolstered the Insurgents' resolve to hold together.¹⁰² Despite their loss, the Insurgents believed themselves well positioned to cast the deciding votes on rules reform.¹⁰³

Cannon, however, had other plans. While the Insurgents looked forward to victory, the Speaker quietly negotiated a series of back-room deals with Democrats to forge a majority coalition opposed to significant changes in House rules.¹⁰⁴ The Speaker awarded tariff favors, promised top committee assignments, and agreed to a few minor rules changes that enhanced minority rights in order to secure sixteen Democratic votes against the Insurgent-Democratic resolution amending House procedure, and another seven defectors to enact Cannon's approved rules reform.¹⁰⁵ Using distributive politics to build an alternative cross-party coalition, Cannon reallocated the pivotal votes from the Insurgents to this group of defecting Democrats.¹⁰⁶

On March 15, 1909, the Insurgent bloc and Democratic leadership readied for a close — but, they expected, ultimately victorious — fight to adopt new House rules. Their hopes were dashed, however, on the rocks of Cannon's new alliance. After defeating the motion to re-adopt the old rules as planned, Clark proposed a modified version of the Insurgent resolution and

¹⁰² It may be tempting to think that the Insurgents' greater cohesion is attributable to the group's improved ideological agreement — having lost more moderate members to the Regulars. However, the substance of debates recorded in meeting minutes suggests that "radical" members were not homogenous in their preferences for parliamentary reform. Moreover, there was strong disagreement among the remaining Insurgents over the extent to which the bloc should cooperate with the Democratic minority. Nelson, "Meeting Minutes," January 10, 1910, WHS, Nelson Papers, Box 10.

¹⁰³ Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, WHS, Nelson Papers, Box 10, 22.

¹⁰⁴ Cannon negotiated deals with two separate factions of the Democratic Party. First, he promised tariff concessions on sugar and other commodities grown in southern delta regions — winning the support of representatives from South Carolina and Louisiana. Second, the Speaker struck a deal with Tammany Democrats, offering several important committee positions in exchange for the group's support.

¹⁰⁵ Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, WHS, Nelson Papers, Box 10, 21-22. *See also* Schickler, *Disjointed Pluralism*, 76. According to *Success Magazine*, "Tariff changes were threatened against certain Southern Democrats as the price of their adherence to their party caucus. Valuable committee appointments and rich 'perquisites' were offered, and would have been instantly granted to any of the Insurgents or Democrats who would consent to leave his associates in the lurch... Threats of vengeance against those who held out were, of course, freely and vigorously made; the form which these threats took being, as a rule, the promised refusal of the Speaker to appoint a recalcitrant to any committee more important than that on Acoustics and Ventilation of the Capitol." "The Fight Against Cannonism," *Success Magazine*, LOCMD, Murdock Papers, Box 23, Folder "Success Magazine."

¹⁰⁶ Nelson recounted that a reporter covering the Speaker's negotiations with the Democrats told the Insurgents: "When [Cannon and his lieutenants] heard that you had eighteen men present they went into the air. They knew that there were enough who did not attend, being out of town, to make the twenty-four [the Insurgents] needed...It was the next day that the Speaker's forces began to work on the Democrats." Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, WHS, Nelson Papers, Box 10, 20.

moved for a vote on the proposition.¹⁰⁷ Although the Insurgents voted as a bloc in favor of Clark's resolution, the measure nevertheless failed, due to Democratic defection to the Cannon camp.¹⁰⁸ Following the failure of Clark's resolution, a Democratic defector introduced the rules proposal agreed to by the Speaker, which generally preserved the status quo but granted an extension of some minority rights.¹⁰⁹ During debate over the resolution, the Insurgents met repeatedly to "conference," in a last-ditch effort to counter Democratic defections.¹¹⁰ Insurgent efforts notwithstanding, Cannon's distributive coalition held together and the measure passed, 211-173, despite uniform opposition from the Insurgent bloc and a majority of Democrats.¹¹¹ Approaching the Insurgent group after the failed vote, Clark apologized to Nelson and the bloc's leadership: "You kept your word — you gave me one more vote than you promised, but I lost [the] Democrats."¹¹²

Frustrated by the defeat, the Insurgents nonetheless took heart that their organization remained united throughout the battle.¹¹³ Had Cannon failed to reorient existing party coalitions to create a new set of pivotal votes, the Insurgents would have controlled the twenty-one votes necessary to maintain the Republican majority and sufficient to turn the balance of power over to the Democratic leadership. Perhaps more important, Clark and his House Democrats had learned that the reformers could deliver on the terms of a future alliance. The minority leader vowed that he would not fumble a second chance to achieve rules reform if one were provided by the Insurgents.¹¹⁴

Regrouping the Ranks, Rebuffing the Regulars

Given the tight vote on their resolution, the Insurgents' task was clear: they had to continue to hold together in the face of Cannon's renewed efforts to fragment their organization, while granting Clark sufficient time to whip his coalition into line. With this in mind, the reformers redoubled their efforts to prevent defection from their ranks — abstaining from other divisive policy battles, leveraging their organization to promote the electoral fortunes of loyal Insurgent members, and deploying the press in a new, targeted way to deter disloyalty — in the

¹⁰⁷ Clark's proposal called for an expanded Committee on Rules and deprived the Speaker of the power to appoint committees, as the Insurgent resolution stipulated. By this time, the Insurgent resolution lacked a legislative calendar provision, as it had been passed in some form by the Regulars.

¹⁰⁸ *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 33-34.

¹⁰⁹ The Cannon resolution provided for a motion to recommit for the minority party and required a two-thirds vote, rather than majority vote, to set aside Calendar Wednesday. Schickler, *Disjointed Pluralism*, 76.

¹¹⁰ Hechler, *Insurgency*, 197.

¹¹¹ *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 33.

¹¹² Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, WHS, Nelson Papers, Box 10, 22.

¹¹³ Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, WHS, Nelson Papers, Box 10, 22.

¹¹⁴ Bolles, *Tyrant from Illinois*, 180; Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, WHS, Nelson Papers, Box 10, 22.

hopes of holding the group together for the remainder of the 61st Congress.¹¹⁵

Believing the window for rules reform temporarily closed (at least until the opening of a new Congress), the Insurgents debated the merits of pursuing other progressive policy goals, in particular, tariff reform. Gardner, and more conservative members of the Insurgency, were in strong support of the tariff bill's swift passage, and encouraged the bloc to rally around Cannon's legislation. At the same time, "a few radical Insurgents wanted to use the threat of delaying the tariff as a club to force Taft to support the anti-Cannon movement," and urged the organization to refrain from supporting the House bill.¹¹⁶ Unwilling to risk fracturing the bloc over issues tangential to their primary cause, the bloc's Steering Committee advised that the Insurgent organization abstain from the tariff fight altogether. Following the Steering Committee's recommendation, the Insurgents agreed to keep their organization out of the tariff debate and to cease work on rules revision until the pending legislation safely passed.

Like their Insurgent counterparts, Republican Regulars had learned from their near-death experience. Troubled that his continued dominance over the chamber was due only to Democratic defections, the Speaker and his stand-pat allies persuaded Taft to join forces in punishing the party's dissidents, rather than merely reprimanding them for their disloyalty. The White House believed Cannon's growing unpopularity to be a liability, but the Speaker shrewdly exploited the President's growing insecurity that his predecessor, Roosevelt, would use the Insurgency as a platform to challenge Taft for the 1912 Republican nomination. If Taft were unable to quash the Insurgency and unite the Republican Party, Roosevelt would have all the more reason to return to national politics.¹¹⁷ In consultation with the Speaker, Taft denied the Insurgents patronage appointments and funded primary challengers in dissident districts.¹¹⁸ In the House, Cannon "cut off the heads of the [Insurgent] Republicans who had chairmanships," assigning one to "the worst committee in the House - the Committee on Ventilation and Acoustics."¹¹⁹

Although scholars dispute the extent and efficacy of the Regulars' disciplinary strategy, the historical record leaves little doubt that the Insurgents both experienced and feared Republican retribution.¹²⁰ Correspondence among House Insurgents suggests that "some fellows were worried a great deal about patronage," while others felt "the old machine crowd...growing

¹¹⁵ Hechler, *Insurgency*, 63.

¹¹⁶ Hechler, *Insurgency*, 197.

¹¹⁷ Butt, *Taft and Roosevelt*, 256, 271-273.

¹¹⁸ "To Crush Insurgents," *Washington Post*, January 5, 1910, p. 1; "Without Quarter," *Los Angeles Times*, January 5, 1910, p. 11; Joseph Bristow to White, January 5, 1910, LOCMD, William Allen White Papers, Box 3.

¹¹⁹ Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, WHS, Nelson Papers, Box 10, 23.

¹²⁰ See Keith Krehbiel and Alan Wiseman, "Joseph G. Cannon: Majoritarianism from Illinois," *Legislative Studies Quarterly* 26 (2001): 357-389; Eric D. Lawrence, Forrest Maltzman, and Paul J. Wahlbeck, "The Politics of Speaker Cannon's Committee Assignments," *American Journal of Political Science* 45 (2001), 551-562.

in activity.”¹²¹ Even the Insurgent leadership acknowledged “the risk of calling a meeting of the House Insurgents” when “[reformist] sentiment here [in Congress] is struggling against the fumes of Chloroform.”¹²² Insurgent Rep. William Cary (R-WI) confided to Poindexter: “We are going to be punished for our stand...the ‘System’ is working hard...and will spend plenty of money.”¹²³ Floor speeches and news coverage from the period corroborate these accounts.¹²⁴

Faced with Cannon’s aggressive counterattacks, the Insurgents’ efforts to maintain their organization took on increased urgency. With an eye toward the upcoming primary elections of 1910, the Insurgents continued to use the progressive-affiliated press to stir up anti-Cannon sentiment in their districts. Reaching out to sympathetic members of the press, the Insurgents provided ammunition for the widespread denunciation of the Speaker and his “corrupt system.”¹²⁵ In so doing, they hoped not only to defend their own seats against primary challenges sponsored by the Republican machine, but also to make it increasingly untenable for Taft to support Cannon. These anti-Cannon jeremiads afforded an additional benefit: in Nelson’s words, the Insurgents could use “these powerful organs of public opinion...to bring[] wayward members back into the [I]nsurgent ranks.”¹²⁶

The shift in public sentiment occasioned by Insurgent maneuvering prompted some Republican Regulars to consider “whether it would not be more expedient to support the Insurgent fight against Cannon.”¹²⁷ The Regulars hoped that, by dropping Cannon and thus appeasing the Insurgents, the party might present a more united front against Democrats in the 1910 elections. Public opinion was such that even Taft began to weigh the cost of his allegiance to the Speaker.¹²⁸ Ultimately, the public relations campaign lessened the Regulars’ capacity to

¹²¹ Nelson to Hechler, “Miscellaneous Interviews,” February 5-7, 1939, WHS, Nelson Papers, Box 10, 10; Murdock to White, December 27, 1909, LOCMD, White Papers, Box 2.

¹²² Nelson explains that not every Insurgent faced the same kind or level of threat: “Not very much pressure was exerted on me personally, although Casson, Watson and Babcock [Republican whips] told me adroitly and in a nice, joshing way what the consequences of my bolting would be. The regulars regarded men like Cooper and myself as definitely lost and not worth any amount of persuasion; they were interested in the weak fellows.” Nelson to Hechler, “Miscellaneous Interviews,” February 5-7, 1939, WHS, Nelson Papers, Box 10, 10; Murdock to White, December 9, 1909, LOCMD, White Papers, Box 2.

¹²³ William J. Cary to Poindexter, October 21, 1909, UWSC, Poindexter Papers, Box 9, Folder “C Special Correspondence.”

¹²⁴ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 3320-3323. Addressing the House, Cooper described the Insurgents’ predicament: “If, in the House, a member votes against rules adopted by the caucus his political destiny is in the hands of the Speaker. He can be punished by the Speaker for voting against the rules adopted by a caucus... [the Speaker] can punish them, discredit them in the eyes of their constituents, lessen their influence on this floor, coerce them into doing his will.”

¹²⁵ Rufus Rockwell Wilson to Poindexter, October 7, 1909, UWSC, Poindexter Papers, Box 9, Folder “W--Z Special Correspondence.” See also Schickler, *Disjointed Pluralism*, 79.

¹²⁶ Nelson to Hechler, “Miscellaneous Interviews,” February 5-7, 1939, WHS, Nelson Papers, Box 10, 8.

¹²⁷ Hechler, *Insurgency*, 63-64; Atkinson, *The Committee on Rules*, 76-78.

¹²⁸ Butt, *Taft and Roosevelt*, 222-223.

criticize the Insurgents' efforts publicly, improved the bloc's ability to remain unified, and defrayed the political cost to individual reformers of rebellion.

To supplement the work of the press, the reformers initiated a collaborative campaign to defend Insurgent seats. Members routinely drafted letters of support and requested the same from their colleagues. These letters were then published in district news outlets and circulated more broadly within the community as evidence of a particular member's Insurgent bona fides. Insurgent legislators also travelled regularly to their fellows' districts to give speeches and rally local elites to the anti-Cannon cause.¹²⁹ Finally, the reformers organized a wide-ranging campaign-finance program, in which members donated surplus funds to colleagues identified by the Insurgent leadership as particularly in need of assistance.¹³⁰ With nearly unanimous participation from the bloc's twenty-odd members, the Insurgents' electoral collaboration represented an increasingly important aspect of their organization. It is important to note, however, that collaboration to defend Insurgent seats did not take place independently of the group's broader efforts. Indeed, there is no evidence that these types of activities took place prior to the summer of 1909 or after the collapse of the Insurgent organization in the aftermath of its success.¹³¹

As the Insurgent campaign moved into the fall of 1909, the group turned to the press with a new aim, distinct from its broader campaign to foster public opposition to Cannon. Here, the group focused on members "who were pledged to stand against Cannon and didn't," legislators like Rep. Charles Townsend (R-MI) — a "cold foot" defector who, having declared himself against Cannon and for "revision and liberalizing of House rules" in his 1908 election campaign, permanently abandoned the Insurgency after the Calendar Wednesday vote.¹³² Insurgent leaders collaborated with friendly progressive editors to make clear to the public that "leading Insurgents felt that Mr. Townsend had virtually deserted their cause and gone over to the 'Cannonites' in the final 'show-down,'" and that "in voting he was neither with the [I]nsurgents nor with the

¹²⁹ Poindexter to R.L. Farnsworth, October 3, 1909, UWSC, Poindexter Papers, Box 9, Folder "F Special Correspondence"; Poindexter to Bartlett Sinclair, October 27, 1909, UWSC, Poindexter Papers, Box 9, Folder "S Special Correspondence."

¹³⁰ Asle J. Gronna to Poindexter, July 2, 1910, UWSC, Poindexter Papers, Box 13; Poindexter to G. G. Ripley, February 25, 1910, UWSC, Poindexter Papers, Box 11; Deed H. Meyer to Poindexter, July 13, 1910, UWSC, Poindexter Papers, Box 12.

¹³¹ The one exception to this generalization is that members of the Insurgency who joined the Progressive Party in 1912 continued to collaborate on electoral matters. As I argue elsewhere in this chapter, the Progressive Party itself can be seen as an outgrowth of Insurgent activity.

¹³² In 1908, Townsend declared: "What the country demands is a revision of rules...I am in favor of rules reform and shall do everything to accomplish that end." "Townsend is Out for Senatorship," in *The Independent*, December 3, 1908, University of Michigan Bentley Historical Library (BHL), Charles Townsend Papers, Box 1, Folder 1. See also Mark Sullivan to Murdock, March 1909, LOCMD, Murdock Papers, Box 23; "Townsend of Michigan for Speaker," Arthur Capper, November 19, 1908, BHL, Townsend Papers, Box 1, Folder 1.

[R]egulars — he just straddled.”¹³³ The press attacks against Townsend were so fierce that he was forced to explain why, “at a critical stage of the contest in his own party to curtail the power of the [S]peaker, [he] deserted to the [S]peaker’s forces,” and to defend his actions in a series of interviews and editorials printed in locally circulating newspapers and magazines.¹³⁴

In criticizing Townsend’s actions, the Insurgents did not expect to draw the errant congressman back into their fold. Rather, the Insurgent leadership hoped to make an example of Townsend — to “start a backfire in his district” — and thus deter future defections by the bloc’s remaining members.¹³⁵ For those members still wavering on the fringes of the Insurgent organization, Nelson recounted that the Steering Committee “built fires underneath them through the newspapers in their districts, and induced certain of their constituents to bring pressure to bear upon them, and as a result they stayed with us.”¹³⁶ Combining the power of the press and shrewd electoral maneuvering, the Insurgents held their ground together throughout the summer and fall of 1909, demonstrating a continued resolve to implement rules reform both to their Republican antagonists and potential Democratic partners.

Having withstood the Regulars’ barrage, the Insurgents could now bring their coalition of pivotal votes to bear in the investigation of Taft’s Secretary of the Interior, Richard Ballinger. In November 1909, a series of magazine reports were published alleging that Ballinger had engaged in illegal activities to permit and conceal the sale of land slated for conservation by the U.S. Forestry Service. In January 1910, the House voted to appoint a special committee to investigate the matter. On January 7, as the chamber debated a resolution authorizing the investigatory committee, Norris offered an amendment requiring that the House, rather than the Speaker, elect the proposed committee’s members. The amendment carried, 149-146, with twenty-six Insurgents joining the Democrats to subdue Cannon’s forces.¹³⁷ Meeting the next day, the Insurgents agreed that they would insist on the appointment of one of their own to the committee and would also refuse to allow Cannon’s most loyal aides to be seated.¹³⁸ Eager to avoid a

¹³³ Higgins to C. H. Edgar, December 9, 1909, LOCMD, Murdock Papers, Box 23; “Townsend Did Not Gain Many Friends,” *Big Rapids Pioneer*, March 19, 1909, BHL, Townsend Papers, Box 1, Folder 1. Writing for the *Cedar Springs Liberal*, editor George A. Link declared: “Congressman Townsend has disappointed his friends by a painful lack of candor in his attitude Monday at the organization of the new House. He has been applauded by good citizens everywhere for his stand for freedom from the Cannon despotism, and his pitiful flop when it came to a showdown has amazed and shocked those citizens who place liberty and popular rights above party expediency.” George A. Link, *Cedar Springs Liberal*, March 17, 1909, BHL, Townsend Papers, Box 1, Folder 1.

¹³⁴ Townsend also called upon several Democratic congressmen to vouch for his Insurgent bona fides. “Stands By Townsend,” in *The Daily News*, December 1909, BHL, Townsend Papers, Box 1, Folder 1; “Indignant at Townsend’s Foes,” in *The Adrian Times*, December 1909, BHL, Townsend Papers, Box 1, Folder 1; “Is Mr. Townsend a Progressive?” in *The Detroit Patriot*, December 1909, LOCMD, Murdock Papers, Box 23; “Townsend Wins Another Victory,” in *The Detroit News*, March 2, 1909, BHL, Townsend Papers, Box 1, Folder 1.

¹³⁵ Higgins to Murdock, December 8, 1909, LOCMD, Murdock Papers, Box 23.

¹³⁶ Nelson to Hechler, “Miscellaneous Interviews,” February 5-7, 1939, WHS, Nelson Papers, Box 10, 8.

¹³⁷ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 404.

¹³⁸ Nelson, “Meeting Minutes,” January 8, 1910, WHS, Nelson Papers, Box 10.

public battle, Taft assured the Insurgents that their views would receive full consideration. The bloc succeeded in getting an Insurgent appointed to the committee, and when the Regulars threatened to reject two of the Democratic nominees, the reformers forced a compromise.¹³⁹ The size and resilience of the Insurgent bloc privileged the group during negotiations with the President and the Republican caucus, giving it, in Gardner's words, "the advantage of trading with the [R]egulars."¹⁴⁰

Over the next several weeks, the Insurgents continued to meet to discuss the results of the investigatory committee and the prospect for future rules reform. Concerned that the public might confuse the progressive reformers' alliance with the Democrats and the group's involvement in the investigation with its primary, *Republican*, aim of parliamentary reform, the bloc agreed that all rules resolutions ought to be proposed by a Republican Insurgent. To make this distinction clear to the public, the Insurgents drafted a statement to be circulated in their districts explaining their "single purpose."¹⁴¹ The bloc also considered strategies to counter Taft's repeated charge that the Insurgents sought to delay progressive legislation with rules reform, debating how to "emphasize to the country that [they] were not obstructing...consideration [of such reform,] but endeavoring to bring [it] up."¹⁴² During discussion of rules reform, the Insurgents further debated the merits of expanding the Committee on Rules, but came to little agreement.¹⁴³ With "tacit agreement in our group that no resolution be sprung suddenly," the Insurgents settled in for the long wait to the opening of the 62nd Congress.¹⁴⁴

An Unexpected Victory

"The break came before we expected it."¹⁴⁵ On March 17, 1910, Norris submitted the resolution that would ultimately undo Cannon's control of the Rules Committee. By all accounts, Norris alone recognized that Cannon's ruling on constitutional privilege provided a window of opportunity to present the Insurgents' sought-after parliamentary reforms on the House floor. Indeed, the Congressman's astute procedural move caught his fellow reformers unawares. The substance of his proposal, however, was quite familiar to them: the so-called "Norris Resolution" was an amended version of the internal resolution passed by the Insurgent

¹³⁹ Hechler, *Insurgency*, 64-65.

¹⁴⁰ Nelson, "Meeting Minutes," January 8, 1910, WHS, Nelson Papers, Box 10, 2.

¹⁴¹ Nelson, "Meeting Minutes," January 10, 1910, WHS, Nelson Papers, Box 10, 3.

¹⁴² Nelson, "Meeting Minutes," January 31, 1910, WHS, Nelson Papers, Box 10, 2.

¹⁴³ Nelson, "Meeting Minutes," January 8, 1910, WHS, Nelson Papers, Box 10, 1.

¹⁴⁴ Nelson to Hechler, "Miscellaneous Interviews," February 5-7, 1939, WHS, Nelson Papers, Box 10, 10.

¹⁴⁵ Nelson to Hechler, "Miscellaneous Interviews," February 5-7, 1939, WHS, Nelson Papers, Box 10, 10.

organization in 1909, outlining the substance of the group's preferred rules changes.¹⁴⁶ Moreover, to secure passage of "his" resolution, Norris relied crucially on the Insurgency's hard-won alliance with the Democratic minority. In short, the Congressman's entrepreneurial efforts directly followed from the work and strategy of the Insurgent organization.

As soon as it became clear to the House that Norris had struck a critical blow for parliamentary reform by bringing to the floor the Insurgent resolution, the Republican leadership sought to parry the Congressman's procedural move. The Regulars objected, arguing that the proposal ought not to fall under the Speaker's expanded notion of privilege. In the debate that followed, the Insurgents marshaled their forces to defend the resolution and Norris's right to propose it. In an effort to secure Democratic support, Poindexter began the Insurgents' line of defense with the argument that rules reform "is of greater importance for the minority than it is for the majority."¹⁴⁷ To impress upon the House the necessity of limiting the Speaker's power, Cooper called upon Murdock, Norris and Fowler to describe the punishment Cannon meted out as a consequence of their rebellion.¹⁴⁸ Minority Leader Clark and his deputies endorsed the resolution and offered a litany of parliamentary precedents in support of Norris's view of constitutional privilege. Without sufficient votes on the floor to defeat the Insurgent-Democratic coalition, the Regulars frantically deployed members to corral those colleagues absent from the chamber. In an effort to obstruct this mobilization, the Insurgents refused Republican demands for a recess, badgering the House Sergeant-at-Arms to bar legislators from leaving the chamber on the grounds that a quorum had to be maintained.¹⁴⁹

Unable to immediately muster sufficient numbers to assure their majority, the Regulars were forced to negotiate with the Insurgent bloc and Democratic leadership to reach a compromise. Initially, the Regulars proposed that the Rules Committee be expanded to allow the Speaker to retain his seat on the committee. Adamant that the Speaker relinquish control over House rules, the Insurgents refused the plan. In the hopes of luring remaining moderate reformers from the Insurgent ranks, the Regulars offered a "gentleman's agreement" that the Speaker would not sit on the new committee. This potentially divisive offer was also rebuffed. The Regulars returned with an offer to further expand the proposed committee to fifteen legislators, so long as the Speaker would remain a member. Again, the Insurgents insisted that Cannon's removal from the Committee on Rules was non-negotiable.

Hamstrung by the Speaker's command that under no circumstances should his deputies capitulate on his committee membership, the Regulars had little choice but to yield on everything else — agreeing to the entire Norris resolution, on the condition that Cannon remain on the Rules

¹⁴⁶ The Congressman had amended the proposal to reflect the passage of components of the reformers' agenda that the Speaker had successfully co-opted. Specifically, Norris removed the provision establishing legislative calendar days.

¹⁴⁷ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 3296-3297.

¹⁴⁸ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 3304.

¹⁴⁹ Atkinson, *The Committee on Rules*, 106-107.

Committee. Pressing their advantage, the Insurgents leveraged their bloc of pivotal votes to win complete concession. If Cannon refused to relent, the Insurgents threatened, the bloc would give up negotiations and join the Democrats to pass the Norris resolution in its entirety. Summarizing the bargaining dynamic, one Regular lamented: “They didn’t offer us anything; I think we’ll be beaten.”¹⁵⁰ Unwilling to believe that some favorable compromise could not be reached, and ever hopeful that further delay would provide sufficient time to muster Republican supporters to vote down the rules change, Cannon insisted that negotiation continue.¹⁵¹

Though in a strong position to bargain with the Regulars, the Insurgents were forced to modify the proposed resolution to meet Democratic demands. The minority leadership persuaded the bloc to strike the provision requiring that the Committee on Rules be geographically representative. They also persuaded the Insurgents to reduce the size of the proposed committee from fifteen to ten members, a suggestion previously made by the Regulars but rejected by the bloc. While the Democrats conceded that the Speaker must be barred from sitting on the newly constituted Rules Committee, they stipulated that the Speaker’s power to assign members to other standing committees remain intact. Though the Insurgents opposed these changes, the bloc had little choice but to accept the Democrats’ requests. For Norris, “the Democrats knew their votes meant victory...we could not win this fight without agreeing to the Democratic proposal...as bitter as the dose was, we must take it.”¹⁵²

In contrast to the Insurgents’ pivotal status within the Republican coalition, the group lacked sufficient leverage to dictate the terms of the resolution to House Democrats. Without the minority party’s votes, the Insurgents knew that parliamentary reform of any sort would be impossible to achieve. Similarly, the Democratic minority understood they would get little reform without the Insurgent bloc. However, the Democratic leadership saw an advantage in preserving “Canonism” as a campaign issue and believed it possible to displace Republicans in the next election. Consequently, they were not entirely opposed to the status quo. Indeed, the Insurgents believed there was some likelihood that Clark would renege on the reformers’ cross-party alliance for just these reasons. In this view, the Insurgents’ capacity to maintain their pivotal status, and obtain favorable policy outcomes, was crucially limited by the actions and incentives of the minority party.

Negotiations having deteriorated, Cannon accepted that he had little recourse but to rule that Norris’s claim to constitutional privilege and his resolution were out of order. And, as expected, Cannon’s decision was overturned 182-163, with the Democrats and Insurgents voting solidly against the Speaker.¹⁵³ Then, voting on the amended resolution favored by the minority leadership, the House passed the rules change, 191-156, again with the Insurgent-Democratic

¹⁵⁰ Hechler, *Insurgency*, 70-72.

¹⁵¹ Bolles, *Tyrant from Illinois*, 217.

¹⁵² Norris, *Fighting Liberal*, 117-118.

¹⁵³ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 3428.

coalition holding sway.¹⁵⁴ As the last of the votes were tallied, the Insurgents congratulated themselves. Where haphazard individual effort had failed, intraparty organization had succeeded — empowering the Insurgent reformers to negotiate with leaders of both parties to extract policies more favorable than the status quo. Against all odds, they had successfully forged an alliance with the Democratic minority, overwhelmed the Republican machine, and forced concessions on rules reform.¹⁵⁵

Though the reformers' intraparty organization fragmented in the immediate aftermath of the Cannon Revolt, the bones of the Insurgency were resurrected a decade later to serve similar ends. At the close of the 67th Congress in December 1923, progressive Republicans once again mobilized in favor of rules reform and in opposition to their party's choice for the speakership. Despite efforts by Republican leaders to dissipate their resistance, the reformers demonstrated remarkable unity, opposing the Speaker in nine ballots on the chamber floor and forcing House leaders to allow full debate on rules changes in return for their votes. As was the case during their fight against Cannon, the reformers' success can be attributed to their organizational efforts. Just as their colleagues had a decade prior, the reformers appointed a cadre of leaders to serve as the organization's vanguard and met regularly in conference to plan strategy and articulate the substance of their desired parliamentary changes. Perhaps not surprisingly, these efforts produced a similar political dynamic. Indeed, as Schickler argues, this "formal organization among the progressive Republicans enabled them to stay together through the long series of roll calls on the speakership, and to select leaders to negotiate a settlement."¹⁵⁶ Adopting more theoretical terms, we can observe that this second Insurgency proved successful precisely because the dissidents — like their predecessors — found a way to coordinate their defection and discourage potential free-riding.

5. Conclusion

Although the 1910 parliamentary reforms were more modest in scope and effect than their advocates had initially hoped, the Cannon Revolt was nonetheless an extraordinary episode in congressional development.¹⁵⁷ In the face of a seemingly intractable status quo, progressive members of the Republican Party devised an institutional arrangement powerful enough to overcome the Speaker's vast political machine and revise House rules. Between 1908 and 1910, the Insurgent reformers developed mechanisms to encourage consistent participation, cohesive

¹⁵⁴ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 3436. Joining the Insurgents were a score of formerly stand-pat Republicans — legislators who had previously refrained from participating in the rules fight because of their unwillingness to break party bonds.

¹⁵⁵ As Schickler argues, however, the substance and outcome of this reform effort reflected the competing interests of the Insurgent-Democratic coalition. Though the Insurgents succeeded in removing Cannon from the Rules Committee, Democratic interests precluded further reform of the sort the bloc had initially advocated. Schickler, *Disjointed Pluralism*, 83.

¹⁵⁶ Schickler, *Disjointed Pluralism*, 106-107.

¹⁵⁷ Nelson to Hechler, "Miscellaneous Interviews," February 5-7, 1939, WHS, Nelson Papers, Box 10, 11; Schickler, *Disjointed Pluralism*, 81.

strategy, and individual electoral and political security. In uniting members behind a common plan of action, the Insurgents were able to establish their sought-after alliance with the Democratic minority. Having secured cross-party cooperation, the reformers presided over a coalition sufficient to break the Speaker's hold on the House. Absent their organization, it is unlikely that individual reformers would have successfully drafted or passed new procedures to govern chamber activity.

Insurgent organization provides an excellent example of the strategic benefit and substantive influence of intraparty organization. And, as this account demonstrates, there is much to be gained from the study of intraparty dynamics. First, students of legislative politics have long highlighted the role of the majority party in driving congressional development, but little attention has been paid to the ways in which intraparty groups — like the House Insurgents — can durably reshape their political environment. Second, the Insurgents' campaign to achieve rules reform makes clear that coordination and organization are not the purview solely of majority party leaders, but are also integral to the success of dissident blocs. Third, the Insurgents' reliance on the Democratic minority to implement rules reform suggests that intraparty power is conditioned by an inter-party dynamic. Finally, the Insurgents' successful pursuit of parliamentary reform suggests that intraparty organization may be a critical means of securing responsiveness in both congressional *and* partisan institutions.

The following chapter continues our study of progressive Republican organization. Shifting from the House to the Senate, I trace the collaborative activities of insurgent senators over the course of battles for tariff and railroad rate reform. As we shall see, the incremental development of the Senate Insurgent organization had profound implications for the success of the reformers' policy agenda. Unable to force concessions from Republican leaders in Congress or the White House, the Senate Insurgents initially struggled to balance independent and collective action. Eventually, however, the lawmakers would come to learn from their strategic and organizational failings and revised their intraparty organization accordingly.

Chapter 3. The Senate Insurgency's Quest for Economic Reform, 1909-1910

In view of the present political situation, it seems to me that the Republican Senators who have hitherto been known as 'Progressives' should have a free, frank conference, not to take concerted action or to bind any of us to a proposed course, but to exchange our opinions.

— Sen. Albert Cummins to Sen. Robert La Follette¹

Progressive journalist William Allen White once observed that Insurgent lawmakers had two fundamental objectives. “First, political, to get the gun, and second, economic, to hit something with it.”² In the House, Insurgent legislators banded together to disarm Speaker Cannon and redistribute his parliamentary powers to the chamber body. In the Senate, progressive lawmakers developed their own organization to pursue the Insurgency's economic objectives. Leveraging the rising tide of reformist sentiment in the nation's interior states, Insurgent senators sought to curtail the influence of corporate interests within the Republican Party, fighting for changes in tariff and railroad policies that they believed would ease the financial strain on American farmers and consumers. As in the House, the Senate's “stand-pat” Republican leadership vehemently opposed the lawmakers' calls for reform. However, Senate rules prevented the Republican leadership from employing the same restrictive parliamentary tactics that fortified Cannon's conservative regime in the House. Absent the need to amend chamber rules — in effect, to “get the gun” — the Senate Insurgents were able to “hit something” straightaway, pressing for reform of tariff schedules and stronger regulation of railroad rates.

Like their colleagues in the House, the Senate Insurgents relied on intraparty organization to pursue their policy aims and promote their electoral fortunes. In spirit and function, the two organizations had much in common. As in the House, intraparty organization helped the Senate Insurgents to coordinate their strategy, minimize the threat of partisan punishment, and bargain more effectively with party leaders. The Senate organization also offered Insurgent lawmakers the necessary resources to defend their electoral security. In both chambers, Insurgent lawmakers solicited and distributed campaign assistance to electorally vulnerable members of their intraparty organizations.

¹ Albert Cummins to La Follette, July 1, 1912, LOCMD, La Follette Papers, Box 71.

² White, “The Insurgence of the Insurgency,” *American Magazine*, December 1910, LOCMD, White Papers, Box 4.

Despite these similarities, the organizational arrangements selected by Insurgent lawmakers in the Senate were very different from those of their House counterparts. As described in Chapter 2, Insurgent lawmakers in the House developed a *bureaucratized* intraparty organization to facilitate their collaboration and to secure a pivotal position in their negotiations with Republican leaders. By contrast, Insurgent lawmakers in the Senate preferred a more informal, *entrepreneurial* organization to coordinate their activities, forgoing the binding mechanisms needed to achieve a pivotal role in the lower chamber. What explains the Senate Insurgency's divergent organizational strategy? How can we understand organizational variation across legislative chambers?

1. Institutional Variation and Intraparty Organization

To begin to answer these questions, I return to the theory of intraparty organization outlined in Chapter 1. Recall that three institutional factors — chamber rules and norms, access to positions of parliamentary authority, and group size — are likely to influence the design of an organization. As we shall see, Senate rules privileging individual prerogative, in particular the chamber's expansive right to recognition, granted Senate Insurgents far more personal autonomy and legislative authority than was available to House reformers under the Cannon regime. Similarly, and in contrast to their House counterparts, who generally lacked positions of parliamentary authority, the majority of Senate reformers held committee leadership posts at the time of the Insurgents' campaign (see Figure 3.1). These committee posts afforded Insurgent senators the institutional resources — specifically, access to additional staff members who could conduct technical research on the impact of proposed legislation — to advance their reform efforts.³ Finally, with only a dozen or so members, the Senate Insurgents constituted a much smaller group than progressive reformers in the House and, consequently, did not require a formal, bureaucratized organization to coordinate their activities.

Together, these factors gave rise to a collective action and coordination dynamic in the Senate distinct from that experienced by reformers in the House. Accordingly, Insurgent lawmakers in the House and Senate adopted quite different organizational arrangements. Insurgent senators eschewed the costly binding mechanisms employed by the House Insurgents. Instead, the reformers developed a loose organizational structure; members gathered to assign tasks and allocate resources amongst themselves, while retaining significant autonomy to pursue their objectives independently.

³ Although the allotment of staffing personnel and other resources were generally proportional to the size and importance of each Senate committee, both major standing committees and more minor committees supplied their chairmen with staff members.

Figure 3.1: Senate Insurgent Membership and Committee Positions, 61st Congress

Insurgent Member	Committee Post
Sen. Albert Beveridge (R-IN)	Chairman, Committee on Territories
Sen. Joseph Bristow (R-KS)	Chairman, Committee on Expenditures in the Post Office Department
Sen. Norris Brown (R-NE)	Chairman, Committee on Patents
Sen. Elmer Burkett (R-NE)	Chairman, Committee on Pacific Railroads
Sen. Jonathan Bourne (R-OR)	Chairman, Committee on Fisheries
Sen. William Borah (R-ID)	Chairman, Committee on Education and Labor
Sen. Moses Clapp (R-MN)	Chairman, Committee on Indian Affairs
Sen. Coe Crawford (R-SD)	Chairman, Committee on Expenditures in the Interior Department
Sen. Albert Cummins (R-IA)	Chairman, Committee on Social Service and Retrenchment
Sen. Joseph Dixon (R-MT)	Chairman, Committee on the Conservation of Natural Resources
Sen. Jonathan Dolliver (R-IA)	Chairman, Committee on Agriculture and Forestry
Sen. Robert Gamble (R-SD)	Chairman, Committee on Enrolled Bills
Sen. Robert La Follette (R-WI)	Chairman, Committee on the Census
Sen. Knute Nelson (R-MN)	Chairman, Committee on Public Lands

Although the Senate Insurgents structured their organization differently than their colleagues in the House, intraparty organization did not emerge fully formed in either chamber. Rather, each organization developed incrementally, as lawmakers learned from their failures and successes. In this view, though the organizational strategy may vary across legislative chamber, the developmental process of intraparty organization follows a remarkably consistent pattern of punctuated innovation and adaptation.

2. Chapter Organization and Archival Methodology

This chapter traces the development of the Senate Insurgency over the course of two key battles for economic reform. As scholars of nineteenth-century economic and political history document, both tariff and railroad legislation were crucial features of the policy framework that united the Republican coalition and spurred the growth of a national market in the decades following the Civil War.⁴ But, as postbellum economic development gave way to financial depression in the nation's interior states, pressure from progressive elements of the Republican coalition to reform tariff and railroad policy reached a boiling point. In the hopes of placating

⁴ See Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge: Belknap Press, 1992) and Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920* (New York: Cambridge University Press, 1982).

progressive unrest, the Republican National Convention declared itself in favor of both tariff revision and stricter railroad regulation in the Party's 1908 platform.⁵ Campaigning on these reform planks, Republican presidential-nominee Taft decried the country's excessively high tariff schedules and "extortionist" railroad rates, pledging — both publicly and privately — to support legislative efforts to address each issue if elected.⁶ It was in this context that progressive Republicans in the Senate set out to secure downward revision of the tariff in 1909 and stronger regulation of railroad rates in 1910.

Although the Senate Insurgents were strongly committed to both tariff and railroad reform, their efforts yielded remarkably different results. The Insurgents failed to substantially reduce the protectionist burden imposed by the Payne-Aldrich Tariff. Unable to force concessions from Republican leaders in Congress and the White House, they struggled throughout the five-month tariff debate to pursue their shared policy goal effectively. In contrast, the Insurgents successfully reduced railroad rates, forcing congressional leaders to amend or abandon entire provisions of the Mann-Elkins Railroad Rate Act that were objectionable to progressive aims. Leveraging their intraparty organization and alliance with the Democratic minority, the Insurgent senators were able to revise the legislation to their satisfaction.

We can understand the lawmakers' varying capacity to shape policy by examining the incremental development of the Insurgents' Senate organization across these two reform efforts. In tracing the evolution of Insurgent organization, I pay particular attention to the factors motivating the creation of the Senate organization, the reasons particular coordinating mechanisms were selected, and the effect these choices had on the Insurgents' political influence. As we shall see, the senators' capacity to secure policy concessions from their more conservative leadership was, as my theory of intraparty organization would predict, a function of incremental developments within the Insurgent organization. In the early stages of the bloc's development, the lawmakers — battling to revise the tariff — struggled to deploy their entrepreneurial organization effectively. However, the reformers learned from these early efforts, refined their organizational techniques, and leveraged the power it brought them to pursue railroad reform. Railroad reform, in short, was more successful because it came later; members of the Senate Insurgency could benefit from their past experience and adapt accordingly.

The following empirical account draws on a range of archival records and primary source materials. As in Chapter 2, I examine the personal papers of Insurgent and conservative Republican leaders in Congress and the White House, period newspapers and the collected papers of Progressive-era journalists, as well as published accounts of tariff and railroad reform in the *Congressional Record* and *Senate Journal*. However, the evidence in this chapter differs from that presented in Chapter 2 in one important respect. Whereas progressive reformers in the House kept detailed internal records documenting their organizational activities — including

⁵ *Republican Party Platforms*, "Republican Party Platform of 1908," June 16, 1908. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/index.php?pid=29632>.

⁶ Butt, *Taft and Roosevelt*, 10.

meeting minutes, proposed resolutions, attendance logs, and whip counts — the Senate Insurgents did not.

The lack of formal record-keeping by Insurgent senators complicates our analysis of the lawmakers' organizational activity. In the absence of records similar to that of the House, we must rely on the Insurgent senators' correspondence. Fortunately, the Senate lawmakers carefully documented their individual and collective efforts to reform tariff and railroad policy, allowing us to make inferences about who attended Insurgent meetings, the frequency with which they were held, the content of their discussions, and the organizational challenges they faced. Given the depth of the archival record on matters relating to individual Insurgents' activities, we can view the organization's lack of formal record-keeping as a "data point" in and of itself. In contrast to House Insurgents who used record-keeping to keep their membership in line, the fact that lawmakers in the Senate did not adopt a similar strategy to coordinate their activities provides important information about their organizational needs and priorities. Indeed, the Senate Insurgents' lack of formal record-keeping is consistent with their more informal, entrepreneurial style, and strongly suggests that the coordination and collective action problems facing Senate Insurgents were not the same as those experienced by their colleagues in the House.

3. Duty Reduction and the Payne-Aldrich Tariff Bill

Tariff policy marked the first battleground for the Senate's Insurgent Republicans. Similar to the campaign against Cannon in the House, rural discontent provoked and fortified progressive demands that tariff duties be revised downward. Although tariff schedules had been a perennial source of *interparty* conflict for years, *intraparty* agitation for tariff reduction grew more urgent as the fortunes of Republican farmers plummeted.⁷ Industrial development, the mechanization of agricultural processes, and the increased acreage devoted to agriculture all combined to produce an oversupply of commodities. A corresponding lack of international demand further compounded the difficulties facing rural communities: European farm production was bountiful and high foreign tariffs reduced the market for American goods abroad.⁸ Crushed between rising costs and declining income, rural communities argued that the high duties placed on agricultural equipment and other products unfairly subsidized manufacturing industries at the expense of domestic consumers and rural producers. Lower tariff rates, they believed, would prevent domestic industries from maintaining artificially high prices.⁹

⁷ For more on inter-party conflict over tariff policy during the Gilded Age, see Bense, *The Political Economy of American Industrialization*, 468-488.

⁸ David W. Detzer, "Businessmen, Reformers and Tariff Revision: The Payne Aldrich Tariff of 1909," in *Business and Government in America Since 1870* ed. Robert T. Himmelberg (New York: Garland Publishing, 1994).

⁹ H. Parker Willis, "The Tariff of 1909," *The Journal of Political Economy* 17 (1909), 589-619.

Tariff Trouble and the Republican Response

Demand for lower tariff rates spread rapidly across the Mississippi Valley. In 1901, Iowa's Republican platform included a plank advocating reform of any tariff schedule that afforded "shelter to monopoly."¹⁰ While affirming the party's protectionist policy, Iowa Republicans called for "changes in the tariff...as may become advisable through the progress of our industries and their changing relation to the commerce of the world." Adopting the so-called "Iowa idea," Republican conventions in Idaho, Indiana, Minnesota and Kansas added similar language to their state platforms.¹¹

By 1905, public sentiment favoring tariff reform had spread to the Northeast. Eastern shipping companies and some manufacturers favored downward revision as a way to expand their market share abroad.¹² Fearful that expanding protectionist policy would spark a trade war with European nations threatening to raise duties on American imports, Republicans in Connecticut and Massachusetts joined with farm-state Republicans in calling for tariff reductions.¹³

Despite growing sectional fervor for tariff revision, Republican leaders in Congress and the White House resisted reform. Correspondence between Cannon in the House and Aldrich in the Senate suggests that both leaders believed it unwise to tinker with economic policy at a time of general prosperity.¹⁴ "At no time in our history," Aldrich wrote, "have the earnings of the American people been as great, measured by their power to purchase the comforts and necessities of life, as they are to-day."¹⁵ Furthermore, the two leaders understood that keeping divisive issues like tariff reform off the legislative agenda was essential to preserving their party's unity in Congress. Working together with President Roosevelt, Cannon and Aldrich sought to mollify their party's protectionist wing by blocking tariff revision, while placating progressive lawmakers with the passage of other desirable reform measures.¹⁶ Intent on straddling the divide between tariff stand-patters and progressive revisionists, Roosevelt was quick to remind both wings of the Republican party that "half a loaf is better than no bread."¹⁷

¹⁰ George M. Fisk, "The Payne-Aldrich Tariff," *Political Science Quarterly* 25 (1910), 35-68.

¹¹ Hechler, *Insurgency*, 92-93.

¹² Richard F. Bense, *Passion and Preferences: William Jennings Bryan and the 1896 Democratic National Convention* (New York: Cambridge University Press, 2008), 13.

¹³ Fisk, "The Payne-Aldrich Tariff," 36.

¹⁴ F.W. Taussig, "The Tariff Debate of 1909 and the New Tariff Act," *The Quarterly Journal of Economics*, 24:1 (1909), 2.

¹⁵ Nelson W. Aldrich, "The Tariff Act of 1890 Defended," July 26, 1892, LOCMD, La Follette Papers, Box 71.

¹⁶ Stephen Skowronek, *The Politics Presidents Make: Leadership from John Adams to Bill Clinton* (Cambridge: Belknap Press, 1993).

¹⁷ Robert M. La Follette, *A Personal Narrative of Political Experiences: La Follette's Autobiography* (Madison: University of Wisconsin Press, 1963), 166.

Despite Roosevelt's enjoiner, momentum for tariff reform continued to build. The presidential election of 1908 and, in particular, Democratic-nominee William Jennings Bryan's charge that the GOP was engaging in discriminatory protectionism at the expense of the American farmer, forced Republican leaders to take a stand.¹⁸ Despite protests from the party's strident protectionists, the Republican National Convention called for revision of tariff "duties [to] equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries."¹⁹ Republican-nominee Taft echoed these calls. Explaining to voters just what "a reasonable profit" might entail, Taft declared, "Revision of the tariff in accordance with the pledge of the Republican platform will be, on the whole, a substantial revision downward."²⁰

Having committed Republicans to reform, as president, Taft urged his congressional leadership to ensure swift passage of tariff legislation. Writing to Speaker Cannon and Aldrich in the Senate, Taft warned, "The tariff should be settled, and settled quickly. Unless this is done our deficit will increase and the business depression become more severe." Confident that he had secured congressional cooperation, Taft wrote to Roosevelt, "Cannon and Aldrich have promised to stand by the party platform and follow my lead...without their good will I can do nothing to carry through the legislation to which the party and I are pledged."²¹

In the hope of expediting the tariff's passage well before the 1910 election, now-President Taft called for a special session of Congress to begin in March 1909.²² Believing Taft to be sincere in his pledge for a fair revision, progressive reformers eagerly anticipated the opening of the special session and the prospect of realizing one of their chief economic aims.²³

¹⁸ Louis William Koenig, *Bryan: A Political Biography of William Jennings Bryan* (New York: Putnum, 1971).

¹⁹ Peters and Woolley, "Republican Party Platform of 1908." See also Fisk, "The Payne-Aldrich Tariff," 37-38 and Hechler, *Insurgency*, 94.

²⁰ Fisk, "The Payne-Aldrich Tariff," 38-39. Although Aldrich would later claim that the Republican platform never pledged that tariff revision would be downward, Taft's public speeches and correspondence with members of the Republican Convention's Subcommittee on Resolutions provide clear evidence to the contrary. Indeed, soon after winning the White House and retaining Republican majorities in both legislative chambers, Taft wrote to members of the House and Senate Ways and Means Committees, warning that tariff "revision should be a fact rather than a form." Taft to J.C. Needham, November 21, 1908, LOCMD, William Howard Taft Papers, Reel 110.

²¹ Taft to Roosevelt, March 21, 1909, LOCMD, Taft Papers, Box 8.

²² As Wawro and Schickler note, "The use of special sessions likely was a lesson derived from Republicans' experience with the McKinley Tariff of 1890. The adoption of that bill one month before the midterm election was blamed for immense Republican losses, as Democrats claimed the tariff increases had caused a sudden spike in consumer prices. Republicans concluded from this experience that it was safer to pass a tariff bill well before an election, so that the law's beneficial effects would be obvious." Gregory Wawro and Eric Schickler, *Filibuster: Obstructionism and Lawmaking in the U.S. Senate* (Princeton: Princeton University Press, 2006), 146-147.

²³ Progressive Republicans in the House and Senate believed, as Poindexter wrote to a constituent, "Undoubtedly the Republican Party pledged itself in the last campaign, before election, to a lowering of tariff duties; and this pledge was, in fact, made as the result of a long campaign expressly for that purpose...modifying and releasing of tariff restrictions on trade...I was somewhat startled to hear Senator Aldrich state in his opening speech at the last session of Congress that the Republican Party had not pledged itself to a downward revision." Poindexter to Dean Alfred Lockwood, October 3, 1909, UWLSC, Poindexter Papers, Box 8, Folder "Special Correspondence L."

“I am confident,” Sen. La Follette confided, “that the general results of the election indicate a steady advance of progressive ideas.”²⁴ Certain that Taft would direct Aldrich to dramatically reduce “some four thousand items of our tariff schedule,” Sen. Albert Beveridge (R-IN) was similarly optimistic — at least so far as the Senate was concerned. “I am not without hopes of passing [revised tariff legislation],” he wrote; “I can’t pass it through the House, because the ‘organization’ over there will not permit it to come to a vote or even to a discussion. But they cannot keep me from making the Senate vote on it.”²⁵ Wary of progressive action in the Senate, conservative Republicans vowed to use their party’s congressional machinery to — as they put it — “muck up” any opportunities for reform that might arise.²⁶

Origins of Insurgents’ Discontent

Following several months of hearings, Rep. Sereno Payne (R-NY), chairman of the Committee on Ways and Means and a Cannon loyalist, referred a tariff bill to the House floor at the opening of the special session in March 1909. Surprising many progressive reformers, who had long distrusted the stand-pat easterner, Payne’s proposal called for substantial reductions in tariff schedules crucial to the production of low-priced agra-machinery, as well as other consumer goods.²⁷ While the party’s fierce protectionists attacked the proposed reductions, progressive Republicans declared the plan “thoroughly satisfactory.”²⁸ But, their satisfaction was short lived. Once the bill was taken up on the House floor, protectionist lawmakers added countless amendments that raised tariff rates far above existing levels.

Despite their private hostility toward the amended Payne bill, Insurgent representatives did not mount an organized effort to oppose the measure. Determined to avoid fracturing the uneasy alliance between radical and moderate Insurgents who favored differing levels of protectionism, and wary that a tariff fight would distract from the group’s primary objective — reform of House rules — the bloc’s Steering Committee voted to abstain from the debate altogether.²⁹ With several key concessions to western Regulars who favored higher duties on lumber and wool, Cannon adroitly shepherded the Payne bill through the House. The tariff

²⁴ La Follette to White, November 6, 1908, LOCMD, White Papers, Box 2.

²⁵ Albert Beveridge to Norman Hapgood, January 8, 1908, LOCMD, Albert J. Beveridge Papers, Box 165, Folder “Letters, Tariff Commission.”

²⁶ James Holt, *Congressional Insurgents and the Party System, 1909-1916* (Cambridge: Harvard University Press, 1967), 31.

²⁷ The subcommittee’s proposal placed raw materials like iron ore, used to manufacture agra-machinery, on the free list and cut the duties on lumber, iron, steel and a few other manufactured goods in half. *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 560.

²⁸ See *Philadelphia North American*, March 19, 1909, in Hechler, *Insurgency*, 96.

²⁹ Assuming that the entirety of the Democratic minority opposed the Payne-bill and that the progressive Republicans retained their numbers from the rules fight, it is very likely that the Insurgents would have controlled the pivotal votes to challenge the tariff legislation. However, the Insurgent leaders recognized that the bloc favored differing levels of rate reduction. They believed that if the Steering Committee were to require collective action on the Payne-bill, the Insurgency itself would face rebellion in its ranks. Hechler, *Insurgency*, 197.

passed the lower chamber on April 9, 1909, 217-161, with every Insurgent vote and near unanimous support from the Republican majority.³⁰

Ignoring Taft's instruction that tariff "revision be a fact rather than a form," the Senate's conservative Republican leadership maneuvered to limit substantial downward reductions in the Senate version of the bill. Upon receiving the Payne bill for consideration in early April, the Senate Committee on Finance — chaired by Aldrich — organized a series of round-the-clock closed door conferences between committee members and representatives of "big protected interests."³¹ Only four days after receiving the House proposal, the Republican leader reported the legislation to the Senate floor.³² To Senate progressives, Aldrich's private hearings and hurried consideration of the tariff bill smacked of corruption.³³ In an interview published in *La Follette's Magazine*, La Follette caustically characterized Aldrich's work on the tariff as "addition, multiplication, and silence."³⁴ But given the solid Republican majority, 60-32, Aldrich could safely ignore progressive objections.³⁵

Independent Protest and Insurgent Organization

On April 22, 1909, the Senate's staunch progressives launched their first attack against Aldrich's tariff proposal. Armed with facts and figures, eleven senators — La Follette, Beveridge, Joseph Bristow (R-KS), Norris Brown (R-NE), Elmer Burkett (R-NE), Albert Cummins (R-IA), Coe Crawford (R-SD), Moses Clapp (R-MN), Jonathan Dolliver (R-IA), Robert Gamble (R-SD) and Knute Nelson (R-MN) — delivered a series of speeches exposing the tariff bill's many flaws and attacking their congressional leadership. "Cannon and Aldrich say repeatedly...that this [proposed bill] is downward revision," Beveridge charged. "This is so misleading as to be almost false." As a party regular on other matters, Dolliver appealed to his Republican colleagues to "renounce the old-time political methods and partisan clapp-trap [*sic*]" of the Aldrich proposal.³⁶ "This is not legislation," he said. "It is rank interchange of reciprocal

³⁰ The Payne Bill passed the House with every Republican vote except that of Richard W. Austin of Tennessee. *Congressional Record*, 61st Congress, 1st Sess., 44, 1301.

³¹ La Follette, *A Personal Narrative*, 188-189.

³² "New Members Named: Senator Hale Announces Members of Committee on Committees" in the *Tribune Bureau*, March 15, 1909, LOCMD, Murdock Papers, Container 26, Folder "RE."

³³ Adding insult to injury, Aldrich offered only a brief oral report to the Senate body, estimating government revenue but failing to account for the hundred-fold increases in the plurality of rates prescribed by the amended Payne bill. By contrast, the House Committee on Ways and Means had produced a lengthy written report justifying the changes in rates. La Follette, *A Personal Narrative*, 189.

³⁴ Despite La Follette's prominent position within the progressive movement and his importance within the Senate Insurgency, the archival record reveals that members of the Senate Insurgency did not recognize La Follette, or any other senator for that matter, as the "official leader" of the group during the tariff fight. Hechler, *Insurgency*, 101.

³⁵ Aldrich commanded a Republican majority of 60; the Democratic minority counted 32 members. The Insurgent contingent of the Republican party numbered between 10 and 12 depending on the time.

³⁶ Beveridge, "In Memorial," October 16, 1910, LOCMD, Beveridge Papers, Box 173, Folder "Senator Dolliver."

larcenies.”³⁷ “Howling for free lumber, free coal, and labor[ing] for reduction of the rates on iron and steel,” a dozen or so of the Senate’s more moderate protectionists joined these lawmakers in calling for revision of select tariff schedules.³⁸

In the weeks that followed, the Insurgent reformers endeavored to explain to their Republican colleagues — and to the press seated in the Senate galleries — how Aldrich and the Finance Committee had manipulated the tariff’s schedules and rates to benefit domestic manufacturing monopolies, to the detriment of American consumers.³⁹ Unencumbered by parliamentary rules limiting their access to the floor, each progressive reformer was prepared to shatter Aldrich’s control of the tariff process “single handed and alone.”⁴⁰ The Senate’s strict revisionists reasoned that exposing the tariff’s considerable flaws would help persuade their Republican colleagues, the press, and the broader public that reform of the tariff bill was imperative.⁴¹ The Insurgents’ private correspondence can help us to document the group’s atomized approach in this early stage of the tariff battle. Consider Beveridge’s description of his role in the Insurgent campaign: “I demanded an immediate revision of the tariff and declared for revision one schedule at a time, denounced standpatterism [*sic*] and the then popular motto of ‘Let well enough alone.’ I insured against the administration in the House and Senate.”⁴² Boasting aside, the senator’s “*I*-centered” description is consistent with his colleagues’ accounts of independent — as opposed to collective — insurgency.

Though the progressives doubted they could convince enough Senate Republicans to prevent Aldrich from passing his tariff proposal in some form, they believed that delaying the

³⁷ Jonathan Dolliver to La Follette, October 13, 1909, LOCMD, La Follette Papers, Box 62, Folder “Dolliver, Senator Jonathan P.”

³⁸ Joining their more radical colleagues, western Senators Borah (R-ID), Bourne (R-OR), Burton (R-OH), Cullom, (R-IL), Curtis (R-KS), Dixon (R-MT), Jones (R-NV), Johnson (R-ND), McCumber (R-ND), and Piles (R-WA) protested for downward revision of certain tariff schedules, primarily those pertaining to industries located in states other than their own. According to the press, “These moderate protectionists [were] looking out for their special interests — on whatever their States produce[d] they want[ed] the fullest measure of protection.” “Senate Badly Split Over Tariff Policy,” May 23, 1909, *New York Times*, 2.

³⁹ The reformers attributed these so-called “joker” rates to the Finance Committee’s flawed investigation into the cost of domestic production. They argued that, under Aldrich’s direction, the Committee had simply accepted the cost estimates provided by domestic manufacturers without conducting an independent investigation to determine the veracity of each industry’s claim. *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 1451-1719.

⁴⁰ Nancy C. Unger, *Fighting Bob La Follette: The Righteous Reform* (Chapel Hill: University of North Carolina Press, 2000), 183.

⁴¹ La Follette, *A Personal Narrative*, 187. Unfortunately for the Senate Insurgents, and in contrast to progressives in the House, favorable press coverage of the tariff debate was limited. The Insurgents attributed their lackluster performance to two factors. For La Follette, the problem was tariff policy itself. Intricate, dry and nearly always tedious, the tariff was too complicated to persuade journalists that the Insurgent campaign for its reform would make good copy. Beveridge, however, believed the press to be unerringly fixed on the fight for rules reform in the House. Remarking on the success of their Insurgents colleagues in the House, both senators agreed that the fight against Speaker Cannon and czar rule had thoroughly captured the imagination of the press and public.

⁴² Beveridge to Mark Sullivan, September 20, 1910, LOCMD, Beveridge Papers, Box 172, Folder “Norman Hapgood, Mark Sullivan, Lloyd-Jones.”

legislation's passage would force the leadership to revise certain schedules. And more important, the Insurgents predicted that exposing Aldrich's efforts to ram a flawed bill through the Senate would rouse public anger and force Taft to intervene.⁴³ According to Beveridge, "The time was when the people could be fooled for several months and even for several years because they did not get the daily papers...but they cannot be fooled now even for a month. As I say, this is strictly confidential...regarding the tariff itself: an effort can be made to make it as just and honest as possible."⁴⁴ "To change Taft's attitude," Bristow wrote Beveridge, "[the Insurgents] must show the bill up with all the force and vigor." They must "declare that it [is] a violation of the Republican party platform, made in the interests of the trusts...and declare that the only remedy for the people [is] to elect Congressmen that would be more devoted to the public welfare."⁴⁵

Two institutional features of the Senate help to explain the Insurgency's initial reliance on independent, rather than collective, action. First, in the Senate — the smaller of the two chambers — dissident lawmakers were more likely than their counterparts in the House to hold committee leadership posts. Indeed, during the 61st Congress (1909-1911), every member of the Insurgency headed a Senate committee. Although the committees headed by Senate reformers tended to be less important than those controlled by stand-pat Republicans, they nonetheless provided a critical tool: committee staff. These staffers could be deployed at each Insurgent chair's prerogative to research the tariff bill and to conduct the analysis necessary to challenge Aldrich's considerable expertise on the subject.⁴⁶ So complete was the Senate reformers' reliance on their committee resources that Bristow quipped, "each [Insurgent is] always down in his committee room digging out the details of some questions of legislation."⁴⁷

Second, the Senate's expansive right to recognition ensured that every progressive senator seeking the floor would eventually have the opportunity to participate in the tariff debate. Indeed, by long-standing precedent, the Senate would not vote on pending questions as long as a senator wished to be recognized to debate it.⁴⁸ In contrast to their House colleagues, individual reformers in the Senate could engage in floor debate without the support of their party leadership

⁴³ Holt, *Congressional Insurgents*, 32-33.

⁴⁴ Beveridge to John A. Sleicher, May 27, 1909, LOCMD, Beveridge Papers, Box 170, Folder "Tariff 1909."

⁴⁵ Bristow to Beveridge, October 4, 1909, LOCMD, Beveridge Papers, Box 166, Folder "Senator Joseph R. Bristow"

⁴⁶ Indeed, correspondence reveals that as chairmen of the Committee on the Census, Committee on Post Office Expenditures, and Committee on Territories, respectively, Insurgent senators La Follette, Bristow, and Beveridge used the additional staff attached to their leadership posts to gather statistics on tariff schedules and foreign and domestic production. Bristow to Harold Chase, May 22, 1909, Kansas State Historical Society (KSHS), Joseph L. Bristow Papers, Box 19.

⁴⁷ Bristow to D.B. Kirtland, March 20, 1909, KSHS, Bristow Papers, Box 17.

⁴⁸ Bach, "Filibusters and Cloture in the Senate," 2.

or an intraparty organization. Typifying the Insurgent lawmakers outlook, Dolliver wrote: “I am going to be independent. I am going to serve my conscience.”⁴⁹

As the debate over the Aldrich proposal unfolded, progressive discontent crystallized around the common sentiment that “the policy of protection, sacred to Republicans...is being contorted into a synonym for graft and plunder.”⁵⁰ Articulating this position to one of his constituents, Beveridge wrote:

The only danger that now confronts the protective principle is the successful effort of certain men down here and certain interests to use the protective principle to excuse injustices... I think the American people are practically all protectionists — certainly all Republicans are. But because a man wants protection is no reason why he will stand for extortion. In fact, the men who most bitterly resent the use of the word protection to cloak and excuse injustices and excesses are the genuine protectionists; for the perpetration of these outrages in tariff schedules alone will do more to undermine and impair the protective principle than anything else.⁵¹

The Insurgents acknowledged that some level of protection was necessary to shield American wages from foreign competition and to nurture developing national industries. However, they believed that Aldrich misused this protective principle to grant excessive profits to manufacturing interests and to spur the exploitation of domestic natural resources.

Republican Threats and Insurgent Entrepreneurialism

Unlike Speaker Cannon, Aldrich initially tolerated the Insurgents’ complaints. But after enduring a month of vocal protest, Aldrich grew tired of the progressives’ recriminations and moved to silence the group. Intent on quashing the reform movement once and for all, Aldrich ordered roll-call votes on the tariff schedules the Insurgents most opposed, confident that his solid stand-pat majority would pass the controversial sections and end the debate. But Aldrich overestimated his procedural capacity to control floor activity. Refusing to let the Republican leader hold the scheduled vote, the Insurgent lawmakers continued to speak on the floor under the guise that Senate rules “entitled [them] to ask questions in order to get information” prior to a vote. Citing his parliamentary right to recognition, Bristow explained, “I knew what my rights were and intended to maintain them.”⁵²

Having failed to contain the Insurgent movement using procedural means, Aldrich pushed back against the groundswell of popular support for the progressives’ cause. Instructing his deputies to allow the dissidents to hold the Senate floor for as long as they could sustain debate,

⁴⁹ As quoted in La Follette, *A Personal Narrative*, 186.

⁵⁰ Bristow to C.N. Sheldon, April 21, 1909, KSHS, Bristow Papers, Box 18.

⁵¹ Beveridge to Joseph I. Irwin, May 18, 1910, LOCMD, Beveridge Papers, Box 180, Folder “Tariff.”

⁵² Bristow to Cyrus Leland Jr., May 11, 1909, KSHS, Bristow Papers, Box 18.

Aldrich wagered that the appearance of obstructionism would undermine Insurgent popularity and compromise their standing with the president.⁵³ Wary of this tack, the Insurgents quickly moved to assure the public that “those of us who want real revision are hurrying it [the bill]. The Record will show that practically all the oratory, all the jokes, and other tommyrot has been done by the other side and that our people have confined themselves to a concrete discussion of definite schedules and items.”⁵⁴ With the Insurgents “on the run,” Aldrich scheduled night sessions to weaken the dissidents’ rhetorical fortitude, particularly that of the ailing and elderly statesmen of the group — La Follette and Dolliver.⁵⁵

To further discredit the Insurgent cause, Aldrich questioned the “noble motives” of the Senate’s progressive lawmakers.⁵⁶ The Republican establishment repeatedly accused individual Insurgent senators of pursuing selfish vendettas; Dolliver, for one, was charged with breaching party ranks and forsaking the principles of protection because he had been denied membership on the Committee on Finance.⁵⁷ The Insurgents were quick to contest the charge that they were abandoning protectionism in favor of laissez-faire capitalism. As Beveridge assured his constituents, “You will find the insurgents, every one of them, protectionists. Every one of them has been his life, since becoming a public man and before, fighting for the principles of protection.”⁵⁸ The senators’ had more difficulty countering charges of “playing personal politics.” When the Insurgents took to the floor to defend Dolliver’s calls for limiting protectionists rates, the Republican leadership denounced the lawmakers for propagating “Democratic principles.”⁵⁹

Privately, Aldrich warned the Insurgent reformers that further insubordination would be met by harsh punishment.⁶⁰ Like Cannon, Aldrich informed the senators that if their protest continued, the offenders would be stripped of their committee leadership posts and the Republican National Committee would move to support primary challengers and limit campaign assistance to progressive states. A disciple of strict party regularity, the Senate leader believed “the insurgent Republicans would,” and should, “be defeated for reelection because they ha[ve]

⁵³ See *New York Tribune*, 9 May 1909, in Hechler, *Insurgency*, 112.

⁵⁴ Beveridge to John A. Sleicher, May 24, 1909, LOCMD, Beveridge Papers, Box 170, Folder “Tariff 1909.”

⁵⁵ Hechler, *Insurgency*, 119.

⁵⁶ La Follette, *A Personal Narrative*, 184.

⁵⁷ *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 1715.

⁵⁸ Beveridge to John Candee Dean, May 4, 1910, LOCMD, Beveridge Papers, Box 181, Folder “Tariff.”

⁵⁹ *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 1719.

⁶⁰ Bristow believed that senators sympathetic to the Insurgent cause were dissuaded from joining the group because of Aldrich’s threats. “I have been congratulated quietly, in whispers, by a good many Senators who have been here from six to twelve years, who say they would like to do the same thing, but they have interests at stake and can’t afford it.” Bristow to Alex Mitchell, May 13, 1909, KSHS, Bristow Papers, Box 18.

defied their party leaders.”⁶¹ Assessing Aldrich’s commitment to punish the party’s dissidents, Bristow wrote his colleagues: “My judgement is that Aldrich...is determined to crush and destroy the insurgent Senators. It is the program that he has outlined, and he will use the Taft administration at his will until after the next Congressional election.”⁶²

As in the House, Aldrich’s actions only served to strengthen the Insurgents’ resolve and encourage their continued collaboration. Following Aldrich’s failed effort to pass the more controversial tariff schedules, the Insurgents agreed to work together for the remainder of the tariff battle. In the days after Aldrich’s call for a vote, the progressives gathered for a series of impromptu conferences — unwilling “to take it on alone any longer.”⁶³ As Hechler details, most of these meetings were “arranged on the spur of the moment,” initiated by “the exit from the Senate chamber of La Follette, beckoning with his finger for his...associates to follow him.”⁶⁴ At these ad hoc meetings, the Insurgents agreed to lobby for amendments to the tariff bill that would substantially revise the schedules for wool and cotton products before Aldrich could schedule another roll call. The lawmakers also agreed to press for oil, coal, lumber, iron, lead and lead ore to be placed on the free list, believing that the influx of these natural resources from abroad would aid in the conservation of American forests and mineral wealth.⁶⁵

Pleased with their accord, the progressive senators agreed to meet to map out a more detailed plan of attack. In late May 1909, the eleven reformers gathered at La Follette’s Washington residence to divide responsibility for the different tariff schedules amongst themselves. Unlike the House Insurgents, who used a steering committee to make key decisions, the Senate reformers divvied up the schedules as a group, with the “instinctive sense of the field in which each man was best qualified to do battle.”⁶⁶ As Bristow described the process, “I had lead and sugar, Cummins steel and glass, La Follette and Dolliver wool and cotton, Brown paper and wood pulp, Nelson lumber, and then on the other things every fellow got in wherever he felt.”⁶⁷

While the Insurgents were “deeply glad of the fellowship, companionship and understanding” the meeting generated, their efforts at organization-building ended with the allocation of tariff schedules.⁶⁸ After accomplishing this crucial task, the lawmakers agreed to

⁶¹ David P. Thelen, *Robert M. La Follette and the Insurgent Spirit* (New York: Little and Brown Co., 1976), 73-74.

⁶² Bristow to Beveridge, September 27, 1909, LOCMD, Beveridge Papers, Box 166, Folder “Senator Joseph R. Bristow.”

⁶³ La Follette, *A Personal Narrative*, 186.

⁶⁴ Hechler, *Insurgency*, 199; paraphrasing Butt, *Taft and Roosevelt*, 684.

⁶⁵ Hechler, *Insurgency*, 105.

⁶⁶ Hechler, *Insurgency*, 200.

⁶⁷ Bristow to Fred C. Trigg, June 21, 1909, KSHS, Bristow Papers, Box 20.

⁶⁸ Belle Case La Follette to Fola La Follette, June 12, 1909, LOCMD, La Follette Family Papers, Box I: D1.

work independently to master their assigned material, again relying heavily on their own individual committee resources. As La Follette recounted, “It was the practice of a number of Progressives...to leave the Senate at the close of the session...reaching home at midnight, to work well into the small hours of the morning over the provisions certain to be reached on the succeeding day.”⁶⁹

As before, the Insurgents’ preference for informal, entrepreneurial intraparty organization reflects the institutional opportunities and resources available to party dissidents in the Senate. With near unrestricted access to the chamber floor, the Senate Insurgents did not require a centralized intraparty organization like that of their House colleagues to secure recognition from or to negotiate with party leaders. The decentralized command of the Senate organization also reflects the group’s unwillingness to submit to the intrusion of hierarchical leadership. Given their relative equality in terms of seniority and positions of leadership within the Senate’s committee structure, progressive legislators were reluctant to relinquish individual autonomy.⁷⁰ Moreover, with access to considerable committee resources to carry out their research, the Senate Insurgents did not need the extra-institutional resources that a formal intraparty organization could provide. Finally, the Insurgents’ loose organizational form reflects the ease of spontaneous collaboration among a small group. Whereas the Senate Insurgents could convene at a single table to map out strategy, their House counterparts required far more space, time, and structure to assemble and conduct business.

Insurgent Strategy and Organizational Consequences

Despite their limited collaboration and atomized approach to the tariff battle, the eleven Insurgent lawmakers formed a dependable bloc on key votes. With members from Iowa, Wisconsin, Minnesota, South Dakota and Nebraska, the senators voted together throughout the special session on the leading tariff schedules.⁷¹ However, the Insurgent group was too small and the stand-pat contingent of the Republican majority too large to prevent Aldrich’s proposed tariff schedules from passing.⁷² On the rare occasion that a progressive speech seemed likely to shift Republican opinion on a particular duty, Aldrich — like Cannon — used distributive politics to

⁶⁹ La Follette, *A Personal Narrative*, 189.

⁷⁰ Although La Follette would later become a prominent leader within the Progressive movement, there is no evidence to suggest that he was considered by the group as its principal representative — or even a “first among equals” at this time.

⁷¹ While the Senate Insurgents largely voted together on the key tariff schedules, the group routinely divided over more minor tariff adjustments. For example, four of the eleven Insurgents — Dolliver, Brown, Gamble, and Nelson — voted with Aldrich to raise the duty on lemons, a provision supported by western citrus growers in California. News accounts of these minor votes suggest that the Insurgents did not protest their members’ “renegade” action. “Root Loses Fight for Low Lemon Duty: Votes of Four Insurgents and Two Democrats Give Aldrich an Easy Victory,” June 1, 1909, *New York Times*, 3.

⁷² With eleven members, 60 Republicans and 32 Democrats, the progressive Republicans were four votes short of a majority coalition with the Democrats.

build an alternative cross-party coalition, “summon[ing] to his support a sufficient number of Democrats to prevent breaking his lines.”⁷³

In this regard, the collective action dynamic facing Senate Insurgents was quite different from that of House reformers. As we saw in Chapter 2, the majoritarian rules of the House required the Insurgents to first amass a floor majority in favor of changing chamber rules if they were to achieve parliamentary reform. By contrast, the Senate’s expansive right to recognition empowered the chamber’s Insurgent legislators to pursue obstruction as a route to tariff reform. This strategy did not depend on mustering a floor majority in favor of further downward revision, nor did it require the Insurgent senators to block the tariff indefinitely. Rather, it hinged on their ability to sway public opinion against the Aldrich bill and delay the proposal’s passage so that President Taft would be compelled to intervene and “carry through the legislation to which the party and he were pledged.”⁷⁴

Adopting a strategy of obstruction profoundly shaped the development of the Insurgent organization in two respects. First, because their strategy did not require them to challenge Aldrich on a floor vote, the Insurgents did not invest in the restrictive and costly binding mechanisms adopted by their House counterparts. In fact, correspondence between Insurgents during the tariff debate suggests only limited attention to members’ voting activity. As Bristow confided in late May 1909, “I am thinking of voting against it [the tariff bill]. La Follette feels the same way and so does Dolliver. What the other [Insurgents] will decide on doing I do not know.”⁷⁵

Second, relying heavily on Taft to secure their desired downward revisions — as the president had promised prior to his election — the Senate reformers did not seek to recruit additional members from outside their initial geographic base of support. While House reformers relied on their organizational apparatus to assemble and maintain a diverse coalition of moderate and radical progressives from western, central, and eastern states, the Senate Insurgents’ saw little need to expand their ranks. Indeed, the only known example of Insurgent recruitment in the Senate came as a result of stand-pat intransigence.⁷⁶ As one Insurgent recounted, “Aldrich not only turned dissident regulars like Dolliver and Beveridge into full-

⁷³ La Follette, *A Personal Narrative*, 190.

⁷⁴ Donald F. Anderson, *William Howard Taft* (London: Cornell University Press, 1968), 103.

⁷⁵ Bristow to Harold Chase, May 27, 1909, KSHS, Bristow Papers, Box 19.

⁷⁶ The archival record offers no evidence that members of the Senate Insurgency sought to add to their numbers during the tariff debate. To be sure, it is possible that the reformers believed there were no other members of the Republican coalition amenable to their views on tariff policy. However, correspondence between Insurgents provides no indication that the reformers were at all concerned about the size of their “little band.” And, in subsequent legislative battles, the Senate progressives identified and incorporated allies from states that had joined the House Insurgency, including Washington and North Dakota. See Hechler, *Insurgency*, 223.

blown insurgents, but also forced moderates like Burkett and conservatives like Nelson temporarily into the insurgent camp.”⁷⁷

Executive Intervention

At the opening of the special tariff session, the Insurgent senators were confident that the President supported their efforts to secure a “genuine and honest revision.”⁷⁸ In private conversations with progressive senators at the White House, Taft had reaffirmed his campaign pledge to achieve substantial reductions in tariff rates.⁷⁹ According to La Follette, Taft instructed the Insurgents, “Criticism [sic] the bill, amend it, cut down the duties — go after it hard. I will keep track of your amendments. I will read every word of the speeches you make, and when they lay the bill down before me, unless it complies with the platform, I will veto it.”⁸⁰ In the first month of the tariff debate, the President reiterated his willingness to veto any “bill which does not suit.” The Insurgents took Taft’s declarations seriously, believing “President Taft’s heart is with us in our fight.”⁸¹ They devised their obstructionist strategy with the understanding that the president would backstop their protest and “enforce the promise of adequate revision which Aldrich and the regulars had given him.”⁸² However, few among the Republican Old Guard believed Taft would “have the grit to hand a veto to Congress.”⁸³

Unfortunately for the Insurgents, Taft had already agreed to pursue a “hands off” strategy on the advice of Cannon and Aldrich. The congressional leaders counseled Taft to let them guide the tariff through the House and Senate, arguing that the tariff’s efficient passage would best be achieved through limited executive involvement. Trusting his congressional advisors, the President agreed to intervene only when the legislation reached the conference committee. As Taft described his plan of action, “Speaker Cannon, Payne, and Mr. Aldrich all agree that the wise thing for us to do is to hold a conference when the bill gets into Conference...They are going to confer with me, they say, and give my views great influence in the action of the Conference Committee.”⁸⁴ Although the President acknowledged he could not be sure “how far

⁷⁷ Holt, *Congressional Insurgents*, 32.

⁷⁸ La Follette, *A Personal Narrative*, 187.

⁷⁹ Hechler, *Insurgency*, 101-102.

⁸⁰ La Follette, *A Personal Narrative*, 188.

⁸¹ Bristow to A.A. Graham, August 11, 1909, KSHS, Bristow Papers, Box 21.

⁸² Hechler, *Insurgency*, 102. The reformers’ faith in Taft’s backing is somewhat puzzling given the president’s interactions with progressives in the House. When approached by members of the House Insurgency as the Payne-bill was debated in the lower chamber, Taft ordered the progressives not to “meddle.” Aware that his directive might engender “condemnation through the West,” the president nevertheless believed that it was his duty as leader of the Republican party to ensure the swift passage of tariff legislation. Taft to White, March 12, 1909, LOCMD, White Papers, Container 2.

⁸³ Butt, *Taft and Roosevelt*, 40.

⁸⁴ Taft to Horace Taft, June 27, 1909, LOCMD, Taft Papers, Reel 453.

they [Cannon and Aldrich] will be willing to go,” he nonetheless “believe[d] they are acting in good faith.”⁸⁵

But, Taft’s faith in his congressional leaders was misplaced. What the President did not know, and what Aldrich and Cannon did not tell him, was that when the tariff bill reached the conference committee precedent dictated that duties could only be adjusted to match the lowest rate proposed by either the House or Senate.⁸⁶ This meant that Taft’s capacity to shape the final bill in conference would be very limited. Unaware of this structural limitation, the President committed himself to the congressional leaders’ so-called “policy of harmony.”⁸⁷ Believing, however, that the Insurgents in Congress would “raise such a storm” should they learn of his collaboration with Aldrich, Taft chose to keep his plan private.⁸⁸

The Senate Insurgents spent the first months of the special session struggling in vain to draw the White House into the tariff debate. In late May, after many weeks of speech-giving, several Insurgent members appealed directly to Taft and urged him to intercede. To the reformers’ dismay, Taft hewed to Aldrich’s doctrine of party regularity and declined to intervene on behalf of “such an irresponsible set of fellows.”⁸⁹ Hoping that Taft was simply trying to “put on a good show,” the Insurgents continued their obstructionist tactics. “While most of the progressives were disappointed in the President’s attitude,” La Follette wrote, “they still hoped that he might do something ... to make good the pledges of the Republican platform.”⁹⁰ In an effort to engage Taft, the Insurgents began quoting extensively from the President’s own campaign speeches in their addresses on the Senate floor. The reformers reasoned that by highlighting Taft’s many promises to revise tariff rates downward, “there could be no gainsaying his position.”⁹¹ To their dismay, however, the President still refused to intercede.

As the tariff debate dragged on into June 1909 and the bill seemed no closer to passage, Taft’s relationship with the progressives became increasingly strained. Anxious to pass and implement the tariff bill well before the 1910 midterm election, the President sought to reign in

⁸⁵ Taft to Horace Taft, June 27, 1909, LOCMD, Taft Papers, Reel 453.

⁸⁶ Anderson, *William Howard Taft*, 105.

⁸⁷ In only one area of tariff reform did Taft pursue an activist legislative strategy. Intimately familiar with and committed to Philippine trade, Taft disregarded Aldrich and Cannon’s counsel when the House and Senate began to consider the pertinent tariff measures. Lobbying stand-pat Republicans, the president enjoined Congress to secure free trade with the Philippines. To the delight of progressive reformers, the president endeavored to pack the Senate subcommittee considering the measure with Insurgent members friendly to the cause. Unaware that the President had agreed to stay out of the tariff fight in the Senate, the Insurgents interpreted Taft’s early efforts to reduce tariff barriers on Philippine goods as a signal of his commitment to broader reform. To the Insurgents’ great disappointment, Taft wilted under pressure from Aldrich and withdrew his favored candidates from consideration.

⁸⁸ Thelen, *The Insurgent Spirit*, 72.

⁸⁹ Claude G. Bowers, *Beveridge and The Progressive Era* (Boston: Houghton Mifflin, 1932), 343.

⁹⁰ La Follette, *A Personal Narrative*, 191.

⁹¹ La Follette, *A Personal Narrative*, 191.

the Insurgents. Previously, Aldrich and his stand-pat allies had tried and failed to suppress Insurgent protest. But here, the President held the whip hand. Just as he had threatened their Insurgent colleagues in the House, Taft informed the Senate progressives that he planned to deny them patronage appointments and that the Republican National Committee would limit their campaign assistance if the tariff trouble continued.⁹² In Wisconsin, Taft denied La Follette's candidates for the state's census supervisors and, in Indiana and Iowa, he withheld Beveridge and Cummins' postal appointments.⁹³ "Then I knew," La Follette observed, "that this patronage matter was being held as a club over the Progressives."⁹⁴ Assessing their prospects, the Insurgents came to acknowledge that "Taft makes our fight a great deal harder. Everything was our way until he took the Aldrich side with such force."⁹⁵

Correspondence between Senate Insurgents, their colleagues in the House, and members of the national press offers evidence of the reformers' concern for executive-driven punishment. In a letter to White, Bristow confided, "I think Taft is against the progressives and intends to eliminate them from the Republican party if he can. At least, to do everything he can to destroy them in public life."⁹⁶ Indeed, Taft spared few words of criticism for the Insurgents in interviews with the press and congressional leaders, joining Aldrich in challenging the reformers' Republican identity. Writing to La Follette following the tariff's passage, Dolliver confessed, "I do not underestimate the political peril of being against the president."⁹⁷ Still other Insurgents debated whether to counter Taft's maneuvers, "by either expressly or impliedly [*sic*] rebuk[ing] the President for the attempt to influence Members of Congress by the distribution of patronage."⁹⁸

Despite their concerns, the Senate Insurgents did not organize a collective response to the President's assault. Rather, individual lawmakers developed their own strategies to defend against Taft and Aldrich. Insurgent members with strong ties to the popular progressive newspapers and magazines worked with sympathetic journalists to counter allegations made against them by the Republican machine. La Follette, for example, drew on his personal press contacts as editor of *La Follette's Magazine* to defend himself against charges made by stand-pat

⁹² Nelson to Hechler, "Annotated Interview Notes," February 13, 1939, Wisconsin Historical Society, John Mandt Nelson Papers, Box 10, 18-19.

⁹³ Beveridge to Cummins, July 12, 1910, LOCMD, Beveridge Papers, Box 172, Folder "Senator A.E. Cummins."

⁹⁴ La Follette, *A Personal Narrative*, 191.

⁹⁵ Bristow to Beveridge, September 27, 1909, LOCMD, Beveridge Papers, Box 166, Folder "Senator Joseph R. Bristow."

⁹⁶ Bristow to White, January 26, 1910, LOCMD, White Papers, Box 3.

⁹⁷ Taft justified his decision to withhold patronage as follows: "I propose to separate the sheep from the goats. These gentlemen who profess to be Republicans and will yet do everything to bring the Democratic Party into power cannot expect me to assist them with patronage, and I hope to make this plain as I can before I get through." Taft to Otto Barnard, December 20, 1909, LOCMD, Taft Papers, Reel 453; Dolliver to La Follette, October 13, 1909, LOCMD, La Follette Papers, Box 62.

⁹⁸ Cummins to Beveridge, July 7, 1910, LOCMD, Beveridge Papers, Box 172, Folder "Senator A.E. Cummins"

newspapers that he intended to do away with the tariff altogether.⁹⁹ For moderate reformers like Crawford, the question of party regularity proved particularly troubling, especially when Aldrich tried to deny that the Republican platform pledged to revise tariff rates downwards. To counter Aldrich's allegations, Crawford encouraged his allies at the progressive *Sioux Falls Daily Press* to re-print the 1908 plank that had committed the Republican party to tariff reform.¹⁰⁰ Consistent with the Senate Insurgents' atomized and informal mode of collaboration, the reformers pursued their defensive strategies individually, without direction or aid from fellow Insurgent actors.

A Disappointing Finale

Although the Insurgents recognized their relationship with Taft was fast deteriorating, they still believed the President supported tariff reform, and blamed Aldrich for "turning" the president against them. Writing to La Follette, Dolliver lamented, "It is like taking candy from children for Aldrich to confer with Taft."¹⁰¹ And from his vantage in the House, Poindexter acidly observed, "the President is [the] biggest leader, yet the gang in the House and Senate informed him to follow on the tariff and...he [did] on his knees."¹⁰² The Insurgents spent the last few days of the tariff debate accusing the stand-pat machine of forsaking the Republican platform, maintaining their strategy of obstruction. As La Follette recounted, "We intended to continue the 'filibuster' until the leaders should give in."¹⁰³ But as the final vote approached, the Insurgents resigned themselves to the fact that Taft would not intervene on their behalf. Bristow wrote, "We have received no support whatever in this tremendous fight we have made from the White House."¹⁰⁴ With the realization that "none of us know when Taft is going to stand for a right thing," the senators switched tactics.¹⁰⁵ They would no longer allow Republican leaders and the president to argue that the tariff bill represented downward revision and would instead urge their colleagues to vote against the stand-pat proposal.¹⁰⁶ Aldrich was incensed by the

⁹⁹ The Republican Regulars criticized La Follette's relationship to the progressive press, arguing that the Senator neglected his legislative and partisan duties to, as Sen. Boise Penrose (R-PA) put it, "go openly abroad upon the streets consulting with the editors of yellow journals and the agents of uplift magazines." See Thelen, *The Insurgent Spirit*, 76.

¹⁰⁰ Hechler, *Insurgency*, 140.

¹⁰¹ Dolliver to La Follette, October 13, 1909, LOCMD, La Follette Papers, Box 62.

¹⁰² Poindexter to staff, 1910, UWSC, Poindexter Papers, Box 11.

¹⁰³ La Follette, *A Personal Narrative*, 202.

¹⁰⁴ Bristow to Harold T. Chase, May 27, 1909, KSHS, Bristow Papers, Box 18.

¹⁰⁵ Bristow to White, January 19, 1910, LOCMD, White Papers, Box 3.

¹⁰⁶ In perhaps the most bitter and inflammatory speech of the entire debate, on July 8, 1909 La Follette took to the floor and repeatedly characterized the tariff's revision as upward. "The Payne-Aldrich tariff is an open and explicit repudiation of our platform and a perversion of the protective theory." Cursing the stand-pat wing of the party, La Follette called upon the Insurgents to vote against the tariff. Beveridge seconded La Follette's call, addressing Aldrich and Taft on the Senate floor: "When a protective tariff rate is beyond the requirements of honest protection, it represents a moral instead of economic question...Our votes shall be cast in harmony with our party's pledge." *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 4313-4314.

Insurgents' call to bolt the party. Dismissing the Insurgent campaign, the Republican leader cried, "The senators do not speak for the Republican Party."¹⁰⁷ And, Aldrich further warned, dissident senators would face electoral retribution if they bucked the party.¹⁰⁸

After months of debate and maneuvering, the Senate voted to pass the Aldrich proposal, 45-34, on July 9, 1909.¹⁰⁹ Even without a formal commitment between members to vote as a bloc, ten of the eleven Insurgents bolted the party. Only Gamble voted in support of the legislation.¹¹⁰ Because the Aldrich version of the bill included substantially higher tariff rates than the Payne proposal, the House refused to accept the Senate legislation and the tariff moved to conference.¹¹¹

While the conference committee worked to reconcile the two versions of the bill, the Insurgent senators debated whether to act collectively to support or oppose the committee's final report. Prior to the conference committee, the senators had paid little attention to how members voted on roll-calls for each tariff schedule. Believing that every reformer ought to vote according to his principles, the Insurgents tolerated differences of opinion within their organization and on the chamber floor. Moreover, their strategy of obstruction had not required the group to act collectively on previous roll-call votes during the special session. However, the prospect of a final tariff bill forced the reformers to consider whether to agree to vote as a bloc or to continue to vote according to individual preference. Bristow, for one, was unwilling to declare himself against the tariff bill without seeing whether the "bill shall be consistent with my votes during the session."¹¹² La Follette, on the other hand, fully expected to vote against the tariff legislation and hoped that other Insurgents would as well, to "complete a record of consistent opposition to the bill that represented the consummation of privilege."¹¹³

¹⁰⁷ *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 4314.

¹⁰⁸ The Insurgents responded in kind, daring Aldrich to read them out of the party. Although they had previously avoided personal attacks, moderates Crawford and Nelson joined with their more radical Insurgent colleagues in denouncing the Republican leader. Turning to the Senate body, Crawford appealed to his stand-pat colleagues: "I maintain that it is the duty of every member...to stand here and represent his judgment and his conscience in regard to the bill." *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 4315. Nelson was more blunt: "It takes more than the state of Rhode Island to read the state of Minnesota out of the Republican Party." *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 4315-4316.

¹⁰⁹ *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 4316.

¹¹⁰ The following Insurgent Senators voted against the Aldrich proposal: Beveridge, Bristow, Brown, Burkett, Clapp, Crawford, Cummins, Dolliver, La Follette, and Nelson. *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 4316.

¹¹¹ Insurgent Representative Norris and fourteen of his progressive colleagues supported a proposal to only accept those Senate amendments to the Payne bill that lowered duties beyond those specified in the House legislation. Republican leaders dismissed the Insurgent proposal and offered instead a routine resolution rejecting the Senate amendments and calling for a conference committee. *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 4374-4376 and 4384-4385.

¹¹² Bristow to O. Lonergan, July 22, 1909, KSHS, Bristow Papers, Box 20.

¹¹³ La Follette, *A Personal Narrative*, 192-193.

On July 25, 1909, the Insurgents gathered in La Follette's committee room to discuss the action they would take on the conference report. Beveridge indicated that he would like to support the conference report, but would join his Insurgent colleagues if they all wished to vote against it. Dolliver and Cummins pledged to vote down the conference report unless it was substantially changed to reflect the party platform. Clapp and Nelson both declared themselves against whatever report the conference committee might produce. Several of the more moderate Insurgents were less forthcoming; Crawford, Brown, and Burkett expressed misgivings at opposing the conference report if, as expected, Taft endorsed it. Gamble, however, believed that the eventual conference report would represent the best compromise and that to vote it down would leave the Republican party in disarray.¹¹⁴ All told, the Insurgents counted seven in support of their joint action against the conference report.

Anxious to keep Republican ranks united behind the conference report and final tariff legislation, Taft and Aldrich alternately cajoled and bullied the Insurgents to support the conference committee's decision. Meeting in the White House with individual Insurgents, the president tried to persuade the reformers that the legislation represented a "decided step in favor of downward revision and that it is a substantial compliance with our promise."¹¹⁵ Taking a different approach, Aldrich made clear to the Insurgents that support of the final tariff bill and conference report was a test of party loyalty. Should the progressives fail to stand by the Republican Party, the senator cautioned, the stand-pat machine would not soon forget those who do not "believe, as I do, in the policy of the party and in the principles of protection."¹¹⁶ Despite these efforts, both Taft and Aldrich believed it likely that the Senate Insurgents would bolt the party. Although the president optimistically predicted, "I don't think they will make more bitter speeches on the subject," Aldrich adjusted the speaking schedule for the final vote to include several moderate reformers, displacing the more outspoken Insurgents whose speeches would make clear the depth of the rift between the party's progressive and protectionist wings.¹¹⁷

The Insurgents did not reconvene to discuss a plan of action in the weeks between their July meeting and the tariff's passage. Exhausted by their long ordeal, the reformers parted company to recuperate before the final vote. Heralding "the complete collapse of [Insurgent] opposition," members of the national press alleged that the reformers "lack of interest" was "caused by an agreement among western Senators to vote on the conference report." With their bloc divided, and without any hope of securing the aid of western senators or executive intervention, even the most determined Insurgent members recognized that they lacked the manpower to sustain a filibuster as well as the votes to prevent the legislation from ultimately passing.¹¹⁸

¹¹⁴ Hechler, *Insurgency*, 134 and 140.

¹¹⁵ Taft to Beveridge, July 13, 1909, LOCMD, Taft Papers, Reel 453.

¹¹⁶ *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 4949.

¹¹⁷ Taft to Charles P. Taft, August 1, 1909, LOCMD, Taft Papers, Reel 453; Hechler, *Insurgency*, 142-143.

¹¹⁸ "Insurgents Back on the Reservation: Complete Collapse of Opposition," August 4, 1909, *Los Angeles Times*, 11.

On August 5, 1909, four months after the Payne bill was referred to the Senate, Congress reconvened to vote on the committee's conference report. As Aldrich had planned, the Senate's adjusted speaking schedule did not provide an easy opening for the Insurgents to launch a final, public salvo against the tariff legislation.¹¹⁹ Weary and exhausted, the progressive senators ended as they had started, casting their votes independently when the roll was called. The seven Insurgents who had declared themselves against the conference report voted against the committee's recommendations.¹²⁰ The four moderate Insurgents rejoined the Republican ranks to help pass the Payne-Aldrich Tariff, 47-31.¹²¹

Despite their energetic pursuit of tariff reform, the Insurgent senators failed to achieve substantial downward revision of rates. Having agreed to a strategy that depended heavily on executive action, the Insurgents were poorly positioned to switch tactics when Taft's cooperation was not forthcoming. Unable to force concessions from congressional leaders as they had hoped, the Insurgent lawmakers struggled to balance their need for collaboration with their preference for independent action. Eschewing the binding mechanisms of a bureaucratized intraparty organization, the Senate progressives struggled to remain unified in conference and at the bill's final passage. Despite this disappointing outcome, the Insurgent senators learned from their struggles in the tariff fight and refined their organizational strategies for the next battle: railroad rate reform.

4. Railroad Regulation and the Mann-Elkins Act

Just as tariff reform had riveted Insurgent attention in 1909, so the question of railroad regulation dominated the progressives' political agenda in 1910. As was true of their House colleagues, lingering economic depression in Republican farm states animated the Senate Insurgency. The rapid and largely unregulated expansion of the nation's railroad systems in the years after the Civil War worsened the economic and political plight of farming communities in the interior states.¹²² Aided by foreign investment and domestic subsidies, railroad companies extended their lines far into the midwest and west. As they "railroaded" through the region, the companies sought to establish political and economic control over the communities they traversed. To secure low taxes on railroad property and to guard against state and municipal regulation, the railroad barons used "such simple devices as making heavy campaign contributions; distributing free railroad passes to legislators, judges, and other interested

¹¹⁹ *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 4954.

¹²⁰ Senators Beveridge, Bristow, Clapp, Cummins, Dolliver, La Follette, and Nelson voted against the Payne-Aldrich tariff. Brown, Burkett, Crawford and Gamble supported the bill.

¹²¹ *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 4949.

¹²² See Richard White, *Railroaded: The Transcontinentals and the Making of Modern America* (New York: W.W. Norton and Co., 2011); Colleen Dunlavy, "Political Structure, State Policy, and Industrial Change: Early Railroad Policy in the United States and Prussia," in *Structuring Politics* eds. Sven Steinmo and Kathleen Thelen (New York: Cambridge University Press, 1992), 155-187.

parties...even bribing officials outright.”¹²³ Absent regulatory oversight, the railroads were free to levy exorbitantly high rates on overcapitalized stock, monopolize shipping warehouses, and limit rate competition through pooling.¹²⁴ In “building their extensions and establishing [their] new lines,” one progressive magazine editorialized, “the public [is] again taxed to pay excessive dividends upon this fictitious capitalization of railroad property builded [*sic*] at public expense.”¹²⁵ A further problem for rural communities seeking to ship agricultural products east, the railroad companies offset the low rates charged for long or competitive routes with higher rates on shorter or less travelled lines. Powerless to force the companies to adopt more reasonable rates, farmers demanded relief from their political leaders.

At the state level, progressive politicians responded by abolishing rate discrimination and prosecuting corporate graft.¹²⁶ At the federal level, Congress attempted to rein in railroad abuses with the passage of the Interstate Commerce Act of 1887, which established an administrative board — the Interstate Commerce Commission (ICC) — to regulate and control the railroad corporations.¹²⁷ A decade later, however, the Supreme Court sharply limited the ICC’s authority to regulate railroad rates.¹²⁸ The 1906 Hepburn Act, sponsored and championed in the Senate by Dolliver and La Follette, tried to remedy the Court’s decision by granting the Commission discretion to replace existing railroad rates with “just and reasonable” maximum rates, as defined by the agency.¹²⁹ In the eyes of many progressive senators, “The tender regard which Congress ha[d] always shown in legislating for the benefit of the railroads, regardless of the public right, ha[d] enabled these powerful combinations to...build up millions upon millions of surplus, all paid for by the public.”¹³⁰ So vital was railroad regulation to progressive Republicans that the party’s 1908 platform pledged to further expand the ICC’s authority to limit excessive rates.¹³¹

¹²³ Hechler, *Insurgency*, 18. See Gerald Berk, “Constituting Corporations and Markets: Railroads in Gilded Age Politics,” *Studies in American Political Development*, 4 (1990), 130-168.

¹²⁴ Railroad companies created “pools,” essentially cartels where different railways lines passing through competitive points agreed to charge the same, single rate to all shippers, pool the revenue, and then share out the total revenue according to an agreed-upon percentage to each corporation. In so doing, the companies avoided “ruinous competition,” but left shippers without the benefit of competition to drive down rates.

¹²⁵ Frederic C. Howe, “Ask your congressman,” 1910, *Everybody’s Magazine*, LOCMD, Beveridge Papers, Box 172, Folder “Senators Jonathan Bourne and Norris Brown.”

¹²⁶ Unger, *Fighting Bob La Follette*, 124; Hechler, *Insurgency*, 19; La Follette, *A Personal Narrative*, 52-54.

¹²⁷ Robert W. Harbeson, “Railroads and Regulation, 1877-1916: Conspiracy or Public Interest?” in *Growth of the Regulatory State, 1900-1917* ed. Robert F. Himmelberg (New York: Garland Publishing, 1994), 128-141.

¹²⁸ In *Interstate Commerce Commission v. Cincinnati, New Orleans and Texas Pacific Railroad Co.*, 167 U.S. 479 (1897), the Court determined that Congress had not expressly granted the ICC the authority to set rates for rail transport in the agency’s “organic” — founding — statute: the Interstate Commerce Act. As a result, the agency could not force railroad companies to cease operations if they charged more than the set rate. See also Skowronek, *Building a New American State*, 154-155.

¹²⁹ La Follette, *A Personal Narrative*, 173-179.

¹³⁰ Howe, “Ask your congressman,” 1.

¹³¹ Peters and Woolley, “Republican Party Platform of 1908.”

Joining the progressive chorus while on the campaign trail, Taft's stump speeches devoted considerable time to decrying the extortionist policies of railroad companies. "It is clear," he assured voters, "that the sum of all the rates or receipts of a railway, less proper expenses, should be limited to a fair profit upon the reasonable value of its property, and that if the sum exceeds this measure, it ought to be reduced."¹³² If elected, Taft pledged to regulate the railroad industry more aggressively.¹³³

Early Mobilization

No sooner had the tariff passed, then the ten remaining Senate Insurgents began to prepare a railroad bill for the opening of the congressional session in December 1909.¹³⁴ In contrast to tariff policy (exclusively the domain of the federal government), the Senate progressives had considerable experience enacting railroad reform from their years in state politics. As Governors of Iowa, South Dakota and Wisconsin, Cummins, Crawford and La Follette, had each won political control of their respective states from railroad interests and established effective administrative boards to regulate the industry. Although they lacked similar executive experience, Insurgent senators Clapp, Bristow and Beveridge were also well versed in railroad politics because rate discrimination was a frequent constituent complaint and the subject of investigation in their respective states.¹³⁵ With this wealth of collective experience, the Insurgent senators agreed that La Follette and Cummins would take the lead drafting their legislation. The two senators would work together, the reformers resolved, "lest the railroad legislation...contain conflicting provisions, and thus split the Insurgents on the floor."¹³⁶ As in the tariff fight, La Follette and Cummins leveraged their committee resources to help with the drafting process, deploying staff to research rate discrimination and consult with members of the ICC.¹³⁷

Although their decision to delegate drafting authority to La Follette and Cummins was a major step forward in the Insurgent organization, the senators did not conduct an internal vote on the matter nor did they empower the two senators to take a formal leadership role beyond the task at hand. Indeed, the senators were unwilling to create a leadership structure that might constrain their ability to "take the initiative ourselves."¹³⁸ The Insurgent lawmakers were also

¹³² Taft to La Follette, July 13, 1908, LOCMD, La Follette Papers, Box 62, Folder "Taft, William Howard."

¹³³ Frank Haigh Dixon, "The Mann-Elkins Act, Amending the Act to Regulate Commerce," *The Quarterly Journal of Economics* 24 (1910), 593-633.

¹³⁴ At this stage, the members of the Senate Insurgent group were: Beveridge, Bristow, Brown, Burkett, Clapp, Crawford, Cummins, Dolliver, La Follette, and Nelson. Gamble did not formally caucus with the group after rejoining the Regulars in the tariff fight.

¹³⁵ Hechler, *Insurgency*, 163-164.

¹³⁶ Bristow to Cummins, September 7, 1909, KSHS, Bristow Papers, Box 21.

¹³⁷ La Follette, *A Personal Narrative*, 181.

¹³⁸ Bristow to Cummins, October 4, 1909, KSHS, Bristow Papers, Box 22.

unwilling to collaborate other than through correspondence in the months before the opening of the congressional session.¹³⁹ Twice Bristow attempted to arrange a meeting to consider La Follette and Cummins' proposal in September and October, and each time the other Insurgent senators rebuffed him.¹⁴⁰ Explaining his reticence, Beveridge wrote to Cummins that he was simply too weary to contemplate further organization prior to the opening of the session. And, with such a small bloc of members, Beveridge argued, the Insurgents could surely coordinate their activities through letters and telegraph messages.¹⁴¹

Insurgent correspondence after the tariff struggle makes clear three key changes in the progressive senators' thinking. First, the lawmakers came to view their prior reliance on independent action as a strategic shortcoming and proposed instead to map out a collective plan at the outset of the railroad battle. As Bristow wrote his colleagues: "I hope we can organize... We have got to work together...us and as many more as will join us, and work as one man, because it is a tremendous struggle."¹⁴²

Second, while the reformers would not altogether abandon their efforts to persuade Republican Regulars of the importance of rate regulation, they would also attempt to build their own floor majority in favor of railroad reform. "We must pick up as many strays as will come in, map out our own course, and...fight against what those fellows propose, by offering amendments in harmony with our views."¹⁴³ With the Senate split, 60-32, Republican to Democrat, the Insurgents needed to recruit five additional members to tip the balance of power from Republican control to a cross-party coalition favoring reform. To this end, the Insurgent senators set about securing "the growth of the so-called Progressive group," as La Follette described the venture.¹⁴⁴

Cognizant that railroad abuses affected communities throughout the West, the Insurgents solicited support from senators with progressive leanings from upper-midwest and western states. In contrast to the House Insurgent organization, the reformers' recruitment efforts were conducted informally, as individual members reached out to colleagues they believed would be sympathetic to stricter railroad regulation. La Follette's charisma and popularity in the West made him a particularly able spokesman for the Insurgency. Together with Bristow, La Follette persuaded senators William Borah (R-ID), Jonathan Bourne (R-OR), and Joseph Dixon (R-MT)

¹³⁹ After the special session ended in August, the Insurgents along with their Senate colleagues returned to their home states to conduct constituent work and recuperate before the start of the regular session in winter 1909-1910. Consequently, the logistical obstacles to an Insurgent gathering prior to members' return to Washington were not insubstantial.

¹⁴⁰ Cummins to Bristow, October 1, 1909, KSHS, Bristow Papers, Box 22.

¹⁴¹ Bowers, *Beveridge and the Progressive Era*, 373.

¹⁴² Bristow to La Follette, September 20, 1910, KSHS, Bristow Papers, Box 22.

¹⁴³ Bristow to Cummins, October 4, 1909, KSHS, Bristow Papers, Box 22.

¹⁴⁴ La Follette, *A Personal Narrative*, 183.

to join the group.¹⁴⁵ Though the Insurgents' expanded ranks lacked the final two votes needed to shift the balance of power, the reformers were confident that they would have the support of several western Regulars if there was a favorable bill or amendment on the table.¹⁴⁶

Third, the Insurgents were no longer willing to rely on Taft's initiative to force reform. The tariff battle had proved that "Aldrich ha[d] completely captured Taft." Indeed, as Bristow lamented to Beveridge, "What a glorious thing it would have been for our party if Taft had stood strong as we did in favor of carrying out literally and honestly the pledges we made in the campaign. It would have made us invincible."¹⁴⁷ The Insurgents realized they would need to offer amendments proactively to restore strong regulatory powers to the ICC.¹⁴⁸ Fortunately, the Senate's expansive right to recognition provided ample opportunity to amend legislation. And, as members of the Senate Committee on Interstate Commerce, both Clapp and Cummins were well positioned to promote Insurgent objectives.¹⁴⁹

Executive Action

While the Senate Insurgents corresponded over provisions of their draft legislation, Taft and his Attorney General, George Wickersham, were preparing a railroad bill of their own. As party nominee, Taft had promised to champion railroad regulation. However, the President's private correspondence suggests his position had softened after the election. "The question of rates and the treatment of railways is one that has two sides. The shippers are certainly entitled to reasonable rates; but less is an injustice to the carriers. Good business for the railroads is essential to general prosperity."¹⁵⁰

To effect a speedy passage and to avoid another display of Republican division, the president's proposal sought to balance the competing demands of his party coalition. To accommodate the powerful railroad and shipping interests, the bill legalized pooling and established a Commerce Court to adjudicate industry appeals of ICC decisions.¹⁵¹ In an effort to appease progressive members of the party, Taft supported extending the ICC's power to suspend rates it deemed abusive without waiting for a specific complaint from a shipper. To the Insurgents, "the bill as it came from Attorney-General Wickersham with the approval of President Taft was, in all the history of railroad legislation, the rankest, boldest betrayal of public

¹⁴⁵ Hechler, *Insurgency*, 171; La Follette, *A Personal Narrative*, 183.

¹⁴⁶ The Insurgents knew Senators Francis Warren and Clarence Clark of Wyoming, former Insurgent Robert Gamble of South Dakota, and Wesley Jones of Washington to be in favor of stricter railroad regulation and believed the legislators would vote with the progressive bloc. Hechler, *Insurgency*, 186.

¹⁴⁷ Bristow to Beveridge, August 28, 1909, LOCMD, Beveridge Papers, Folder "Senator Joseph R. Bristow."

¹⁴⁸ Bristow to Cummins, October 30, 1909, KSHS, Bristow Papers, Box 22.

¹⁴⁹ *Congressional Record*, 61st Congress, 1st Sess., 1909, 44, 121.

¹⁵⁰ Taft to La Follette, July 21, 1908, LOCMD, La Follette Papers, Box 62, Folder "Taft, William Howard."

¹⁵¹ Skowronek, *Building a New American State*, 264.

interest.”¹⁵² Still bitter over Taft’s duplicity during the tariff fight, Bristow confided to his fellow reformers, “I have no faith whatsoever in getting the President to stand with us.”¹⁵³

Nonetheless, the Insurgents remained hopeful that Cummins, who had been called to the White House to consult with Taft on the railroad bill, would be able to persuade the President to abandon the proposal’s worst provisions.¹⁵⁴ When Cummins reported to his progressive colleagues that Taft was unmoved by his objections to the creation of the Commerce Court and sanction of pooling practices, the Insurgents prepared themselves for “the bitterest fight we have yet been in.”¹⁵⁵ Their concern further increased when newspapers reported that the President had consulted with the leading railroad executives in the course of drafting his proposal.¹⁵⁶

While Taft was anxious to accommodate the railroad interests, he and Aldrich were determined to keep the Insurgent bloc in line by dint of force. Believing the Insurgents to be behind “a well-organized conspiracy to injure [him] throughout the West,” Taft ordered the progressive lawmakers to cooperate with Aldrich. If they failed to maintain party regularity, the president threatened, harsh punishment would be meted out, not only by his administration, but also by the railroad industry and its corporate allies.¹⁵⁷ As Bristow reported to his progressive colleagues,

Any Senator or Congressman who does not conform to the plans outlined by Aldrich, J.P. Morgan, the six railroad presidents and Mr. Taft is to be annihilated, if the power of the corporations and the administration can do it... Large sums of money are available to defeat in the primaries and in the election of Republicans... [those] who do not conform to the program.¹⁵⁸

Indeed, Insurgent correspondence reveals that although the reformers were not deterred by Taft’s threats, they did take them seriously.

Dismayed by Taft’s blind adherence to party regularity and willingness to allow the railroad industry to help shape regulatory policy, the Insurgents appointed Cummins to lead their floor campaign against the administration’s proposed regulations.¹⁵⁹ Although the Senate reformers had previously eschewed centralized leadership, they recognized that Cummins’

¹⁵² La Follette, *A Personal Narrative*, 180.

¹⁵³ Bristow to Cummins, October 30, 1909, KSHS, Bristow Papers, Box 22.

¹⁵⁴ Bristow to Fred S. Jackson, December 6, 1909, KSHS, Bristow Papers, Box 23; Hechler, *Insurgency*, 165.

¹⁵⁵ Bristow to Cummins, October 30, 1909, KSHS, Bristow Papers, Box 22.

¹⁵⁶ Bristow to White, January 5, 1910, LOCMD, White Papers, Box 3; Hechler, *Insurgency*, 165. According to these accounts, Taft had organized a series of meetings with the railroad barons in the winter months and distributed copies of the administration’s proposal to the companies for comment.

¹⁵⁷ Butt, *Taft and Roosevelt*, 244; Skowronek, *Building a New American State*, 190.

¹⁵⁸ Bristow to White, January 5, 1910, LOCMD, White Papers, Box 3.

¹⁵⁹ Hechler, *Insurgency*, 164; Skowronek, *Building a New American State*, 264-265.

expertise and seat on the Commerce Committee would be critical resources in what was looking to be a fierce fight. Arguing in favor of Cummins' leadership, Bristow wrote, "He is thoroughly aggressive and systematic in his work...He will be far more successful in managing a fight in the Senate than La Follette."¹⁶⁰ With Cummins in the lead, the Insurgents resolved to fight Taft's proposal until they either defeated it, or strengthened its regulatory provisions. Summarizing the Insurgents' pledge, Bristow declared, "I will not vote for a bill regulating the railroads which was drawn [up] by the railroad attorneys...any more than I will vote for a tariff bill that was written by the manufacturers."¹⁶¹

Based on their past experience, the Senate Insurgents settled on a strategy for railroad reform that did not rely on Taft's cooperation. The reformers developed a "one-two punch" offensive against the stand-pat machine, coupling their prior strategy of informational obstructionism with an organizational approach to ensure their pivotality in floor votes.¹⁶² These strategic choices altered the form and aim of their intraparty organization, as the Insurgency developed a leadership structure and made recruitment a key objective.

Organized Protest

Knowing that Taft was firmly allied with the stand-pat interests in the Republican coalition, the Insurgents embarked on their planned informational campaign. On February 24, 1910, Sen. Stephen B. Elkins (R-WV), chairman of the Committee on Interstate Commerce, introduced Taft's proposed legislation.¹⁶³ Leading the Insurgent offensive, Cummins and Clapp released a scathing minority report, charging that the railroad bill was "a long step backward." "The railroad bill, as it has come to us, has very bad features."¹⁶⁴ Determined to rectify these "iniquities," the senators pledged to see "the Republican platform...carried into the bill."¹⁶⁵ With that call to arms, Cummins and Clapp took to the floor for a series of three-hour speeches presented over a period of four days to challenge the proposal.¹⁶⁶ Although Clapp had "not made

¹⁶⁰ Bristow to Chase, March 27, 1909, KSHS, Bristow Papers, Box 17.

¹⁶¹ Bristow to C.L. Holcomb, April 18, 1910, KSHS, Bristow Papers, Box 18.

¹⁶² Bristow to Cummins, October 4, 1909, KSHS, Bristow Papers, Box 22.

¹⁶³ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 2379.

¹⁶⁴ Beveridge, October 16, 1910, LOCMD, Beveridge Papers, Box 173, Folder "Senator Dolliver."

¹⁶⁵ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 2655. "Taft Railroad Bill Sent In," February 26, 1910, *New York Times*, 8. In addition to their written report, Cummins and Clapp publicly outlined their "chief reasons for hostility to the Administration measure." In a statement to the press, the Senators declared: "We are opposed to the creation of a court of commerce as wholly unnecessary, first because of the cases that would arise under it, and second, because we believe it unwise to create a court to try railway cases alone, in view of the influences that would surround it...The bill repeals the provision of the anti-trust law dealing with the subject of rate agreements between railroads, and we shall oppose that measure on that account. We shall insist that the Republican platform shall be carried into the bill and that no agreement shall go into effect until approved by the commission."

¹⁶⁶ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 3341-3385.

much noise as to his position” in the tariff fight, the Insurgents viewed him “as one of the best debaters in either house of Congress and those who come to hear him will be very well paid.”¹⁶⁷

In the tariff debate the Insurgent senators had independently voiced their objections to the legislation in an ad-hoc tag-team approach. Now, the lawmakers looked to their leadership to outline the substance of their protest. Cummins began by describing in detail how Taft and Wickersham had bowed to the railroad barons, but spent the majority of his time criticizing the proposed Court of Commerce.¹⁶⁸ Turning next to the legalization of pooling, Cummins charged that the proposed legislation would effectively repeal the popular anti-trust laws championed by Roosevelt.¹⁶⁹ Motioning to his Insurgent colleagues, Cummins indicated that the Insurgent lawmakers were determined to “tear to pieces the administration railroad bill.”¹⁷⁰

The Insurgents’ obstructionist tactics had done little to persuade the Regulars during the tariff debate; now, Cummins’ focused and dispassionate discussion of the flaws in the administration’s proposal found many sympathetic ears.¹⁷¹ His success can be attributed to two factors. First, as a former civil engineer who had helped to build Iowa’s railway lines and as a popular midwestern governor, Cummins had earned the respect of even very conservative frontier Republicans.¹⁷² Second, the Senator eschewed the flamboyant style adopted by many of the Insurgents during the tariff debate, preferring instead to walk members calmly through the logic of his arguments. Combining substantive expertise with a neutral tone, Cummins urged the stand-pat crowd to reconsider the merit of Taft’s proposal.

Although Wickersham tried to dismiss Cummins’ speeches as “generally nasty talk,” they caused considerable concern among the stand-pat leadership. Immediately following Cummins’ speech-making, Aldrich and his deputies demanded that Wickersham review the bill with them. Briefing Taft on the ensuing discussion, the Attorney General conceded “that three or four points [Cummins] dwelt on developed so much support that the gentlemen with whom I met thought it was important that the bill should be amended to meet them.” Following their conference with Wickersham, the Senate leadership caucused with Cummins and Taft in the White House. There, they petitioned the President to modify his design of the Commerce Court to allow shippers or individuals affected by an industry to appeal to the Court to intervene in the proceeding “to be heard in their own right.” The lawmakers also insisted that pooling agreements between carriers

¹⁶⁷ John J. Hannan to A.A. Porter, November 16, 1909, LOCMD, La Follette Papers, Box 62, Folder “Hannan, John J.”

¹⁶⁸ Cummins argued that isolating railroad appeals in one court would subject it to the concentrated pressure of the entire railroad industry, both in the appointment of judges and the conduct of cases.

¹⁶⁹ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 3341-3385.

¹⁷⁰ La Follette, *A Personal Narrative*, 208.

¹⁷¹ Wickersham to Taft, March 19, 1910, LOCMD, Taft Papers, Reel 453.

¹⁷² Hechler, *Insurgency*, 86-87.

be made “subject to the approval of the Commission.”¹⁷³ Taft and Wickersham agreed to allow private parties to intervene in the Commerce Court at the board’s discretion, but refused to subject pooling agreements to the consent of the ICC.¹⁷⁴ Cummins delightedly reported to his colleagues that, with the help of Aldrich and his deputies, the railroad bill had been “substantially improved.”¹⁷⁵

Frustrated that Taft had yielded to the Senate leadership, Wickersham declared that support for the current version of the railroad bill would be a vote of fealty for Republican legislators.¹⁷⁶ Although a similar threat had divided the Insurgent senators during the tariff battle, the Attorney General’s announcement now had the opposite effect. Answering Wickersham’s warning on the Senate floor, the Insurgents offered a sharp critique of the Attorney General’s own partisan record.¹⁷⁷ In the press, the Insurgent senators made clear that “harmony could not be brought to the Republican Party by attempting to dictate legislation or by trying to read out of the party men who had fought its battles for twenty-five years.”¹⁷⁸ Alarmed by the Insurgents’ floor attack and under growing public pressure to reach accord, the Regulars agreed to accommodate the Insurgents’ demand that the ICC have counsel representing it in cases before the Commerce Court.¹⁷⁹

Insurgent Amendment and Negotiation

With the Regulars on the run, the Insurgents organized a ten-day filibuster in an effort to win other concessions. Much of their assault centered on Wickersham’s role in crafting the proposed legislation and “assumed” leadership role within the Republican party. By suggesting to their fellow senators that the White House was stepping on “congressional toes,” the Insurgents played on members’ interest in defending their institutional turf against executive encroachment. Drawing laughter from Aldrich and his stand-pat majority, Dolliver observed, “The good legal brother who feels warranted by a little brief authority to purge the Republican party of unworthy members when this bill was written either did not know what the Republican platform was or felt at liberty to treat it with the silent inattention which is the characteristic of

¹⁷³ Wickersham to Taft, March 19, 1910, LOCMD, Taft Papers, Reel 453.

¹⁷⁴ Anderson, *William Howard Taft*, 130-131.

¹⁷⁵ Hechler, *Insurgency*, 168.

¹⁷⁶ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 4549.

¹⁷⁷ Drawing on materials provided by Massachusetts lawyer Louis Brandeis, La Follette condemned Wickersham for failing to break up a monopolistic merger between two New England railroad companies. The senator discredited the provision of Taft’s bill that granted Wickersham authority to prosecute transportation cases, citing the Attorney General’s failure to pursue this trust-busting case that had every chance of success. La Follette, *A Personal Narrative*, 181.

¹⁷⁸ “Wickersham Defied by Senator Clapp: Has No Right to Read Men Out of Party or Dictate Laws,” April 27, 1910, *New York Times*, 3.

¹⁷⁹ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 4549-4564.

really great minds.”¹⁸⁰ Moving on to more substantive concerns, the Insurgent senators produced statistics, compiled by their committee staffs, demonstrating that the railroad industry set exorbitant rates for short hauls to offset the low rates they charged shippers for long hauls between competitive points. This discriminatory practice, the lawmakers argued, benefited urban areas to the detriment of smaller rural communities where the bulk of stock production occurred.¹⁸¹

In contrast to their filibuster offensive, the Insurgents failed to coordinate the scope of the amendments individual senators proposed to strengthen the ICC’s regulatory authority. Without prior coordination, the senators offered an array of competing amendments — the effect of which was to undermine their broader legislative goals. For example, Crawford, a moderate Insurgent, offered an amendment to require that any joint agreement between railroad companies be submitted directly to the Commission for review and approval. However, Cummins sought more radical change. He submitted an amendment to modify Crawford’s proposal by empowering the ICC to approve not only joint agreements between railways but also any rates derived from those agreements.¹⁸² But, Cummins had missed his chance; with a more moderate amendment on the table, the Regulars dismissed Cummins’ substitute.¹⁸³

Forcing Concession

The combination of the Insurgent’s informational campaign and recruitment effort began to pay dividends when stand-pat Senator Joseph Dixon (R-MT) joined the progressive ranks. Persuaded by the substantive critiques of the early Insurgent offensive, Dixon was hastily assigned a speaking role by Cummins, “to make an example.”¹⁸⁴ On May 2, 1910, Dixon surprised Aldrich by calling for an amendment to revise the railroad bill’s long-and-short-haul clause to remove discriminatory rates, as Bristow had advised. Turning to his Republican colleagues, Dixon announced that the Insurgent bloc had mustered twenty votes in favor of eliminating discriminatory rates on long and short hauls. While Aldrich hurriedly called for a recess, the Insurgents gathered in an empty committee room to tally their votes.¹⁸⁵ After an informal vote count, the reformers concluded that their newly expanded ranks, together with Democratic and western Republican support, gave them enough votes to pass Cummins’

¹⁸⁰ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 5328.

¹⁸¹ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 5483-5496 and Hechler, *Insurgency*, 169. Whereas urban communities were generally located on competitive points and therefore able to benefit from the lower rates posted by the railroad companies, farmers in rural communities were forced to pay much higher rates to ship their goods to the nation’s urban centers.

¹⁸² Hechler, *Insurgency*, 170-171.

¹⁸³ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 5567.

¹⁸⁴ Hechler, *Insurgency*, 171.

¹⁸⁵ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 5653-5663.

amendment to the bill's pooling clause and a progressive long-and-short-haul clause pending in the House.¹⁸⁶

The Regulars erupted into chaos as they realized the Insurgents had expanded their ranks. Convinced the progressives would not stop until they had won their desired changes in the railroad bill, Aldrich and his deputies met to discuss what terms of surrender they could best obtain. The leadership approached Cummins on May 2, 1910 to negotiate a compromise. But Cummins was not one to let the vanquished dictate the terms of concession; he informed Aldrich that the Insurgents would reject any provision that did not require the railroads to obtain permission from the ICC to engage in pooling or to adjust their rates according to any joint agreement between companies. According to the press, Cummins exited the conference with a final closing declaration: "We are not compromising. We believe we have the votes to adopt my amendment."¹⁸⁷ Rather than suffer a defeat on the floor, Aldrich agreed to gut the provisions of the Taft proposal the Insurgents found unacceptable and hold a vote on Dixon's more moderate amendment.¹⁸⁸ Defending his surrender on strategic grounds, the Senate leader sought to rally his Regulars: "Let us get together and stand as a unit against every [I]nsurgent proposition. If the [I]nsurgents propose anything good we'll take it over bodily and put it through as our own; if they propose anything bad we'll stamp it out."¹⁸⁹

Defeating Inter-party Alliance

While Aldrich had agreed with his stand-pat deputies that conceding to the Insurgents on pooling was necessary, he was reluctant to accept progressive demands for strict regulation on long-and-short-haul rates. The Republican leader made overtures to sympathetic Democrats, hoping that he might forge an alliance with a fraction of the minority party to defeat Dixon's amendment. But before Aldrich could secure sufficient votes, it became clear that another Democrat planned to submit a substitute amendment more radical than Dixon's proposal. With the Democrats determined to hold the party line and increasingly sympathetic to the Insurgent position, Aldrich's potential coalition fell apart. Left with little choice, Aldrich offered Dixon a compromise, which the latter accepted.¹⁹⁰

Although Aldrich viewed his agreement with Dixon with distaste, it had the unintended effect of dividing the previously cohesive Insurgent bloc. Dixon, along with the more moderate progressive recruits to the Insurgent group, viewed the compromise as a victory. But Cummins and La Follette were outraged that Dixon would accept anything short of complete capitulation

¹⁸⁶ Hechler, *Insurgency*, 171.

¹⁸⁷ *Philadelphia Press*, May 3, 1910, in Hechler, *Insurgency*, 172.

¹⁸⁸ "Aldrich Rallies Senate Regulars," May 4, 1910, *New York Times*, 1.

¹⁸⁹ "Aldrich Rallies Senate Regulars: Plan Formed to Whip Republicans into Line and Force Taft Programme Through," May 4, 1910, *New York Times*, 2.

¹⁹⁰ George Mowry, *Theodore Roosevelt and the Progressive Movement* (Madison: University of Wisconsin Press, 1938), 243.

by Aldrich, when the Democrats were willing to support even more radical amendments. In the short recess called before the vote, Cummins ordered Dixon to retract his agreement with Aldrich, and when the Senate reconvened, Dixon's original long-and-short-haul amendment was approved in its original form by a coalition of Insurgents, Democrats and Regular Republicans, 56-12.¹⁹¹ With limited archival evidence, we can only wonder whether Aldrich freed (or perhaps encouraged) so many of his Regulars to vote for the measure to avoid the appearance of a Republican defeat.

Insurgent Victory

During their three-month campaign against Taft's railroad bill, the Insurgents revised far more of the bill's "objectionable" provisions than they had thought possible.¹⁹² Bristow described the collective opinion of the progressive group, saying, "This [railroad bill] is so much better than we hoped to get that we feel fairly well satisfied."¹⁹³ Nonetheless, the Insurgents continued to push for stronger regulatory power for the ICC up until the final vote for passage in June 1910. In the bloc's closing address to the Senate, Cummins entrusted La Follette to describe the remaining deficiencies in the bill's provisions.¹⁹⁴ Despite their continuing concern, the progressives agreed to support the bill, which passed 50-12.¹⁹⁵

In the House, Cannon and his stand-pat deputies managed to cobble together a cross-party coalition to send the railroad legislation to conference, rather than accept the Senate version.¹⁹⁶ As the bill moved to conference committee, the Senate Insurgents worried that Aldrich would maneuver to weaken the progressive provisions of the amended bill in the conference report. To prevent Aldrich from undermining their hard-won gains on the Senate floor, the Insurgents adopted, once more, a strategy of obstruction. The reformers warned the Regulars that if the conference report substantially altered the progressive amendments, they would force Congress to remain in session during the crucial summer campaign period before the November election. As Bristow described the Insurgent strategy, "We saved the bill from mutilation by the conference committee by notifying the Senate conferees that if the bill was materially changed, we would stay all summer before we would permit the conference report to be adopted."¹⁹⁷

The progressive reformers repeatedly impressed upon Aldrich and Elkins the cost of obstruction. "During the sessions of the conference committee, some of us every day warned

¹⁹¹ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 6208.

¹⁹² Skowronek, *Building a New American State*, 264.

¹⁹³ Joseph L. Bristow to Hugh A. Holmes, June 1, 1910, KSHS, Bristow Papers, Box 29.

¹⁹⁴ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 6882-6908.

¹⁹⁵ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 7375.

¹⁹⁶ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 7577.

¹⁹⁷ Bristow to M.F. Amrine, June 23, 1910, KSHS, Bristow Papers, Box 29.

Elkins that if the bill was materially changed he and Aldrich could cancel their European trips and spend the summer in Washington.” Wary of the Insurgents’ “determined effort” and “grim resolve” to keep Congress continually in session, the Regular conferees drafted their report to include the progressive provisions the reformers had fought so hard to secure.¹⁹⁸ Finally, on June 17, 1910 the Mann-Elkins Railroad Rate Act passed the Senate, 50-11 with unanimous Insurgent support.¹⁹⁹

In contrast to the tariff fight, the Insurgents prevailed upon the Republican majority to implement stronger regulation of the nation’s railroad system than the president and congressional leaders had initially desired. The reformers’ legislative victory may be attributed to changes in the group’s strategy and organization. Having learned through hard experience that Taft was not a reliable ally, the Insurgents developed a two-pronged strategy to counter resistance from the White House and congressional leaders. The Insurgents modified their intraparty organization to carry out this new strategy, achieving their much desired collective objective: railroad reform.

5. Electoral Threat and Organizational Expansion

Following the railroad bill’s passage, the Senate Insurgents mobilized to defend their electorally vulnerable members against stand-pat attacks. With the 1910 summer primary and midterm election fast approaching, the senators estimated that half their bloc would face Republican challengers recruited by Aldrich and Taft.²⁰⁰ And, a majority of the group straddled increasingly divided state organizations, as local progressive politicians and stand-pat candidates warred for control.²⁰¹ As one progressive newspaper editor warned his Insurgent confidantes, “Don’t underestimate the fact that there is a good deal of intelligent and sincere opposition to you out there. I have received a great many letters.”²⁰² In contrast to their informal and often atomized approach to matters of policy, the Senate reformers devised a collective response to preserve the group’s electoral security.

The Senate Insurgents’ formal collaboration on electoral matters strongly resembled the organizational response of their House counterparts. In both chambers, Insurgent lawmakers solicited and distributed campaign assistance to electorally vulnerable members of their intraparty organizations. As Beveridge petitioned Clapp, “You are going to give me the last week in September! What time you can give me, every second of it, will be coined gold for me

¹⁹⁸ Bristow to M.F. Amrine, June 23, 1910, KSHS, Bristow Papers, Box 29.

¹⁹⁹ *Congressional Record*, 61st Congress, 2nd Sess., 1910, 45, 8391.

²⁰⁰ Bristow to La Follette, July 20, 1910, LOCMD, La Follette Papers, Box 63; Bristow to La Follette, August 19, 1910, LOCMD, La Follette Papers, Box 63.

²⁰¹ Beveridge to La Follette, September 14, 1910, LOCMD, La Follette Papers, Box 63; Clapp to La Follette, September 24, 1910, LOCMD, La Follette Papers, Box 63.

²⁰² Sullivan to Beveridge, September 16, 1910, LOCMD, Beveridge Papers, Box 172, Folder “Norman Hapgood, Mark Sullivan, Lloyd-Jones.”

and my cause.”²⁰³ Similarly, the progressive senators and representatives actively campaigned on behalf of their colleagues, drafting letters of support to be printed in progressive newspapers and magazines and delivering speeches in districts and states across the Midwest and West.²⁰⁴

The similarities in the House and Senate Insurgents’ dealings with electoral matters reflects the similar electoral needs of the reformers in both chambers. The majority of Insurgent senators were not directly elected, but rather appointed by their state legislatures. Nonetheless, Senate candidates conducted popular campaigns akin to those of their House counterparts. Working district by district to elect progressive state legislators — who would vote to appoint them to the Senate — the Insurgents made clear to their constituents that a vote for local progressive candidates was a vote for the national progressive cause.²⁰⁵ Furthermore, both Senate and House Insurgents faced comparable electoral opposition from the Republican machine, as Taft and Aldrich actively campaigned against progressive senators and representatives alike.²⁰⁶ In short, because the House and Senate Insurgents confronted similar electoral challenges, they adopted nearly identical organizational responses.

To defend against Republican incursions, the Senate reformers pooled their resources and organized a collective defense. The Insurgents wrote each other frequently both to request and to offer aid; La Follette alone received twenty-six letters from his Senate colleagues appealing for assistance during the summer months of 1910.²⁰⁷ Appealing to his progressive colleagues, Beveridge wrote: “We need our heaviest artillery from outside of the state to help us at the very beginning or even before the beginning of the actual clash of arms, and our biggest artillery, both speakers and publications to concentrate the last two weeks of the campaign.”²⁰⁸ When the Insurgents learned that Aldrich planned to “tell the truth about the tariff [and] the insurgents”

²⁰³ Beveridge to Clapp, August 9, 1910, LOCMD, Beveridge Papers, Box 179, Folder “Moses E. Clapp.”

²⁰⁴ Borah to Hannan, August 2, 1910, LOCMD, La Follette Papers, Box 63; Bristow to La Follette, August 18, 1910, LOCMD, La Follette Papers, Box 63;

²⁰⁵ Moses Clapp to Robert La Follette, October 1910, LOCMD, La Follette Papers, Box 63.

²⁰⁶ As Beveridge reported to La Follette, “I am credibly informed that they have told certain people in New York that Indiana is unlike Wisconsin; that you have been campaigning there for fifteen years and of course have got a great personal following, but that here in this State the old machine is really the unseen and invisible power and can do just exactly what it pleases; and that by these arguments they are still draining the funds out of the corrupt fools down in the East, which funds they will spend to defeat me.” Albert J. Beveridge to Robert La Follette, September 12, 1910, LOCMD, La Follette Papers, Box 63.

²⁰⁷ By way of example, Senator Beveridge wrote to La Follette: “I wrote you during the summer asking you whether you could help me out down here in Indiana during the campaign, but failed to receive an answer. I understand, of course, how busy you were with your own tremendous struggle. I hesitate to ask you, in view of what you have on your hands in Wisconsin and in view of what the boys write me about the state of your health. But of course the majority in your state is only a matter of votes; so unless you are not in physical condition to do it, won’t you please come down and help me in Indiana. It will do us great good. Of course you understand I am fighting here all alone the same elements that have been trying to destroy you in Wisconsin. They seem to have more than concentrated upon me here.” Albert J. Beveridge to Robert La Follette, September 14, 1910, LOCMD, La Follette Papers, Box 63.

²⁰⁸ Albert Beveridge to Mark Sullivan, September 5, 1910, LOCMD, Box 172, Folder “Norman Hapgood, Mark Sullivan, Lloyd-Jones.”

while stumping for stand-pat Republicans in midwestern states, they organized their own barnstorming tour in each town the Senate leader would pass through.²⁰⁹ Although the Insurgents' primary objective was to refute any allegations Aldrich made against the progressive cause, Bristow rightly believed the group's show of solidarity would also "attract the attention of the average voter to the fact that a fight was on."²¹⁰ Moreover, as he assured his colleagues, "The fact that all our fellows help each other creates such a favorable impression. I hear it commented on everywhere that 'these insurgents stick together' with wonderful loyalty."²¹¹

Over the course of the campaign, individual Senate Insurgents criss-crossed the Midwest and West, delivering hundreds of speeches in support of their progressive colleagues and papering the region with transcripts of their congressional activities.²¹² Intent on protecting their progressive comrades, the Senate Insurgents pledged to "stand by each other and lend a helping hand wherever it is needed."²¹³ The results of the 1910 election vindicated the Insurgents' organizational efforts; though scores of Republican legislators lost to Democratic challengers, progressive Republicans gained seats in both the House and Senate.²¹⁴ Marveling at the Senate reformers' sustained electoral collaboration, the editors of *American Magazine* observed that the "Insurgency has ceased to be a mere uprising of guerrillas; it has become a great, a well-regulated, a self-conscious movement."²¹⁵

6. Conclusion

This chapter has traced the incremental development of the Senate Insurgency across two key targets of progressive economic reform: tariff revision and the regulation of railroad rates. Galvanized by the failure of independent action to bring about satisfactory revision of tariff rates, the Senate progressives gradually refined their organizational techniques and learned to leverage the power it brought them in pursuit of stronger railroad regulation. When confronted by electoral threat, the Senate Insurgents used their organization to safeguard progressive ranks.

As we have seen, although similar in spirit and function, Insurgent intraparty organization in the Senate differed considerably from that of House progressives. Forgoing the binding mechanisms needed to achieve a pivotal role in House deliberations, the Senate Insurgents devised a loose, informal organization to coordinate their policymaking. This

²⁰⁹ Bristow to La Follette, August 19, 1910, LOCMD, La Follette Papers, Box 63.

²¹⁰ Bristow to La Follette, September 26, 1910, LOCMD, La Follette Papers, Box 63.

²¹¹ Bristow to Beveridge, August 27, 1910, LOCMD, Beveridge Papers, Box 172, Folder "Senator Joseph R. Bristow"

²¹² Bristow to White, June 21, 1910, LOCMD, White Papers, Box 3.

²¹³ Bristow to Cummins, August 18, 1910, KSHS, Bristow Papers, Box 31.

²¹⁴ Holt, *Congressional Insurgents*, 40-42. Beveridge of Indiana was the only Insurgent member to lose his Senate seat.

²¹⁵ Thelen, *The Insurgent Spirit*, 79-80.

entrepreneurial arrangement enabled the Insurgent senators to assign tasks and allocate resources collectively, while retaining significant autonomy for individual members to pursue their policy objectives. Despite these organizational differences on matters of policymaking, the Senate Insurgents' collaboration on electoral matters closely resembled the organizational response of House reformers.

I have argued that three institutional factors help to explain the contrasting organizational choices made by congressional Insurgents on policy matters. First, Senate institutions privileging individual prerogative curbed the lawmakers' incentive to build and maintain a formal intraparty organization. Second, the Insurgents' access to committee resources lessened their need to obtain comparable resources through formal intraparty organization. Third, the smaller number of Insurgent senators made regular collaboration possible — without the aid of formal, organizing mechanisms. However, the similarity between the House and Senate intraparty organizations on electoral matters reflects the fact that while the institutional position of progressive senators differed considerably from that of progressive representatives, on electoral matters they were quite similar.

As was true of Insurgent organization in the House, the incremental development of the Senate Insurgent organization had profound implications for the success of the reformers' policy agenda. Despite a sustained and independent effort on the part of progressive senators to reduce the protectionist burden on domestic goods, they failed to substantially revise tariff rates downward. Unable to force concessions from Republican leaders in Congress or the White House, the Senate Insurgents struggled throughout the five-month tariff debate to effectively balance independent and collective action. However, the senators learned from their strategic and organizational failings and revised their approach accordingly. Following these changes, Insurgent lawmakers were able to force conservative Republicans in Congress and the White House to implement railroad regulation that satisfied progressive goals.

As we shall see in the next chapter, intraparty organization would empower a new generation of dissident lawmakers to dictate the terms of congressional policymaking. Determined to forestall the advance of civil rights legislation in Congress in the decades after the New Deal, Southern Democrats turned to organization. Chapter 4 shows that southern senators and representatives relied on intraparty organization to overcome a collective action problem similar to that which faced their Insurgent predecessors. Like the House and Senate Insurgents, intraparty organization would supply the necessary tools for southern members to secure solidarity and to collectively combat efforts to end the Jim Crow system of racial subordination.

Chapter 4. Securing Southern Solidarity, 1937-1956

What we lack, and what we must have if we are ever to regain our lost prestige in the Democratic Party, is a unified South... We do have a weapon if we could unite. But, the difficulty lies here in getting a unified South.

— Sen. John C. Stennis, December 16, 1959¹

Long-time journalist and congressional insider William S. White once remarked that the Southern Democrats' preeminent position in national politics during the twentieth century was "so marked and so constant...[it] might be described without too much violence to fact as the South's unending revenge upon the North for Gettysburg."² Controlling the balance of power in nearly every congress between 1933 and 1964, the votes of southern members determined the fate of both liberal and conservative initiatives.³ Even at the pinnacle of Franklin Roosevelt's New Deal coalition, Democratic leaders depended on the support of southern members of Congress to enact the President's program. By leveraging their votes and the threat of a "conservative coalition" with the Republican Party, southern legislators "imposed their wishes on each facet of New Deal policymaking."⁴ The influence of southern members was not simply a matter of numbers.⁵ The South's system of one-party rule and the region's institutional barriers to black political participation insulated southern legislators from electoral competition. As a result, they enjoyed lengthy tenures in office and occupied, by dint of their considerable seniority, a significant number of key committee and leadership posts in both the House and

¹ John C. Stennis to Hugh N. Clayton, September 16, 1959, Mississippi State University Special Collections (MSUSC), John C. Stennis Papers, Series 50, Box 12, Folder "Democratic National Committee."

² William S. White, *Citadel: The Story of the U.S. Senate* (New York: Harper & Bros., 1957), 68.

³ Ira Katznelson, Kim Geiger, and Daniel Kryder, "Limiting Liberalism: The Southern Veto in Congress, 1933-1950," *Political Science Quarterly* 108 (1993), 283-306. See also Cortez A.M. Ewing, *Primary Elections in the South: A Study in Uniparty Politics* (Norman: University of Oklahoma Press, 1953), 106.

⁴ James T. Patterson, "A Conservative Coalition Forms in Congress, 1933-1939," *The Journal of American History* 52 (1966), 757-772; Ira Katznelson, *Fear Itself: The New Deal and the Origins of Our Time* (New York: Liveright Publishing Corporation, 2013), 23.

⁵ Southern senators and representatives were well aware of their disproportionate influence in the House and Senate, and attributed their outsized power to organization. As Sen. John Stennis (D-MS) explained, "The men representing the South in the Senate and the House are not always superior to those sent by other regions; but, by working together, we have a solid bedrock base for the presentation of the conservative viewpoints in the only place where our laws are made...For this reason, we have, for some time, had a very strong voice in the execution of Party policy where it really counts: in the Congress...For this reason, in shaping the laws of our nation, Southerners have exercised power and influence far beyond their mere numerical strength." Stennis, 1960, MSUSC, Stennis Papers, Series 50, Box 12, Folder "Alternative 1960 Campaign Speech."

Senate.⁶ Functioning as congressional gatekeepers, Southern Democrats exercised a legislative veto in committee and on the chamber floor, determining “which policies were feasible and which were not.”⁷

Quick to exploit their veto power, southern members of Congress worked to reconcile Roosevelt’s liberal New Deal initiatives with the South’s sectional interests — both economic and racial. Eager to channel recovery programming and federal dollars to their economically depressed constituencies, Southern Democrats largely favored New Deal social welfare programs, particularly in the early days of Roosevelt’s economic recovery efforts.⁸ However, southern lawmakers balked at proposals to provide federal aid on a race-blind basis. To “square the circle,” Southern lawmakers pressed their colleagues to restrict the benefits of Roosevelt’s social welfare programs to white citizens.⁹ Working the levers of power in the House and Senate, they ensured that New Deal programs were administered locally. They sought to empower state and district officials to preserve Dixie’s racial order, and worked to exclude anti-discrimination provisions from federal recovery grants to southern states.¹⁰ “As a consequence,” Katznelson argues, “at the very moment when a wide array of public policies was providing most white Americans with valuable tools to advance their social welfare...most black Americans were left behind or left out.”¹¹

Southern dominance in national politics persisted in the decades following the New Deal. Even as the influence of liberal members of the Democratic Party grew, southern lawmakers managed to hinder the formation of a legislative coalition capable of disrupting “the southern

⁶ Nicol C. Rae, *Southern Democrats* (New York: Oxford University Press, 1994), 83-84.

⁷ Katznelson, *Fear Itself*, 23.

⁸ Katznelson, Geiger, and Kryder, “Limiting Liberalism,” 283-306.

⁹ Both Davies and Derthick and Zelizer have criticized the view that the exclusionary design of some New Deal programming is attributable to southern lawmakers’ racism. Rather, they argue, there were many non-racial reasons for lawmakers to advocate certain changes to New Deal policies that ultimately disadvantaged African-Americans. Gareth Davies and Martha Derthick, “Race and Social Welfare Policy: The Social Security Act of 1935,” *Political Science Quarterly* 112 (1997), 217-235. Julian E. Zelizer, “The Forgotten Legacy of the New Deal: Fiscal Conservatism and the Roosevelt Administration, 1933-1938,” *Presidential Studies Quarterly* 30 (2000), 331-358.

¹⁰ Desmond S. King and Rogers M. Smith, “Racial Orders in American Political Development,” *American Political Science Review* 99 (2005), 75-92.

¹¹ Ira Katznelson, *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-Century America* (New York: W.W. Norton & Company, 2005), 23. See also Michael J. Klarman, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (New York: Oxford University Press, 2004), 109-110. Although Roosevelt was careful to avoid “any legislation...that risked an impression of special concern for racial discrimination,” a wave of lynchings and violence against black citizens during the years between 1932 and 1937 galvanized congressional liberals in Roosevelt’s coalition to address these racially motivated attacks with federal legislation. Southern lawmakers vigorously opposed such efforts and worked together to quash the legislation. See David Levering Lewis, “The Appeal of the New Deal,” *Reviews in American History* 12 (1984): 556 and Franklin L. Burdette, *Filibustering in the Senate* (Princeton, NJ: Princeton University Press, 1940), 133-137.

way of life” for nearly two decades.¹² Collectively regulating the contours of Harry Truman’s Fair Deal and Lyndon Johnson’s Great Society policy initiatives, they did everything in their power to preserve “the institutions and traditions of the South.”¹³ Repeatedly forestalling the passage of federal civil rights legislation, southern lawmakers perpetuated the South’s repressive racial regime and prolonged, for many years, the battle to secure equal rights for black citizens in America.¹⁴

That the South constituted a durable and powerful voting bloc in Congress, profoundly influencing the course of the civil rights struggle, is clear. What is less clear is *how* southern members of Congress secured and sustained their pivotal role in national policymaking.

Popular and academic accounts of southern political activity generally attribute the region’s cohesive voting behavior and united front in congressional negotiations to southern lawmakers’ shared policy preferences. The idea that shared preferences undergird Southern Democratic cohesion finds its origins in Richard Hofstadter and V.O. Key’s debate over the role of the South in Congress. In Hofstadter’s view, the Solid South was united, first and foremost, by political principles emphasizing a small and limited federal government, particularly in economic affairs. Southerners shared “a common ideology in their opposition to the growing interference of the state in economic affairs and the growing power of the federal government.”¹⁵ Key, however, believed that southern solidarity was rooted in racial animus, or at least a shared concern that public policy should not empower black citizens. In his words, “There is one, and only one, real basis for southern unity, the Negro.”¹⁶ For Key, this core principle united the region’s representatives and senators. Although they disagreed over the content of southern ideology, both Hofstadter and Key believed that members’ shared preferences, whether on economic or racial issues, motivated their regional alliance.

In the decades since, scholars have largely accepted the view that shared preferences drove southern voting. Brady and Bullock, for example, contend that the South’s distinctive voting pattern in Congress was motivated by its legislators’ “shared ideology” and “issue agreement.”¹⁷ To explain Southern Democrats’ unified opposition to civil rights legislation, Farhang and Katznelson argue that “to a person, including liberals, they all supported racial segregation.” Even on issues that did not directly address race — labor-management relations,

¹² William Colmer to H.J. Hanberry, 13 May 1948, University of Southern Mississippi McCain Library (USMML), William Colmer Papers, Box 464, Folder 8 “Civil Rights.”

¹³ Howard D. Cooley (D-NC) to Howard W. Smith (D-VA), July 23, 1958, University of Virginia Small Library (UVASL), Howard W. Smith Papers, Box 105, Folder “H.R. 3”

¹⁴ Paul H. Douglas, *In the Fullness of Time: The Memoirs of Paul H. Douglas* (New York: Harcourt Brace Javonovich, 1971), 217.

¹⁵ Richard Hofstadter, “From Calhoun to the Dixiecrats,” *Social Research* 16 (1949), 144-145.

¹⁶ V.O. Key, *Southern Politics in State and Nation* (New York: Knopf, 1949), 315.

¹⁷ David W. Brady and Charles S. Bullock, III, “Is There a Conservative Coalition in the House?” *The Journal of Politics* 42 (1980), 549-559.

for example — the authors assert that “virtually all the southern politicians in Congress shared a broadly common position.”¹⁸

In recent years, however, scholars from a variety of disciplines have questioned the view that southern legislators possessed a uniform political ideology. Using both archival and statistical modes of inquiry, these studies find that southern members of Congress were far more ideologically diverse on economic matters — and even on specific racial issues — than existing scholarship acknowledges. Likewise, southern lawmakers were not consistent outliers within their Democratic coalition. To untangle southern preferences on economic matters, Caughey leverages a variety of statistical techniques to demonstrate that southern members of Congress varied in their support for laissez-faire economic principles, in part because of district- and state-level differences in the nature and extent of economic activity. Some southerners were “arch-conservatives...[others] enthusiastic proponents of [the] regulatory, developmental, and social-welfare possibilities of an activist federal government.”¹⁹ Furthermore, Caughey observes, southern preferences on economic and racial issues changed over time, alternately widening and shrinking the ideological gulf between the region’s lawmakers.

Analyzing the personal papers of southern senators, Finley finds that southern lawmakers were not equally committed to the ideas embodied in state-level Jim Crow laws.²⁰ Moreover, Finley observes that, although the senators uniformly split from the Democratic party on votes they thought compromised southern autonomy, there was often ambiguity as to which policies posed such a threat.²¹ In short, as DeWitt asserts, “Not only was the South not a monolith culturally or politically...neither was the ‘Southern block [sic]’ in the U.S. Congress of a single mind or interest.”²² Indeed, as we shall see, southern lawmakers first had to collectively agree that a policy proposal jeopardized core southern interests before they could take advantage of the “rock solid stability of regional representation.”²³

¹⁸ Sean Farhang and Ira Katznelson, “The Southern Imposition: Congress and Labor in the New Deal and Fair Deal,” *Studies in American Political Development*, 19 (2005), 2.

¹⁹ Devin M. Caughey, *Congress, Public Opinion, and Representation in the One-Party South, 1930s-1960s*. (Ph.D. Diss., University of California, Berkeley, 2012), 152. It should be noted that Caughey, in contrast to Finley, observes considerable southern cohesion on issues related to civil rights. But, this difference may be a function of the data used to estimate southern lawmakers’ ideology — roll-call votes on social welfare and economic regulation — and the assumption that “Southern voting cohesion...is presumed to be due to similarity of their policy preferences, not their internal organizational structure.” The evidence presented in this chapter suggests that organization was an important intervening variable between southern members’ ideology and their voting record on issues broadly related to civil rights. Caughey, *Congress, Public Opinion*, 55.

²⁰ Keith M. Finley, *Delaying the Dream: Southern Senators and the Fight Against Civil Rights* (Baton Rouge: Louisiana State University Press, 2008), 138-190.

²¹ To be sure, southern members of Congress collaborated to sustain their region’s repressive racial order, and in this respect they were committed to segregation and white supremacy. However, Finley’s analysis suggests that to view all southern members as universally committed to the “southern way of life” obscures more than it reveals.

²² Larry DeWitt, “The Decision to Exclude Agricultural and Domestic Workers from the 1935 Social Security Act,” *Social Security Bulletin* 70 (2010), 54.

²³ Katznelson, Geiger, and Kryder, “Limiting Liberalism,” 285.

These findings complicate our use of spatial cut-points to predict and explain southern voting cohesion. While scholars typically assume that the cut-points dividing southern lawmakers from their Democratic peers on so-called “civil rights votes” were clearly established at the outset of each legislative battle, the truth is more complicated. To be sure, in some cases the spread of votes and the division between southerners and their liberal co-partisans were evident from the start; in other instances, the battle-lines were hazier and, consequently, subject to political — and organizational — contestation.

The findings also pose new questions for students of congressional and southern politics. If southern members of Congress varied in their political beliefs, what explains their cohesive voting behavior, enduring cooperation, and resulting political clout on a range of key policy issues? For scholars who believe shared political preferences motivated southern solidarity, the answer is simple: the preservation of southern authority to “deal with the race question as was desired locally” formed the basis of southern unity.²⁴ As evidence for this preference-based account, scholars note that although southern lawmakers may have harbored fundamentally different beliefs about the legitimacy of the South’s racial order or the necessity for system-wide reform, the vast majority of southern representatives and senators — progressives and white supremacists, alike — nonetheless professed that such questions should be answered at the local level.²⁵

To be sure, a preference-based approach provides important analytical traction. The consistency with which southerners voted to protect Jim Crow suggests that preserving legally sanctioned and locally implemented racial discrimination mattered deeply to southern lawmakers.²⁶ As with the progressive Insurgency, however, a shared commitment to a policy objective was not sufficient to encourage the unified pursuit of that objective. A means of structuring cooperation between southern members was essential. Indeed, as we shall see in this and the following chapter, shared preferences were, on their own, insufficient to provide a consistent mechanism to guarantee southern legislators the “unity on the national scene” they believed to be “essential” to sustain their influence.²⁷

To identify the mechanisms that ensured southern legislative unity, we must direct our attention away from southern preferences and instead look to southern organization in Congress. Lest internal divisions rob them of their collective power, a majority of Southern Democrats

²⁴ Key, *Southern Politics*, 8-9.

²⁵ Examples of such work include: Robert C. Lieberman, *Shifting the Color Line: Race and the American Welfare State* (Cambridge: Harvard University Press, 1998), and Jill Quadagno, “From Old-Age Assistance to Supplemental Security Income: The Political Economy of Relief in the South, 1935-1972,” in *The Politics of Social Policy in the United States* eds. Margaret Weir, Ann Shola Orloff, and Theda Skocpol (Princeton: Princeton University Press, 1994).

²⁶ For a careful analysis of southern voting cohesion, see Ira Katznelson and Quinn Mulroy, “Was the South Pivotal? Situated Partisanship and Policy Coalitions during the New Deal and Fair Deal,” *Journal of Politics* 74 (2012), 604-620.

²⁷ Key, *Southern Politics*, 8-9.

agreed to put aside their ideological differences and formally organize “in defense of Dixie.”²⁸ As this and the following chapter document, southern legislators relied on intraparty organization to pursue their political aims and objectives — including, most importantly, regional unity — in the years between 1937 and 1964. Known as the “Southern Caucus” in the Senate and the “Southern Delegations” in the House, these intraparty organizations provided a forum for members to collectively identify federal threats to the South’s racial order and supplied the essential tools — typically carrots, but occasionally sticks — for members to join forces to combat them.

In this and the following chapter, I define the “South” as the thirteen states and territories represented on the Confederate flag during the Civil War.²⁹ I use the terms “Southern Caucus” and “Southern Delegations” to refer exclusively to the collection of individuals that participated in these two formal intraparty organizations.³⁰ As both organizations periodically barred certain senators and representatives from joining their ranks, one cannot use these terms to describe all lawmakers representing “the South.”³¹

The remainder of the chapter proceeds as follows. In the next section, I extend the theory of intraparty organization advanced in this dissertation to the activities of southern senators and representatives during the period 1937-1956. I then trace the development of the Southern Caucus and Southern Delegations from their origins in the 1930s through to their zenith in the 1950s. Proceeding chronologically, I identify and discuss three episodes that acted as catalysts

²⁸ “Dixie Wins Skirmish: Senate Hearing Set on Poll Tax Issue,” March 10, 1948, *The Houston Post*, MSUSC, Stennis Papers, Series 29, Box 1, Folder 9.

²⁹ This thirteen-state definition includes the eleven states that seceded from the Union: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Tennessee, Texas, and Virginia. It also includes Kentucky and Oklahoma — a territory at the time of the Civil War. Neither Kentucky nor Oklahoma seceded from the Union, but the majority of citizens in both state and territory fought for the South and each was represented by a star on the Confederate flag. Of recent, Farhang and Katznelson have advocated an even broader definition of the South to include the four “border states” that mandated racial segregation in education in 1954: Delaware, Maryland, Missouri, and West Virginia. Because I have found no archival record that any senator or representative from Delaware, Maryland, Missouri, or West Virginia participated in the Southern Caucus or Southern Delegations, I do not include this more expansive definition of the South. Farhang and Katznelson, “The Southern Imposition,” 1.

³⁰ Although southern intraparty organization in the Senate and House was most commonly referred to as the “Southern Caucus” and “Southern Delegations” respectively, individual members called the groups by other names. In the Senate, for example, Senator Richard B. Russell called conferences by the southern bloc “Constitutional Democrats Meeting” and addressed members as “Southern Patriots” in Caucus correspondence. In the House, when corresponding with members of the Southern Delegations, Representative William Colmer occasionally referred to the group as the “Southern Group of Congressmen.” See Robert A. Caro, *Master of the Senate*. (New York: Vintage Books, 2002), 218-220. Richard B. Russell to Southern Caucus, September 3, 1959, University of Georgia Special Collections (UGASC), Richard B. Russell Papers, Series X, Box 186, Folder 13; William Colmer to W.G. Martin, January 6, 1950, USMML, Colmer Papers, Box 464, Folder 12.

³¹ Because this study is concerned with intraparty organization, it uses an objective criteria, attendance and participation records, to identify “who is in and who is out.” As a result, I contend that the study is unlikely to be influenced by any biases stemming from more subjective definitions of the “South” or “Southernness,” which as Springer observes, can profoundly influence a study’s substantive conclusions. Melanie J. Springer, “Defining ‘the South’ (Is Not a Straightforward Matter),” working paper available from <http://www.sppc2011.org/Papers/Springer.pdf>.

for organizational change or entrenchment: southern efforts to defeat anti-lynching and anti-poll tax legislation, and their collective response to the Supreme Court's landmark opinion in *Brown v. Board of Education*.³² In each episode, I pay particular attention to the asymmetric organizational efforts of southerners across the two chambers of Congress.

1. Intraparty Organization in the South

Let us revisit the three governing principles of intraparty organization identified in Chapter 1. First, intraparty organization offers a solution to the collective action and coordination problems that rank-and-file legislators who share the same or similar policy objective may face as they seek to move policy toward their ideal points and away from those of party leaders. Second, lawmakers will seek to limit the authority of their intraparty organization, endowing it with additional powers only if the organization fails to meet their shared objectives. Third, all else equal, an intraparty organization in the House will be more bureaucratized than a counterpart organization in the Senate. Here, I consider each of these principles as they apply to the activities of the Southern Caucus and Southern Delegations respectively.

The Roots of Southern Intraparty Organization

In his pioneering study of southern behavior, Key observed “that the Democratic party of the South consists of factions ranging across the political spectrum.”³³ Serious consideration of southern factionalism — in particular, differences in southern preferences and priorities — reveals a significant, and previously unexplored, collective action problem. As historians and political scientists have documented, all Southern Democrats benefited from the maintenance of Jim Crow, which ensured their continued reelection and disproportionate control of congressional leadership posts. So long as they could claim to support the southern cause, this benefit accrued to all members, irrespective of how much effort an individual lawmaker actually contributed to sustain the racial status quo. Both racial conservatives, like Sen. Theodore Bilbo (D-MS), and relative moderates, like Sen. Russell Long (D-LA), were able to thrive in a political environment shaped by black repression and to reap the institutional rewards of continued electoral success.

What such scholarship fails to consider, however, is that Southern Democrats were not equally dedicated to the defense of their region's racial order. Representing a diversity of southern constituencies, the region included both “moderate” and conservative” lawmakers. Even congressional delegations from the Deep South harbored ideological divisions that sparked disagreements over what legislation posed a meaningful challenge to Jim Crow. As Alabama's Governor, Frank M. Dixon, observed, “We [the] people of the South have had our divisions...

³² *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954); *Brown v. Board of Education of Topeka*, 349 U.S. 294 (1955).

³³ Key, *Southern Politics*, 361.

But we want, and we must have, if we are to have any hope of success...the South united.”³⁴ Other lawmakers simply had different legislative priorities and political ambitions.³⁵ Although far from racially progressive, a number of southern legislators were motivated principally by other substantive matters — namely agricultural recovery, southern industrialization, and foreign policy — believing them to be of greater concern to voters.³⁶ Still others harbored presidential ambitions, and understood that doggedly defending Jim Crow would undermine their hopes for the Democratic nomination.

Southern legislators who, for personal, political, or electoral reasons, were not passionate defenders of Jim Crow could simply focus on other legislative priorities, confident that their colleagues would work to safeguard the racial status quo they all benefited from.³⁷ Such members could, and did, pay lip service to the broad goals of southern unity and autonomy without actively defending Jim Crow. Indeed, as one liberal Democrat observed, “these [southern moderates] enjoy the benefits of southern hospitality, southern power, and southern support, but...carefully avoid the liabilities.”³⁸ In this regard, the situation faced by Southern Democrats resembled that of their Insurgent predecessors.

In both cases, a collection of individuals shared a common desire to secure what economists term a “public good” — the protection of Jim Crow for the South and rules reform for the Insurgency. But, each group struggled to transform its shared preferences into action because of the individual-level incentive for “moderate” members to free-ride on the provision of that public good. In both cases, unity was necessary to achieve their desired ends, yet it was difficult to secure precisely because the benefits of achieving the common policy aims could not be made excludable. To be sure, one key difference between the progressive and southern cases was the nature of the public good in question. While the progressive Insurgents sought to change the status quo, the Southern Democrats hoped to preserve it. Accordingly, formal collaboration

³⁴ Frank M. Dixon, “Keynote Address,” July 17, 1948, USMML, Colmer Papers, Box 464, Folder 9 “Civil Rights.”

³⁵ This kind of policy differentiation should not be surprising, even on an issue as central to “southern identity” as race. As Schiller argues, even senators who represent the same state routinely carve out distinct representational profiles in an effort to distinguish themselves from their counterparts. Wendy Schiller, *Partners and Rivals: Representation in U.S. Senate Delegations* (Princeton: Princeton University Press, 2000).

³⁶ Consider Sen. Price Daniel (D-TX), who entered the Senate with one primary legislative goal in mind: to retain for Texas the title to submerged lands and mineral rights off the state’s coast. Although he participated in the southerners’ organization, when, in 1953, Congress passed the Submerged Land Act and Outer Continental Shelf Land Acts, Daniel chose to retire from the Senate rather than continue his work with the Southern Caucus. Charles V. Waite, *Price Daniel: Texas Attorney General, Governor, and Senator* (Ph.D. Diss., Texas Tech University, 1998), 136-138. See also Finley, *Delaying the Dream*, 138-190.

³⁷ Southern lawmakers’ private correspondence suggests that a small number of the region’s representatives and senators were troubled by racially motivated violence and lynching in particular. Still others from industrializing and urban districts recognized that, in the long run, if the growing black middle class were ever to mobilize politically, it would be prudent in the short run to avoid an overtly racist record of service in Congress. See also Finley, *Delaying the Dream*, 46-47, 147-149, 213, 243, 287.

³⁸ Hubert Humphrey as quoted in Robert Mann, *The Walls of Jericho: Lyndon Johnson, Hubert Humphrey, Richard Russell and the Struggle for Civil Rights* (Harcourt Brace & Co., 1996), 117.

was necessary for the Insurgents to successfully force rules reform onto the legislative agenda; given the filibuster rule in the Senate, the Southern Democrats required comparatively less in the way of organization to prevent civil rights legislation from reaching a vote.

The central argument of this chapter is that intraparty organization was an effective solution to the southerners' collective action problem. Intraparty organization provided a way for southern senators and representatives to offset the incentive for so-called "moderate southerners" to free-ride on the region's collective efforts to defend de jure racial discrimination. By furnishing incentives only to members of the Southern Caucus and Southern Delegations who contributed their fair share, southern intraparty organization enabled the South's active defenders of Jim Crow to secure the cooperation of their more ambivalent colleagues. In this regard, southern intraparty organization differed from that of the progressive Insurgency. While the latter relied principally on punishment mechanisms to achieve the collective pursuit of rules reform, southern organization offered its membership selective incentives to compensate and reward members for their active support and defense of Jim Crow. For the Southern Caucus, these incentives included access to congressional power brokers, promotion to prestigious committee positions, far-reaching electoral support during primary campaigns, assistance securing local programming, aid in constituent services, and opportunities to legitimately claim credit for the defense of southern interests. The Southern Delegations offered similar electoral incentives, but as we will see, had a more limited capacity to reward members' participation with institutional favors, relying to a greater extent on electoral perquisites. Intraparty organization would also help southerners to resolve a vexing set of coordination problems, which I discuss in greater detail in the next chapter.

Southern Organization in the Senate

Contrary to the view that Southern Democrats collaborated as a formal voting bloc prior to or during the early years of Roosevelt's presidency, the personal papers and internal records of the Southern Caucus and the Southern Delegations suggest that southern lawmakers only began to organize their ranks in the late New-Deal era. Alarmed by the emergence of a bipartisan consensus supporting anti-lynching legislation, a select group of southern senators gathered throughout the summer months of 1937 to discuss potential strategies to counter proposals being considered by the House and Senate Judiciary Committees. Although composed primarily of senators from the Deep South, the group also included senators from Virginia, North Carolina, Florida and, periodically, Tennessee and Kentucky.

As I demonstrate in this chapter and the next, and consistent with the theory of intraparty organization introduced and developed in this dissertation, the Southern Caucus began as a loose, entrepreneurial organization. Southern senators capitalized on the institutional levers of power supplied by the upper chamber — specifically, the Senate's rules and norms privileging individual prerogative, and southerners' considerable seniority and disproportionate access to positions of parliamentary authority. With these resources at hand, southern senators were reluctant to cede significant power to an intraparty organization. Rather, their early organization functioned primarily as an informational clearinghouse. Indeed, the Caucus's first leader, Sen.

Tom Connally (D-TX), although elected by the group, had little formal authority or binding mechanisms to discipline members or compel them to act in ways they would not otherwise.³⁹

Over the course of the next three decades, however, southern senators' collaboration became increasingly formalized, moving from an entrepreneurial form of organization similar to that devised by Senate Insurgents, to a more bureaucratized form similar to that adopted by House Insurgents. By the late 1940s, Caucus leaders — headed by Senator Richard B. Russell (D-GA) — began to track meeting attendance and participation and further restricted the bloc's membership. Under Russell's leadership, the Caucus drafted press releases and shaped members' public statements, developed a system of task-force committees to research and advance the group's policy objectives, and organized "filibuster teams" to orchestrate and sustain Senate obstruction and monitor floor activity. To safeguard Caucus members from primary challenges and Republican opposition during general elections, the organization also fostered collaboration among members' reelection campaigns. Perhaps most significantly, members of the Southern Caucus ultimately agreed to be bound by the group's internal decision-making: once the Caucus had voted on a particular issue or strategy, members were expected to toe the line. On the rare occasion a member broke ranks, the organization was quick to administer sanctions: censure or demotion for first-time offenses and expulsion for repeat violations.⁴⁰ These sanctions were far from toothless — particularly in the case of expulsion, members would no longer be able to access the significant benefits the Caucus provided, including the opportunity to claim credit for the group's efforts with their increasingly restive constituents.

What explains the evolution of the Southern Caucus? For the progressive Insurgents, their inability to achieve reform through informal and atomized organization motivated them to turn to more formal means of ensuring unified action. In contrast, the Southern Caucus evolved in response to the increasing number and severity of perceived threats. During the early years of Roosevelt's presidency, Democratic leaders succeeded in keeping racial matters from serious consideration. However, by 1937, race was increasingly "on the table." Fearful that the proliferation of legislative proposals aimed at advancing black rights augured the end of Jim Crow, and increasingly convinced that obstruction by individual committee chairs and filibustering senators would be insufficient to hold back the liberal tide, southern members looked to the Southern Caucus to orchestrate their "do or die" defense. As I argue in the following chapter, when the battle for Civil Rights intensified in the 1940s and 1950s, the Senate bloc's tactics and organizational strategies became ever more formalized. As members deepened

³⁹ To be sure, Connally possessed significant informal resources to sway his regional cohorts. A dynamic individual and brilliant orator, Connally was well respected by southerners and nonsoutherners alike; not one to mince words or hew to the Senate's tradition civility, legislators learned to fear his caustic wit and trenchant criticism. And, as chairman of the powerful Senate Committee on Foreign Relations, Connally was a shrewd gatekeeper — dispensing favors to cooperative senators and bottling up the proposals of his political enemies.

⁴⁰ Russell Office Memorandum, January 9, 1967, UGASC, Russell Papers, Series X, Box 186, Folder 5. *See also* Spessard Holland to Harry F. Byrd, June 13, 1951, UVASL, Byrd Papers, Box 200, Folder "Holland, Spessard"; Byrd to John S. Knight, December 22, 1951, UVASL, Byrd Papers, Box 200, Folder "Holland, Spessard"; Byrd to Holland, January 7, 1952, UVASL, Byrd Papers, Box 200, Folder "Holland, Spessard"; Holland to Byrd, January 11, 1952, UVASL, Byrd Papers, Box 200, Folder "Holland, Spessard."

their cooperation in response to the intensity of the challenges to Jim Crow, their individual autonomy diminished.

Southern Organization in the House

Southern organization in the House has received comparatively little attention from students of congressional history. Similar in spirit, if not form, to the Southern Caucus, the so-called “Southern Delegations” strove to defend the South’s regional interests in the House of Representatives. Contrary to the House Insurgents, who prized their independence and autonomy from Senate progressives, southern state delegations looked to their respective senators for direction on critical policy matters. As a result, the Southern Delegations was not a locus of independent decision-making; rather, the group worked to implement strategies devised by the Southern Caucus and to provide electoral support for southern representatives. Intended to further a more restricted set of ends than the Southern Caucus, the Southern Delegations possessed only limited formal organizational capacity to control the actions of its membership. As we will see, cohesion among southern representatives was more often the result of top-down direction from members of the Southern Caucus to their respective state delegations than the product of an autonomous intraparty organization.

These distinctive features of midcentury southern political organization suggest refinements to the theory of intraparty organization set forth in Chapter 1. Recall that, all else equal, intraparty organizations established in the Senate are likely to be without binding mechanisms and rules governing participation, incorporating instead looser and more collaborative arrangements that permit members to retain significant autonomy and equality. Conversely, intraparty organization in the House is likely to rely on more institutionalized disciplinary tools to facilitate coordination and collaboration among representatives.

Two factors help to explain the reverse outcome we see in the southern case. First, southern Democrats in the House, unlike their Senate colleagues, rarely possessed sufficient numbers to be pivotal in floor votes on civil rights issues. Indeed, by 1935 — two years before the formation of the Southern Caucus — progressive racial legislation enjoyed considerable bipartisan support in the House, perhaps sufficient to secure the passage of a relatively moderate proposal to reform Jim Crow’s most odious features. Lacking the possibility of a pivotal role on the House floor, southern Democrats had little incentive to invest in any of the whipping mechanisms used by their colleagues in the Senate or their Insurgent predecessors. Compounding the challenges facing southern representatives, the majoritarian rules of the House made it difficult to implement the strategies of obstruction and delay that their senate peers could deploy when they too lacked a floor majority. When possible, senior House members leveraged their committee posts, and in particular, their control over the Rules Committee, to prevent civil rights legislation from reaching the floor.⁴¹ Relying on the Rules Committee certainly required

⁴¹ Katznelson, Geiger and Kryder, “Limiting Liberalism,” 285. Although southern representatives controlled a majority of House committees at the start of the New Deal, procedures such as the discharge petition limited the efficacy of these parliamentary maneuvers.

coordination between the committee's southern members, but did not necessitate the same large-scale organization as would be used to prosecute a floor campaign. As a result, and consistent with the theory, the activities of the Southern Delegations were less regular and less organized than those of the Southern Caucus.

Second, in the midcentury "authoritarian" South, statewide political organizations — beginning locally with municipal boards, state legislators and attorneys general, and continuing upwards to the governor and lawmakers elected to the House of Representatives — were typically directed and overseen by their senior (and sometimes junior) senators in Washington.⁴² Consequently, the individual state delegations comprising the Southern Delegations looked first to their Senate colleagues, and only second to the leadership of their intraparty organization when seeking to coordinate their activities. As reflected in the name House members chose for their group, intraparty organization provided a forum for representatives to work together, across state delegations, as directed by their respective senate leaders. Although the group occasionally advanced policy proposals that were to be initiated in the House, the Southern Delegations had limited autonomy to engineer southern strategy. For these reasons, the Southern Delegations did not adopt the disciplinary tools favored by the Southern Caucus and common to other House intraparty organizations, relying instead on the hierarchical structure of southern politics to direct their activities.

With this theoretical framework in mind, the remainder of the chapter traces the evolution of both organizations during the three decades following the New Deal, focusing in particular on the tactics and strategies southern lawmakers used to foster solidarity and collective action.

2. Anti-lynching Legislation, 1935-1938: The Genesis of the Southern Caucus

Prior to the late 1930s, southern lawmakers had little reason to organize their ranks. As Finley contends, "Jim Crow required little validation because it faced few serious challenges."⁴³ When Democrats controlled a majority in either legislative chamber, southerners could count on an implicit intraparty bargain: legislation that might split the northern and southern wings of the party would not reach the floor. On the rare occasion an objectionable proposal materialized, southern representatives and senators could rely on the independent efforts of a minority of their colleagues to dispatch the legislation. In comparison to non-southern members of Congress, southern lawmakers were particularly well equipped to defend their regional interests with minimal coordinated activity. Individual southerners had the power to shape, schedule, and withhold legislation, relying on their status as ranking members on major standing committees in both chambers, and on cooperative Democratic floor majorities. Little collaboration between

⁴² Though southern states were often divided by factionalism at the local level, state officials subordinated themselves to the authority of the senior statesmen representing the South in national politics. Michael Perman, *A Pursuit of Unity: A Political History of the American South* (Greenville: University of North Carolina Press, 2010), 188-190. See also Robert W. Mickey, "The Beginning of the End for Authoritarian Rule in America: *Smith v. Allwright* and the Abolition of the White Primary in the Deep South, 1944-1948," *Studies in American Political Development* 22 (2008), 143-182.

⁴³ Finley, *Delaying the Dream*, 8.

representatives or senators was necessary to detain legislation in committee. The Senate's expansive right to recognition and debate likewise afforded individual members the opportunity to obstruct legislation even after it had been referred to the floor.

Consider the 1922 Dyers Anti-lynching Bill. Following a wave of lynchings throughout the South, Republican congressman Leonidas C. Dyers (R-MO) introduced legislation to classify lynching as a federal crime. In the Republican-controlled House, southern representatives were unable to obstruct the bill's consideration. Although several southern members were seated on the House Judiciary Committee to which the proposal was referred, the bill was reported to the floor with the aid of the committee's Republican chair. With full Republican backing, Dyers' legislation passed the House, 231-119, in a nearly party line vote.⁴⁴ Once referred to the upper chamber, however, southerners were able to exploit Senate procedure to obstruct Dyers' proposal; unable to overcome the stiff resistance, the measure was withdrawn from consideration. Although most of the South's senators opposed Dyers' proposal, Finley observes that "the majority of them recognized that the bill stood little chance of success and thus they left the task of defeating the proposal to the region's more demagogic statesmen."⁴⁵

By 1935, however, southern lawmakers were far more concerned about the long-term survival of Jim Crow, despite the assurance of Democratic control in both houses of Congress. Prompted by a spike in lynchings during the Great Depression, two Democratic senators, Edward P. Costigan (D-CO) and Robert F. Wagner (D-NY), reintroduced legislation that would make lynching a federal crime. As in 1922, the Costigan-Wagner proposal was met with strong southern opposition. With less than a dozen senators participating in a filibuster, the Southern Democrats were able to quash the bill before it could come to a vote.⁴⁶ However, the senators sensed that their victory might be fleeting. For the first time, prominent Democratic senators had led the anti-lynching drive, and their proposal received considerable bipartisan support. For southerners, even limited Democratic support for anti-lynching legislation signaled a sea change in partisan politics.⁴⁷ Soon, they feared, liberals within the Democratic coalition would introduce "legislation to break down segregation of the races in schools, hospitals, churches, restaurants, hotels, bath houses, and all other public places, as well as bills giving the ballot to every negro, and striking down the State statutes preventing intermarriage of the races."⁴⁸ Something must be done, the South's senior statesmen agreed, to defend "the historical principles of the Democratic

⁴⁴ *Congressional Record*, 67th Congress, 2nd Sess., 1922, 62, 1795-1796.

⁴⁵ Finley, *Delaying the Dream*, 23.

⁴⁶ *Congressional Record*, 74th Congress, 1st Sess., 1935, 79, 6672.

⁴⁷ Arthur Krock, "In the Nation: Unusual Aspects of Anti-lynching Bill Fight," January 28, 1938, *New York Times*, 20. This change in partisan politics was driven, in part, by the Great Migration of black citizens into major northern cities. With larger black constituencies, northern Democrats were incentivized to compete for black votes, which at the very least meant supporting widely popular civil rights legislation.

⁴⁸ Russell to W.T. Duncan, January 20, 1938, UGASC, Russell Papers, Series X, Box 2, Folder 4.

Party.”⁴⁹ As Finley writes, “[T]he freedom to remain on the sidelines during civil rights battles...became a luxury that southern senators could ill afford.”⁵⁰

The summer of 1937 saw renewed consideration of anti-lynching legislation and galvanized southern senators to organize their ranks in opposition. In 1922, only eight House Democrats had supported anti-lynching proposals; in contrast, by 1937, 171 of the 185 nonsouthern Democrats in the House favored the legislation sponsored by Joseph A. Gavagan (D-NY) and Wagner and Frederick Van Nuys (D-IN) in the Senate. Given the magnitude of support for the legislation in the House, where the votes of the thirty-odd Republicans necessary for the bill to pass were virtually assured, formally organizing southern members in opposition to the bill was unlikely to yield a substantial benefit. Considering both the overwhelming odds of defeat and the wide-ranging costs to organization, House members opted, for the moment, not to collaborate formally. Ultimately, despite unanimous southern opposition, the Gavagan proposal passed the House 277-120, with a majority of Democratic votes and the Republican minority divided.⁵¹

The Origins of the Southern Caucus

Referred to the Senate Judiciary Committee, the upper chamber would be the South’s final opportunity to prevent the passage of a federal anti-lynching law. Formally gathering for the first time in June 1937, senators representing much of the former Confederacy elected Connally to lead the fight against “any... sectional bill aimed against the South.”⁵² Although Connally was well respected by both wings of the Southern bloc, members of the Southern Caucus delegated him little leadership power.⁵³ The senators’ preference for informal, entrepreneurial intraparty organization reflected the institutional opportunities available to southern lawmakers in the Senate. Considering southern senators’ relative equality in terms of seniority and positions of leadership within the Senate’s committee structure, and the ability of

⁴⁹ Sam Ervin to Stennis, April 12, 1966, MSUSC, Stennis Papers, Series 28, Box 1, Folder 106.

⁵⁰ Finley, *Delaying the Dream*, 23.

⁵¹ *Congressional Record*, 75th Congress, 1st Sess., 1937, 81, 3563-3564. A dozen Republicans joined the Southern Democrats in voting against the resolution.

⁵² Correspondence suggests that Sen. Hugo Black (D-AL), soon to depart for the Supreme Court, did not attend these early meetings of the Southern Caucus. It is unclear whether or not he was invited to attend. When Black left the Senate in December 1937, he was replaced by Sen. Lister Hill (D-AL), who became an active participant in the southerners’ organization. Although senators from Arkansas would later join the Southern Caucus, in 1937 their attendance was disrupted by the death of Senator Joseph Robinson in July of that year. John Bankhead to Knox Gilmore, July 7, 1943, LOCMD, Thomas Connally Papers, Box 126, Folder “Anti-Lynching Bill - 78th Congress.” See also Finley, *Delaying the Dream*, 26-48.

⁵³ The Texas senator’s relatively moderate approach to race relations and consistent support for New Deal policies made him an appealing leader for the South’s more progressive members. Connally also remained popular with nonsoutherners for his “apparent moderation.” At the same time, Connally was the son of a Confederate veteran and his fealty to southern interests was never questioned by more conservative members of the group. “Leader Connally,” January 27, 1938, *El Paso Herald*, LOCMD, Connally Papers, Box 126, Folder “Anti-Lynching Bills.”

all legislators to filibuster legislation on the chamber floor, they were reluctant to relinquish their independence at the first sign of trouble.⁵⁴

In contrast to later iterations of southern organization, the first meetings of the Southern Caucus were broadly inclusive: membership was extended to nearly every senator from the former confederacy, and all invitees attended (see Figure 4.1). Initially, high levels of attendance — and later, nearly unanimous opposition to federal anti-lynching legislation — were not indicative of southern agreement on the matter. Unlikely allies on racial matters, Sen. Claude Pepper (D-FL) and Sen. Harry Byrd (D-VA) both favored state-level anti-lynching legislation.⁵⁵ Indeed, throughout his Senate tenure, the arch-conservative Byrd would claim credit for “recommend[ing] to the General Assembly of Virginia [as Governor] the Byrd anti-lynching law, the strongest anti-lynching law ever passed by any State before or since.”⁵⁶ On the other hand, strict conservatives like Bilbo and Sen. Ed “Cotton” Smith (D-SC) vehemently opposed state and federal interventions of any kind.⁵⁷

Statements by Roosevelt’s Vice President John Nance Garner suggest that southern politicians, more generally, did not view anti-lynching legislation with equal antipathy. “Although I live in Texas and all my ancestors came from Virginia and other southern states,” Garner confided to Roosevelt’s Secretary of Interior Harold L. Ickes, “I am in favor of an anti-lynching law.”⁵⁸ Although a strict conservative and by his own admission, a “true confederate,” the Vice President encouraged Roosevelt to support the legislation. “We ought to pass the anti-lynching bill at this session...I can talk to Tom Connally and line him up and you can get other southern Democrats to support the bill. It would pass the House easily and I think that we could put it through the Senate by a two to one vote.”⁵⁹ While there is little evidence that Garner actually approached Connally on the matter or sought to persuade him to accept the legislation, the Vice President’s statement nonetheless exemplifies the diversity of southern preferences on anti-lynching bills and suggests that the legislation had the chance to pass both chambers.

Perhaps in an effort to pacify both moderate and conservative members of the Southern bloc, Connally articulated a middle-ground states’ rights position, offering what would become the group’s standard refrain on anti-lynching codes. In letters to constituents he wrote, “I

⁵⁴ Caro, *Master of the Senate*, 90.

⁵⁵ Pepper privately favored anti-lynching legislation and viewed the support given the anti-lynching fight by southern women’s groups and several church associations as evidence “the South is changing.” Nonetheless, Pepper feared that abandoning his southern colleagues shortly before jumpstarting his reelection campaign would jeopardize his prospect of victory. Claude D. Pepper, *Eyewitness to a Century* (New York: Harcourt Brace, 1987), 59-60.

⁵⁶ Harry F. Byrd to Stanley Ellen Degler, October 22, 1958, UVASL, Byrd Papers, Box 242, Folder “Massive Resistance.”

⁵⁷ Bilbo to J.D. Roberts, January 11, 1938, USMML, Theodore Bilbo Papers, Box 331, Folder “11 January 1938 B.” See also Finley, *Delaying the Dream*,

⁵⁸ Harold L. Ickes, *The Secret Diary of Harold L. Ickes* (New York: Simon and Schuster, 1954), Vol. 2, 20.

⁵⁹ Ickes, *The Secret Diary*, 107.

heartily disapprove of lynchings. It is my belief however, that they can be best prevented through...local officers...rather than by threatened retaliation on the part of the Federal government.”⁶⁰ In conferences with his southern colleagues, however, Connally warned that acts of lynching damaged the South’s “genteel image” and “caused a ruckus” among liberal Democrats that did little good for the southern cause.⁶¹

In addition to their ideological divide over the “justice” of anti-lynching codes, southern lawmakers also disagreed over how best to counter the federal anti-lynching legislation once it reached the Senate.⁶² A handful of more moderate senators argued that the Caucus should allow the bill to pass and let the courts overturn what was, in their view, an obviously unconstitutional measure.⁶³ Relying on the Court to defend Jim Crow would free lawmakers from the hard work of filibustering to prevent cloture and spare them from organized censure by members of the Association of Southern Women for the Prevention of Lynching, which was by 1937 active in most southern states.⁶⁴ In a Caucus vote, however, a majority agreed the legislation should not be allowed to win passage for fear it would encourage further incursions against the Jim Crow system. Instead, Caucus members advocated a formal filibuster on the Senate floor.⁶⁵

In subsequent meetings, the group debated the details of their parliamentary strategy. Members of the Southern Caucus believed that, in contrast to previous obstruction efforts, sustaining a filibuster against the present anti-lynching bill would prove more challenging. News reports indicated that seventy senators had pledged to support the legislation. If these reports were accurate, Wagner and Van Nuys had the two-thirds of the chamber votes to end debate. Consequently, the southerners would have to find a way to prevent a cloture vote.⁶⁶ At Connally’s suggestion, the Caucus voted to shift from using the filibuster as an explicitly dilatory tactic to a strategy that relied on the lengthy speaking opportunities afforded by the filibuster to mount an “educational campaign.” In an effort to turn public and congressional opinion against

⁶⁰ Tom Connally to C.L. Brooks, March 15, 1940, LOCMD, Connally Papers, Box 126, Folder “Anti-Lynching Bills.”

⁶¹ Tom Connally, *My Name is Tom Connally* (New York: Thomas Y. Crowell Company, 1954), 45-46.

⁶² Ickes, *The Secret Diary*, 20.

⁶³ Finley, *Delaying the Dream*, 34-35.

⁶⁴ Henry E. Barber, “The Association of Southern Women for the Prevention of Lynching,” *Phylon* (1960), 378-389.

⁶⁵ With a western Democrat chairing the Judiciary Committee, it would be difficult for the Caucus to keep the anti-lynching measure bottled up in committee. However, the proposal could be halted on the floor by taking advantage of the cloture guidelines established by Senate Rule 22 and Senate Rule 3. Senate Rule 22 — also known as the “gag rule” — provided the Senate a means to end debate with a two-thirds majority vote, referred to as “cloture.” Because two-thirds of the Senate body had to be present to vote for cloture, Rule 22 provided a high bar to end continuous debate, known pejoratively as “filibuster.” Senate Rule 3 makes the reading and correction of the previous day’s *Senate Journal* privileged business. Generally, the Senate approves the *Journal* without debate by unanimous consent, but by objecting to the *Journal*, senators can make the correction process pending business that cannot be ended by a cloture vote. For southerners’ view of “filibuster” see Connally to Russell, December 23, 1937, UGASC, Russell Papers, Series X, Box 1, Folder 4.

⁶⁶ Finley, *Delaying the Dream*, 34.

the legislation, the southerners' defense would eschew racist demagoguery and nongermane exposition and instead rely on "secular" or "constitutional" criticism of the bill. To this end, Connally distributed "information... valuable in debate in the Lynching Bill" to Caucus members.⁶⁷

As Connally described in a confidential memorandum to the Caucus, there would have to "be uniformity of action among our group when the bill is taken up" for this tactic to achieve maximum effect.⁶⁸ Southerners who generally refrained from civil rights debates would have to filibuster together with their more vocal colleagues; senators prone to virulent racism in their speeches would have to moderate their incendiary remarks.⁶⁹ However, facing resistance from the group's most inveterate white supremacists, Connally had little capacity to enforce compliance. Instead, the Caucus leader took advantage of his control of the group's speaking schedule to ensure that more moderate members would speak first. By the time extremists like Bilbo and Smith were called to the floor, a week or two into the debate, attendance would be low and damage would be minimized.⁷⁰ In this way, Connally used what organizational capacity he possessed to engineer southern solidarity.

After several weeks of debate, on January 27, 1938, Senate leaders finally called for a cloture vote, which failed, 37-51.⁷¹ Russell attributed the southerners' victory to changes in public support for the measure: "the fight we have made has crystallized public opinion in our favor, even in the Northern and Western states."⁷² Wagner, the bill's Senate sponsor, identified a different culprit, "declaring there was little likelihood of breaking the filibuster since it became apparent that the Southerners were organized to speak in relays and had enough ammunition to hold out."⁷³ In retrospect, the southerners had little to fear. Republican support for the anti-lynching legislation was weak and non-southern Democrats were not uniformly committed to the proposal. But even as late as January 1938, there was a strong fear among members of the

⁶⁷ Connally to Charles Andrews, Pepper, Russell, John H. Overton, Allen Ellender, Pat Harrison, Bilbo, Walter George, February 9, 1939, LOCMD, Connally Papers, Box 126, Folder "Anti-Lynching Bills."

⁶⁸ Connally to Russell, December 23, 1937, UGASC, Russell Papers, Series X, Box 1, Folder 4.

⁶⁹ Pepper and Sen. James Byrnes, in particular, were known for rarely engaging in southern filibusters prior to the organization of the Southern Caucus. But even relatively conservative Senator Russell had refrained from participating in the 1935 filibuster over the Costigan-Wagner proposal.

⁷⁰ "Move to Displace Anti-Lynching Bill," *New York Times*, January 22, 1938, 5.

⁷¹ *Congressional Record*, 75th Congress, 3rd Sess., 1938, 83, 1166. Following the success of their educational campaign, several members of the Southern Caucus sought to shift the bloc's strategy from defense to offense. While Bilbo pressed his colleagues to extend the filibuster for the entire congressional session, Ellender promised to attach amendments to the anti-lynching proposal that would require the chamber to vote on interracial marriage. Confident that the Senate majority would not vote in favor of interracial marriage, Ellender believed the proponents of the anti-lynching bill would be forced to withdraw the measure. Reluctant to surrender to the southern bloc, however, the bill's advocates filed another cloture petition in February 1938. This vote failed as well and the legislation was finally withdrawn from consideration.

⁷² Russell to John A. Boykin, January 29, 1938, UGASC, Russell Papers, Series X, Box 2, Folder 3.

⁷³ "Move to Displace Anti-Lynching Bill," *New York Times*, January 22, 1938, 5.

Southern Caucus that, in Bilbo's words, "[anti-lynching legislation] is going to pass regardless of what we say or do."⁷⁴

The southern senators' victory validated their decision to form the Southern Caucus, which had engineered a united front against federal anti-lynching legislation where none had previously existed. Collaboration and a coordinated strategy had aided southern senators in their efforts to erode public and congressional opinion in favor of civil rights. Moreover, the organization empowered southern senators to credibly claim credit for their actions by providing a network of senators eager to testify on behalf of their colleagues. Sen. John Bankhead (D-AL), for one, enclosed supporting statements from Connally and other Caucus members in letters to constituents after the anti-lynching fight as surety that he was "a true blue Southerner."⁷⁵ Controlling what lawmakers could legitimately claim credit for not only offered participating senators an incentive to work with the organization, but it also effectively transformed the "legitimate defense of the South" into an excludable good. This made it more challenging for free-riding southerners to convince their constituents that they supported the region's cause when they were denied the Caucus's stamp of approval.

Figure 4.1: Southern Caucus Membership, 1937-1938

State	Participating Senators	
Alabama	John H. Bankhead	J. Lister Hill
Florida	Charles O. Anderson	Claude D. Pepper
Georgia	Walter F. George	Richard B. Russell
Louisiana	Allen J. Ellender	John Holmes Overton
Mississippi	Theodore G. Bilbo	Byron Pat Harrison
North Carolina	Josiah W. Bailey	Robert Rice Reynolds
South Carolina	James F. Byrnes	Ellison DuRant Smith
Tennessee	George L. Berry	Kenneth D. McKellar
Texas	Thomas T. Connally	Morris Sheppard
Virginia	Carter Glass	Harry F. Byrd

Source: Connally to Russell, December 23, 1937, UGASC, Russell Papers, Series X, Box 1, Folder 4.

⁷⁴ Bilbo to Roberts, January 11, 1938, USMML, Bilbo Papers, Box 331, Folder "11 January 1938 B."

⁷⁵ Bankhead to Connally, July 7, 1943, LOCMD, Connally Papers, Box 126, Folder "Anti-Lynching Bills." In dealing with one constituent, Bankhead advised Connally to write to the individual personally to make clear "what has taken place." The constituent questioned Bankhead's "attitude on anti-poll tax legislation or anti-lynching legislation or any other anti-Southern measures that have come before Congress since you have been in the Senate," and Bankhead appealed to Connally for assistance. Gilmore to Bankhead, 3 July 1943, LOCMD, Connally Papers, Box 126, Folder "Anti-Lynching Bills."

3. Anti-Poll Tax Legislation, 1942-1949: Quelling Internal Debate

Although Connally and his Senate colleagues had hoped their defeat of anti-lynching legislation would discourage further attempts to intervene in southern affairs, the drive for civil rights continued. The early 1940s marked the beginning of a prolonged bipartisan effort to abolish the poll tax as a prerequisite for voting in federal elections. A linchpin of Jim Crow in many southern states, the poll tax functioned as a de facto restriction on the electoral participation of blacks and poor whites, helping to ensure that the southern electorate was limited to propertied white citizens. As in the battle against anti-lynching legislation, intraparty organization proved crucial to southern resistance. But, the drive to abolish the poll tax by federal law also posed new challenges for southern organization. In the Senate, the anti-poll tax campaign required members of the Southern Caucus to reconcile their divergent views of the South's system of franchise requirements so that they might, in Connally's words, "stand fast" and fight against the latest "anti-South legislation."⁷⁶ In the House, the anti-poll tax movement galvanized southern members to establish their own intraparty organization — the Southern Delegations — "to block such unsound, unwarranted, and unconstitutional attempts at legislation."⁷⁷

The first anti-poll tax bill was introduced in 1939 by Rep. Lee S. Geyer (D-CA).⁷⁸ Although a special subcommittee of the House Judiciary Committee was formed to consider the proposal, the chairman of the committee, Hatton Sumners (D-TX), refused to report the proposal to the floor.⁷⁹ Geyer reintroduced his bill in 1941. This time, with the assistance of the newly formed National Committee to Abolish the Poll Tax, he procured the necessary 218 signatures to discharge the proposal from Sumners' committee.⁸⁰ Although Geyer and the Committee stressed that the bill would enfranchise hundreds of thousands of impoverished and working-class whites who could not afford to pay the tax, Southern Democrats believed "the direct object of this movement [was] to enfranchise the Negro in the South."⁸¹ With nearly unanimous support from non-southern representatives, the bill passed the House, 252-84.⁸²

⁷⁶ Connally to F.E. Wilkerson, 15 January 1940, LOCMD, Connally Papers, Box 126, Folder "Newspaper Clippings and Articles." Connally to Charles Huff, 30 January 1940, LOCMD, Connally Papers, Box 127, Folder "Civil Rights."

⁷⁷ "Resolution of the Southern Representatives in Congress," December 1948, USMML, Colmer Papers, Box 464, Folder 9 "Civil Rights."

⁷⁸ *Congressional Record*, 76th Congress, 1st Sess., 1939, 84, 11229.

⁷⁹ Bruce Ackerman and Jennifer Nou. "Canonizing the Civil Rights Revolution: The People and the Poll Tax," *Northwestern University Law Review* 103 (2009), 76.

⁸⁰ "House Will Vote on Poll-Tax Bill," *New York Times*, September 23, 1942, 16.

⁸¹ Perlman, *Pursuit of Unity*, 253-254.

⁸² *Congressional Record*, 77th Congress, 2nd Sess., 1942, 88, 8174.

Once referred to the upper chamber, the bill was sponsored and substantially amended by Pepper, one the South's more liberal lawmakers. Although voted out of the sympathetic Senate Judiciary committee with a recommendation for passage, Pepper's colleagues from poll-tax states blocked the bill from coming to a vote on the Senate floor.⁸³ Legislation similar to the Pepper bill was reintroduced by northern Democrats in 1943 and 1945. Each bill passed the House with minimal southern support, but was unable to overcome the filibustering tactics of a unified Southern Caucus in the Senate.⁸⁴ In 1947, Rep. George Bender (R-OH) sponsored another anti-poll tax bill; it too, secured a majority in the House but died in the Senate. All told, between 1939 and 1949, thirty-nine bills to abolish the poll tax were introduced in the House and Senate. In each case, stiff southern resistance prevented the legislation from passing. Repeal of the poll tax would come only in 1964, with the passage of the Twenty-fourth Amendment.

Southern Senators Divided

Although members of the Southern Caucus came to agree that federal anti-lynching legislation constituted an unacceptable threat to the region's racial order, the drive to abolish the poll tax garnered no such consensus. In retrospect, the poll tax would seem to be a self-evident "race issue." Inserted into southern constitutions in the aftermath of the Civil War, the tax was one of several restrictions intended to curtail black voting in the former confederacy. As a result, Key argues that "southerners often associate[d] the poll tax with the limitation of Negro voting."⁸⁵ Acutely aware that their careers and political fortunes depended on the maintenance of a small and stable white electorate, southern senators representing poll-tax states were incentivized to protect the institutions, including the poll tax, that ensured a radically restricted franchise.⁸⁶ Exemplifying the view common in poll-tax states, Byrd warned Virginia officials that the tax's repeal would sacrifice a "sacred citadel of southern political power" and "undermine the very foundation of States Rights."⁸⁷ Despite Byrd's conviction that federal repeal of the poll tax would greatly compromise the Solid South, defending the tax did not serve as an initial rallying point for the Southern Caucus for two reasons.

First, by 1937, five of the thirteen southern states — Florida, Kentucky, Louisiana, North Carolina, and Oklahoma — had independently abolished (or never used) the poll tax as a voter qualification, choosing instead to rely on other formal and informal methods of voter exclusion,

⁸³ *Congressional Record*, 77th Congress, 2nd Sess., 1941, 87, 2698.

⁸⁴ In 1943, for example, only three southern representatives voted in favor of the anti-poll tax proposal.

⁸⁵ Key, *Southern Politics*, 372.

⁸⁶ Alabama, Arkansas, Georgia, Mississippi, South Carolina, Tennessee, Texas and Virginia required that citizens pay a poll tax as a prerequisite to vote. William M. Brewer, "The Poll Tax and Poll Taxers," *Journal of Negro History* 29 (1944), 260-299.

⁸⁷ Byrd to Henry W. Holt, December 6, 1944, UVASL, Byrd Papers, Box 182, Folder "Virginia State Poll Tax 1944." Brewer, "The Poll Tax," X; Byrd to Oscar W. Underwood Jr., April 29, 1942, UVASL, Byrd Papers, Box 182, Folder "Poll Tax Law Amendment."

including literacy tests and voter intimidation to limit black political participation.⁸⁸ As a result, the senators from those states had little reason to defend the right of other southern states to maintain the tax. And, as they privately conveyed, southern lawmakers from former poll tax states were poorly positioned to promote the virtues of the tax when their own electorates were no longer subject to it.⁸⁹

Second, even senators from poll-tax states were growing increasingly concerned that the tax disenfranchised millions of white voters who, trapped in debt by sharecropping and crop-lien arrangements after the Great Depression, could not afford to vote. Statistics gathered by the Southern Policies Committee in early 1939 “revealed an estimated disfranchisement of 64% of the white adult voters in the poll-tax states.” Moreover, the Committee’s work indicated that “in every one of these jurisdictions more whites than colored people were barred by this tax from voting.”⁹⁰ Motivated by a desire to enfranchise the “good, white people of the South” and fearful of increasing black mobilization in their electorates, some Caucus members “expressed the need for removing poll tax restrictions in order to increase the white vote.”⁹¹

In the Southern Caucus’s preliminary meetings it quickly became apparent that a successful effort to derail the anti-poll tax drive would require Caucus members to resolve their conflicting views on the poll tax. Unable to muster strong support from senators representing former poll tax states, active participation in the southern filibuster against Pepper’s 1942 proposal was largely limited to the sixteen senators from states where the tax continued to serve as a voting qualification. Although their obstruction prevented Pepper’s bill from coming to a vote on the Senate floor, the lack of unity within the southern bloc meant that a prolonged filibuster was, as Connally privately conceded, “harder on us.”⁹² Indeed, prior to the poll tax fight, Connally warned that with a fractured southern bloc, “being in a decided minority, we don’t get very far.”⁹³ Concerned about future battles, even in the wake of the Pepper bill’s defeat, the Southern Caucus gathered to devise a new strategy to prevent the passage of anti-poll

⁸⁸ North Carolina, Louisiana, and Florida abandoned the poll tax as a voting requirement in 1920, 1934, and 1937, respectively. In 1942, Bilbo reported that “Tennessee was all geared up to eliminate the poll tax as a prerequisite for voting,” as well. “Absentee Senators Ordered Arrested for Poll-Tax Fight,” *Los Angeles Times*, November 15, 1942, 1.

⁸⁹ Russell Long to Stennis, February 2, 1956, MSUSC, Stennis Papers, Series 33, Box 280, Folder “Special Committee.”

⁹⁰ Barry Bingham, *Southern Conference for Human Welfare Report, 1942*, 5, as quoted by Brewer, “The Poll Tax,” 264.

⁹¹ “Manuscript: A Washington News Letter,” March 19, 1945, UGASC, Russell Papers, Series X, Box 30, Folder 3; Byrd to Arthur Davidson, August 5, 1941, UVASL, Byrd Papers, Box 182, Folder “Poll Tax Law Amendment”; Byrd to E.W. Senter, January 18, 1945, UVASL, Byrd Papers, Box 192, Folder “Virginia State Poll Tax.”

⁹² Connally to W.B. Washington, March 30, 1940, LOCMD, Connally Papers, Box 126, Folder “Correspondence - 1939-1941.”

⁹³ Connally to David H. Byrd, February 2, 1940, LOCMD, Connally Papers, Box 126, Folder “Hearings.”

legislation. In particular, poll-tax supporters hoped to persuade the senators who had remained on the sidelines to join the fight.⁹⁴

Pro-poll tax members of the Southern Caucus used a variety of strategies to encourage the active participation of the entire group. First, key supporters of the tax lobbied senators from states that had recently abandoned their poll tax — Florida, Louisiana and North Carolina — by drawing attention to the role played by “outsiders” and “pressure groups” in the fight to repeal the tax and the importance of preserving southern autonomy. Appealing to their colleagues “in good faith,” these supporters stressed that “outside powers and influence are imposing terrific burdens on all of us in our areas,” and emphasized “that our people ought to be allowed to use their own good judgment...on whether it is better for them to have a poll tax or not to have the tax.” In lobbying their Caucus colleagues, supporters of the tax made clear the limits of an atomized strategy and the ramifications of noncooperation, arguing that success in eliminating the poll tax would embolden the region’s opponents and create a precedent for additional attacks on the South’s traditional suffrage requirements.⁹⁵ As Hill exhorted his fellow southerners: “Once we start abolishing the poll tax we must admit that the Federal Government and the Congress have the power to go into the whole field of [voter] qualifications.”⁹⁶ Likewise, Stennis warned: “We are in the midst of a real battle where the outcome is uncertain. These battles have been won for the past fifteen years by a filibuster, but at that time the Southern Senators held many key positions and controlled the machinery of the Senate. This is not true today.”⁹⁷

Moreover, as they had in the fight against anti-lynching legislation, senior members of the Caucus sought to revise the group’s rhetorical approach. Previously, supporters had defended the tax by emphasizing the importance of voter qualifications in preserving “real democracy” or by highlighting the tax’s role in raising local revenue. For example, Byrd had informed a Virginia newspaper editor: “You under-estimated the revenue...the poll tax brings to the government...all of which goes to the schools.” Now, however, the “war council of Southern Senators” decided to shift the focus of their defense from “voter competency” and “local revenues” to “states rights.”⁹⁸ By presenting “the intellectual and constitutional objections held in the South to any Federal invasion of powers historically held by the states,” Caucus leaders provided members from former poll tax states with a vocabulary to defend the tax without

⁹⁴ Stennis to Hill, April 5, 1949, MSUSC, Stennis Papers, Series 28, Box 2, Folder 33.

⁹⁵ Stennis to George, January 31, 1948, MSUSC, Stennis Papers, Series 33, Box 280, Folder “Special Committee”; Stennis to Ellender, January 3, 1948, MSUSC, Stennis Papers, Series 33, Box 280, Folder “Special Committee.”

⁹⁶ *Congressional Record*, 77th Congress, 2nd Sess., 1942, 88, 9044.

⁹⁷ Stennis to James A. McGraw, February 9, 1948, MSUSC, Stennis Papers, Series 29, Box 1, Folder 2.

⁹⁸ “Bilbo Launches Filibuster Against Abolishing Poll Tax,” *Los Angeles Times*, November 15, 1942, 16; Byrd to Underwood Jr., April 29, 1942, UVASL, Byrd Papers, Box 182, Folder “Poll Tax Law Amendment.”

appearing to contradict the preferences of their own electorates.⁹⁹ Senators from North Carolina, Louisiana, and Florida could reasonably support the right of their sister states to maintain the poll tax, just as their own states had exercised the right to end it. Exemplifying the political possibilities of this new approach, North Carolina's senior senator, Josiah Bailey (D-NC), emphasized his new, constitutional — rather than “sectional” or “racial” — objections to anti-poll tax legislation, telling Senate colleagues, “This proposal overrides and overthrows the Constitution.”¹⁰⁰

Second, in their continuing effort to achieve full Caucus participation, Connally and his successor, Russell, worked to increase both the benefits of group membership and the costs of noncooperation. Here, Russell deserves special recognition. After replacing Connally as the group's leader in 1942, the junior senator from Georgia implemented a number of changes to the Caucus's operating procedures “to perfect a tight organization.”¹⁰¹ Under Russell's leadership, southern senators were invited on a case-by-case basis to attend Caucus conferences. Careful records were kept to monitor members' attendance.¹⁰² To streamline the southerners' filibuster tactics the new Caucus leader also regulated the senators' floor strategy, with an eye to ensuring that the group keep abreast of its opponents' potential parliamentary maneuvers. Russell told his colleagues:

In view of our experience in the past when one of these bills was almost passed by unanimous consent due to the absence from the floor of all Senators opposing it, I think it is wise to resume the practice of having one Senator from the South responsible for watching the floor each day to see that no legislative trickery is employed to secure the passage of any of these bills. I will undertake to see that this duty is shared equally by all of our group of twenty Senators, and [will] keep the list and notify each Senator of his turn of guard duty. Any Senator so notified who cannot be on the floor will please see that some other Senator of our group is present.¹⁰³

Not only did Russell's new regime of southern floor monitors facilitate southern strategy on the Senate floor, it altered the relationship between members of the Southern Caucus and their elected leadership. In contrast to Connally, who had struggled to control the more independent members of the Caucus in key battles, Russell's instructions were accepted without question. For example, when Russell requested that Ellender end his filibuster speech and cede the floor to

⁹⁹ White, “Southerners ‘To Fight to Limit’,” *New York Times*, July 27, 1948, MSUSC, Stennis Papers, Series 29, Box 3, Folder 24.

¹⁰⁰ *Congressional Record*, 78th Congress, 2nd Sess., 1944, 90, 4189.

¹⁰¹ Stennis to Russell, August 10, 1948, MSUSC, Stennis Papers, Series 28, Box 3, Folder 59. Tommy C. Ishee, “Pick Senator Stennis To Lead Rights Fight,” *The Meridian Star*, July 29, 1948, MSUSC, Stennis Papers, Series 29, Box 3, Folder 24.

¹⁰² Russell also expanded the size of the Southern Caucus, extending membership to the Arkansas senate delegation (see Figure 4.2).

¹⁰³ Russell to Byrd, June 7, 1949, UGASC, Russell Papers, Series X, Box 30, Folder 9.

congressional liberals, the senator wrote, “I received orders...that should I continue it might endanger our cause so, like a good soldier, I reluctantly took my seat.”¹⁰⁴ This new attitude on the part of actual and potential dissidents reflected the group’s growing capacity and willingness to punish disloyalty. Under Russell’s leadership, the Caucus cut all formal and informal ties to Pepper, citing the Senator’s sponsorship of anti-poll tax legislation.¹⁰⁵ This decision destroyed the liberal southerner’s Senate career; in 1952, Caucus members actively supported a successful primary challenge, permanently removing Pepper from their ranks.¹⁰⁶ (See Figure 4.2 for a list of participating southern senators in 1948.)

With Russell at the helm, the Caucus also developed a series of public relations initiatives designed to boost the national profile of its members and to enable each participant to claim credit for the group’s legislative accomplishments. As in the anti-lynching fight, the Southern Caucus acted as a “gatekeeper” to members’ credit claiming — defining what actions amounted to a full defense of Jim Crow and calling into question assertions of regional solidarity made by lawmakers who failed to participate. Russell and his Senate deputies issued frequent press releases highlighting the contributions of all active members, listing the most junior members of the Caucus alongside senior luminaries.¹⁰⁷ For example, drawing Mississippi’s freshman senator into a pool of reporters, Russell posed for photographs and informed the press: “Stennis is regarded as the leading constitutional authority on the anti-poll tax measure.” The next day, a photograph of Stennis and Russell ran on the front page of Mississippi’s local papers — lauding Stennis’ hard efforts to defeat the anti-poll tax bill.¹⁰⁸

As in their effort to prevent the passage of anti-lynching legislation, southern victory in the poll-tax fight vindicated the senators’ decision to organize. By 1948, all members of the Caucus — including those who had previously abstained from the debate — were actively engaged in the bloc’s successful filibuster of anti-poll tax legislation. “With a solidarity rare in Congressional life...Southern senators promised...to ‘fight to the limit of our ability’” against

¹⁰⁴ Finley, *Delaying the Dream*, 122.

¹⁰⁵ White, “Southerners ‘To Fight to Limit’,” *New York Times*, July 27, 1948, MSUSC, Stennis Papers, Series 29, Box 3, Folder 24.

¹⁰⁶ Holland to Byrd, June 13, 1951, UVASL, Byrd Papers, Box 200, Folder “Holland, Spessard”; Byrd to John S. Knight, December 22, 1951, UVASL, Byrd Papers, Box 200, Folder “Holland, Spessard”; Byrd to Holland, January 7, 1952, UVASL, Byrd Papers, Box 200, Folder “Holland, Spessard”; Holland to Byrd, January 11, 1952, UVASL, Byrd Papers, Box 200, Folder “Holland, Spessard.”

¹⁰⁷ Ishee, “Pick Senator Stennis To Lead Rights Fight,” *The Meridian Star*, July 29, 1948, MSUSC, Stennis Papers, Series 29, Box 3, Folder 24; “Civil Rights Showdown Fight Launched,” *New York Sun*, July 29, 1948, MSUSC, Stennis Papers, Series 29, Box 3, Folder 24; White, “Southerners ‘To Fight to Limit’,” *New York Times*, July 27, 1948, MSUSC, Stennis Papers, Series 29, Box 3, Folder 24.

¹⁰⁸ Ishee, “Pick Senator Stennis To Lead Rights Fight,” *The Meridian Star*, July 29, 1948, MSUSC, Stennis Papers, Series 29, Box 3, Folder 24.

liberal efforts to repeal the poll tax in southern states. To the press, Russell warned, “This represent[s] the unanimous sentiment of all senators who attended [the] conference.”¹⁰⁹

Figure 4.2: Southern Caucus Membership, 1948

State	Participating Senators	
Alabama	J. Lister Hill	John J. Sparkman
Arkansas	John L. McClellan	J. William Fulbright
Florida	Spessard L. Holland	
Georgia	Walter F. George	Richard B. Russell
Louisiana	Allen J. Ellender	Russell B. Long*
Mississippi	James O. Eastland	John C. Stennis*
North Carolina	Clyde R. Hoey	William B. Umstead*
South Carolina	Burnett R. Maybank	Olin D. Johnston
Tennessee	Arthur T. Stewart	Kenneth D. McKellar
Texas	Thomas T. Connally	Wilbert Lee (Pappy) O'Daniel
Virginia	Harry F. Byrd	A. Willis Robertson

* Elected to the Senate to fill seats vacated by senators who had formerly participated in the Southern Caucus.

Source: “Southern Caucus to the Mutual Broadcasting Company,” March 5, 1948, UGASC, Russell Papers, Series X, Box 28, Folder 6.

The Origins of the Southern Delegations

The sustained campaign by congressional liberals to eliminate the poll tax galvanized southern representatives to organize their ranks in the House. As in the anti-lynching debate, southern representatives understood the majoritarian rules of the House would make it difficult to prevent the passage of anti-poll tax legislation. Indeed, even before 1947, anti-poll tax proposals were backed by robust majorities in the House, and proponents had little difficulty producing the necessary signatures to discharge poll-tax legislation to the floor.¹¹⁰ Candid about their

¹⁰⁹ White, “Price, Housing, Civil Rights Laws to be Asked of Congress Today,” July 27, 1948, *New York Times*, MSUSC, Stennis Papers, Series 29, Box 3, Folder 24.

¹¹⁰ Colmer to J. Lewis Henderson, July 28, 1947, USMML, Colmer Papers, Box 464, Folder 1; “House by 252 to 84 Votes to Outlaw Southern Poll Tax,” October 14, 1942, *New York Times*, p. 1.

prospects, Rep. Edward E. Willis (D-LA) observed: “Under prevailing rules, the Senate can filibuster. The House cannot. Senators can talk indefinitely...House Members do not have that privilege.”¹¹¹ Instead, southern representatives worked collaboratively to slow consideration of anti-poll tax legislation in committee.

Despite their legislative handicaps, the frequency with which anti-poll tax proposals were offered in the House — as well as the stiff resistance such proposals met in the Senate — pressured southern representatives to take action. Even if they could not prevent the passage of anti-poll tax legislation, the representatives sought to make clear to Congress and southern voters that, no longer “willing to be in the unenviable position of being just taken for granted,” “the boys from the South are in dead earnest and will fight to the finish.”¹¹² Particularly after the Southern Caucus’ successful effort to reframe the poll-tax debate in terms that emphasized state autonomy, southern representatives felt strong constituent pressure to oppose federal anti-poll tax legislation.¹¹³ Given their modest capacity to influence the course of legislation, however, southern members were forced to acknowledge their limited influence in House proceedings.¹¹⁴ As Rep. William Colmer (D-MS) explained to Mississippi voters, “Party leaders persist in cramming this type of stuff down our throats.” He continued, “[I]t looks like the President is going to do everything in his power to bring about the passage of the anti-Southern bills, and of course he is putting the Southern Democrats on the spot, but I assure you we are going to do everything in our power to prevent this.”¹¹⁵

Meeting formally for the first time in February 1948, a group of senior representatives from twelve of the thirteen former confederate states established what would later become known as the “Southern Delegations.”¹¹⁶ (See Figure 4.3 for a list of participating southern representatives as a fraction of their state delegation.) Committing themselves to working collaboratively to support the efforts of their Senate colleagues, the sixty-nine representatives established a smaller executive committee to coordinate southern resistance in the House.¹¹⁷ Elected to head the organization, Colmer declared, “The purpose of the committee [is to] serve as a strategy committee for the Southern Group and all Members of the House who are opposed to

¹¹¹ Edwin E. Willis, “Press Statement,” March 1960, UVASL, Smith Papers, Box 30, Folder “Civil Rights Bills.”

¹¹² Colmer to Harold W. Gautier, March 18, 1948, USMML, Colmer Papers, Box 464, Folder 7; Colmer, “Colmer Appoints Eleven Man Committee,” February 21, 1948, USMML, Colmer Papers, Box 464, Folder 4.

¹¹³ “Colmer on Poll Tax,” Press Release, June 3, 1949, USMML, Colmer Papers, Box 464, Folder 11.

¹¹⁴ Thomas G. Abernathy, February 1948, “Stand Up and Be Counted,” USMML, Colmer Papers, Box 464, Folder 3.

¹¹⁵ Colmer to C.F. Peay, March 1, 1948, USMML, Colmer Papers, Box 464, Folder 6; Colmer to J.C. Grubbs, March 6, 1948, USMML, Colmer Papers, Box 464, Folder 6.

¹¹⁶ Oren Harris, “Press Release,” February 21, 1948, USMML, Colmer Papers, Box 464, Folder 4.

¹¹⁷ Colmer to Gautier, March 18, 1948, USMML, Colmer Papers, Box 464, Folder 7.

this vicious and ‘Unconstitutional’ legislation.”¹¹⁸ The assembled representatives eschewed formal binding mechanisms and made no effort to prevent members from voting on the House floor according to their own individual preferences.¹¹⁹ Instead, the Southern Delegations relied on the existing hierarchical structure of southern politics: members from each state delegation received their marching orders from their respective senators.¹²⁰ As our theory of intraparty organization would predict, southern representatives declined to develop formal mechanisms to ensure compliance with the group’s program; given the exceedingly low odds of success, the costs of such mechanisms exceeded any potential benefits, especially because alternative mechanisms were available to facilitate coordination and cooperation.

Aware that they could not independently scuttle the anti-poll tax drive, the Southern Delegations embraced the public relations campaign initiated by the Southern Caucus.¹²¹ Writing to his Mississippi delegation, Stennis encouraged the Southern Delegations to “get our side of the case and our evidence before the people.”¹²² The Senator instructed: “I feel a great need for a publicity program or a voice-of-the-South program that will get our side of the conditions under which we live over to the people of the North, the East and the West.”¹²³ The Southern Delegations established a five-man steering committee to coordinate their publicity offensive, as well to organize special hearings and committee sessions to explain the “Southern

¹¹⁸ “Colmer Appoints Eleven Man Committee,” Southern Delegations Press Release, February 21, 1948, USMML, Colmer Papers, Box 464, Folder 4.

¹¹⁹ Admittedly, with the new rhetorical framing provided by the Southern Caucus, most southern representatives opposed the poll-tax repeals, even if they hailed from former poll-tax states, so the lack of binding mechanisms did not undermine the region’s collective voting behavior.

¹²⁰ “Dixie Creates Group to Battle Civil Rights,” *Brooklyn Eagle Sun*, February 22, 1948, USMML, Colmer Papers, Box 464, Folder 5. Clarifying their role in the poll-tax fight and relationship to the Southern Caucus, the Southern Delegations drafted the following press release: “Cognizant of the political implications and realizing our parliamentary limitations in the House, we call upon our colleagues on the other side of the Capitol, should our efforts not prevail, to exercise to the fullest extent the use of the more liberal weapons of procedure available to them to finally end this ugly threat to constitutional government and the destruction of the real civil rights of the American people.” Southern Delegations Press Release, February 21, 1950, USMML, Colmer Papers, Box 464, Folder 13.

¹²¹ Occasionally, the Southern Delegations attempted to slow the consideration of poll-tax proposals using the procedural tools of the House. For example, Rep. Burr P. Harrison (D-VA) wrote to Colmer: “We have poll tax hearings scheduled to begin...I understand that you are going to see that permission is not given for the Committee to sit during sessions of the House.” In a subsequent letter to Southern Delegations member Rep. Henry D. Larcade (D-LA) Colmer explained, “Frankly, what Harrison wants is to string these hearings out as much as possible; therefore, he is not interested so much in a statement to be filed as he is to have you come over and read it. If you can arrange this within the next ten days, I am sure you would render a real service.” Harrison to Colmer, April 29, 1949, USMML, Colmer Papers, Box 464, Folder 10; Colmer to Larcade, May 13, 1949, USMML, Colmer Papers, Box 464, Folder 11.

¹²² Stennis to Oliver Emmerich, February 18, 1948, MSUSC, Stennis Papers, Series 29, Box 1, Folder 4.

¹²³ Stennis to William Winter, August 17, 1948, MSUSC, Stennis Papers, Series 29, Box 1, Folder 16. Stennis to J.V. Oipson, February 19, 1948, MSUSC, Stennis Papers, Series 29, Box 1, Folder 4.

viewpoint” to their congressional colleagues.¹²⁴ To this end, the Southern Delegations worked to establish closer connections with state-level officials — for example, in consultation with the Southern Caucus, inviting southern governors and attorneys general to offer testimony in favor of the poll tax.¹²⁵

In addition, southern representatives used these hearings and committee sessions as opportunities to claim credit with their constituents, portraying themselves as working hand-in-hand with the Southern Caucus. “You may be assured of my continued cooperation with regard to our recent Senatorial victory,” Colmer wrote a constituent, explaining: “I did not get to do as much as I would have liked doing since I am in the House. However, you may be assured of my keen interest in this matter at all times.”¹²⁶ Indeed, throughout the anti-poll tax fight, the congressman cited his contribution to southern organization: “As you may have noticed from the press, the Southern Representatives in the House did me the great honor of selecting me as Chairman of the group and of an executive committee set up to fight this program.”¹²⁷ Other state delegations — in particular, Louisiana, Arkansas, and Georgia — issued press releases and distributed “fiery resolutions” that chronicled their House activities for “home consumption.”¹²⁸ Over time, the Southern Delegations would assume a more prominent role in the fight to preserve Jim Crow.

¹²⁴ As leader of the Southern Delegations, Colmer wrote his colleagues: “Presently hearings on the Poll Tax Repeal Bill...will close...unless others want to be heard. May I respectfully request and urge that you write Chairman Harrison [D-VA] immediately requesting an opportunity to be heard in opposition to this bill? This is the beginning of the Old Drive. And I don’t think those of us who are opposed to this...should take it lying down. Time is of the essence.” Colmer to Robert L. Sikes, Gene Cox, Larcade, James P. Richards, Tom Murray, Ed Gossett, Smith, and Oren Harris, May 7, 1949, USMML, Colmer Papers, Box 464, Folder 11; Clayton Rand to Colmer, February 28, 1948, USMML, Colmer Papers, Box 464, Folder 5.

¹²⁵ Fielding L. Wright to Colmer, July 20, 1949, USMML, Colmer Papers, Box 464, Folder 11; “Resolution of Southern Representatives in the Congress,” June 1948, USMML, Colmer Papers, Box 464, Folder 9; Russell to Stennis, March 11, 1948, UGASC, Russell Papers, Box 145, Folder 5; “Dixie Wins Skirmish: Senate Hearing Set on Poll Tax Issue,” *The Houston Post*, March 10, 1948, MSUSC, Stennis Papers, Series 29, Box 1, Folder 9.

¹²⁶ Colmer to C.J. Peck, March 24, 1949, USMML, Colmer Papers, Box 464, Folder 10.

¹²⁷ Colmer to E.M. Walker, February 23, 1948, USMML, Colmer Papers, Box 464, Folder 5.

¹²⁸ James F. King, “South in a Snub,” *The Washington Star*, February 19, 1948, USMML, Colmer Papers, Box 464, Folder 4.

Figure 4.3: Southern Delegations Membership, 1948 (participating representatives/congressional delegation)

Alabama (10/ 10)	A. Leonard Allen George W. Andrews Laurie C. Battle Frank W. Boykin George M. Grant Sam Hobbs Pete B. Jarman Robert E. Jones, Jr. Carter Manasco Albert M. Rains	Arkansas (6/7)	W. Fadjo Cravens Ezekiel C. Gathings Oren Harris L. Brooks Hays Wilbur D. Mills William F. Norrell
Florida (5/6)	J. Hardin Peterson Emory H. Price Dwight L. Rogers Robert L.F. Sikes George A. Smathers	Georgia (9/10)	Paul Brown A. Sidney Camp James C. Davis Henderson L. Lanham Stephen Pace Prince H. Preston Carl Vinson William M. Wheeler John S. Wood
Kentucky (1/11)	Noble J. Gregory	Louisiana (7/8)	T. Hale Boggs Overton Brooks James Domengeaux F. Edward Hebert Henry D. Larcade, Jr. James H. Morrison Otto E. Passman
Mississippi (7/7)	Thomas G. Abernethy William M. Colmer John E. Rankin Jamie L. Whitten William M. Whittington John Bell Williams W. Arthur Winstead	North Carolina (2/12)	Graham A. Barden Herbert C. Bonner
South Carolina (5/6)	Joseph R. Bryson W.J. Bryan Dorn John L. McMillan John J. Riley L. Mendel Rivers	Tennessee (2/10)	Wirt Courtney J. Percy Priest
Texas (9/24)	Lindley G. Beckworth O.C. Fisher Ed Gossett Wingate H. Lucas Thomas A. Pickett W.R. Poage Olin E. Teague Milton H. West J. Frank Wilson	Virginia (7/11)	J. Lindsay Almond Schuyler Otis Bland J. Vaughn Gary Porter Hardy, Jr. Burr P. Harrison Howard W. Smith Thomas B. Stanley

Source: Harris, "Meeting Minutes," 21 February 1948, USMMC, Colmer Papers, Box 464, Folder 4.

4. *Brown v. Board of Education*, 1954-1956: Mobilizing Anew

In 1954, the Supreme Court issued a unanimous decision declaring that “separate but equal schools...[were] inherently unequal.”¹²⁹ Ruling that legally mandated segregation in public schools violated the Fourteenth Amendment’s Equal Protection Clause, the Court “transformed race relations for the rest of the century...fore[telling] that all forms of racial segregation and discrimination might eventually be hounded to extinction.”¹³⁰ For civil-rights advocates, the *Brown* verdict was an “earth-shattering milestone.” However, for southern members of Congress, the “outrageous actions of the Supreme Court” posed a familiar challenge.¹³¹ Prior to *Brown*, desegregation “remained a feared but intangible concern.”¹³² The Supreme Court’s 1954 decision transformed that concern into a new and harsh reality for southern politicians.

As with the fight to preserve the poll tax, the *Brown* verdict aggravated existing divisions between the South’s moderate and conservative lawmakers. Given the broad public support for the decision outside of the South, moderate legislators within the Southern Caucus and Southern Delegations were reluctant to oppose *Brown*, fearing the consequences of robust resistance. Although Stennis ultimately adopted a conservative stance on the *Brown* decision and supported a campaign of massive resistance in Mississippi, he too questioned the virtue of outright rebellion. Writing to a constituent in June 1954, Stennis noted:

What has overwhelmed us since the May decision has been the sentiment reflected throughout the country by groups and organizations, and especially from our own area of the Nation, referr[ing] to it with warm approval or outright applause. I cite these things to show you what we are up against here so far as public sentiment is concerned, except in small areas of the country.¹³³

Predictably, the region’s conservative representatives disagreed with their moderate colleagues. In their view, segregated education was a bulwark of the southern racial order, to be defended at all cost. Despite their differences, however, both moderate and conservative southerners believed it imperative to maintain “a solid front...against the Court.”¹³⁴ Thus, the *Brown* decision forced southern lawmakers to devise public displays of solidarity, even as they privately debated whether and how each southern state would oppose the ruling.

¹²⁹ *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954).

¹³⁰ Mann, *Walls of Jericho*, 154.

¹³¹ Stennis, “Memorandum - Southern Manifesto Committee,” February 17, 1956, MSUSC, Stennis Papers, Series 29, Box 5, Folder 5.

¹³² Finley, *Delaying the Dream*, 140.

¹³³ Stennis to W.B. Lawrence, June 17, 1954, MSUSC, Stennis Papers, Series 29, Box 1, Folder 36.

¹³⁴ “Statement of the Supreme Court Decision in the School Cases,” May 1954, MSUSC, Stennis Papers, Series 29, Box 5, Folder 5.

In the weeks following the verdict, some southern lawmakers hurried to publicize their opposition to the ruling and to pledge statewide resistance.¹³⁵ Both the Southern Caucus and Southern Delegations, however, declined to issue a formal response until the Court specified a remedy to the constitutional violation it had identified. In 1955, the justices announced the implementation phase of the decision, unanimously calling for “a prompt and reasonable start toward full compliance” and instructing school districts to integrate “with all deliberate speed.”¹³⁶ The Southern Caucus and Southern Delegations viewed this edict as a call to arms.

In the wake of the Court’s 1955 decision, the leaders of the Southern Caucus sought to unite the southern bloc’s conservative and moderate factions in both chambers. Their efforts culminated in a statement — formally titled the “Declaration of Constitutional Principles,” but popularly known as the “Southern Manifesto” — which sought to address the competing concerns of the two southern wings.

Forging Senate Compromise

Although the Southern Caucus took pains to appear united in opposition to Court-ordered school desegregation, its members were deeply divided. For conservative members of the Southern Caucus, the *Brown* verdict represented “a flagrant abuse of judicial power.”¹³⁷ Arguing that the ruling violated the “plainly guaranteed rights [of states] to direct their most vital local affairs,” the group’s political conservatives pressed their colleagues to join in a united campaign of “massive resistance.”¹³⁸ Spearheaded by Byrd and Sen. James Eastland (D-MS), the conservative plan called for popular civil disobedience, the “mandatory closing of desegregated schools, and the cut off of State funds if they reopened on a desegregated basis.”¹³⁹ “You are not required to obey any court which passes out such a ruling,” Eastland counseled white Mississippians, rather “you are obligated to defy it.”¹⁴⁰

Reluctant to adopt this hardline approach, moderate members of the caucus — Daniels, J. William Fulbright (D-AR), Spessard Holland (D-FL), Long, George Smathers (D-FL), and John Sparkman (D-AL) — instead preached restraint. “Once before,” Fulbright warned, “when the South disagreed with the policies of the Federal Government, we took matters into our own hands but did not succeed very well...we will have to find some better way to meet this

¹³⁵ *Congressional Record*, 83rd Congress, 2nd Sess., 1954, 100, 6742-6750.

¹³⁶ *Brown v. Board of Education of Topeka*, 349 U.S. 294 (1955).

¹³⁷ *Congressional Record*, 83rd Congress, 2nd Sess., 1954, 100, 6748-6750.

¹³⁸ Gilbert Fite, *Richard B. Russell Jr., Senator From Georgia* (Chapel Hill: University of North Carolina Press, 1991), 331.

¹³⁹ Robert E. Baker, “Virginia Schools...Massive Resistance is Dead,” *Washington Post*, UVASL, Byrd Papers, Box 242, Folder “Almond, J. Lindsay re: Integration”; “Massive Resistance,” *Journal and Guide*, March 3, 1956, UVASL, Smith Papers, Box 111, Folder “Segregation.”

¹⁴⁰ As quoted in Klarman, *From Jim Crow to Civil Rights*, 413.

difficulty.”¹⁴¹ Senator Long seconded Fulbright’s call for restraint: “Although I completely disagree with the decision, my oath of office requires me to accept it as law.”¹⁴² Even Ellender, by no means a moderate on racial issues, questioned the conservatives’ proposed response: “I frankly can see no good results [from this plan]. We will have violence [which] would worsen rather than improve our position.”¹⁴³ Concerned that a campaign of massive resistance would exacerbate existing tensions in the region and provoke federal intervention, moderate members of the Caucus recommended accommodation at the local level. Southern communities would comply with the Court decision, but would do so in a manner that reflected the “local facts on the ground.”¹⁴⁴

Anxious to unify the organization, Russell searched for a solution that would satisfy both conservative and moderate members of the bloc. The Caucus leader believed that, at minimum, the group’s conservatives would require a “public statement condemning the decision,” while moderate members would agree to cooperate only if massive resistance remained voluntary.¹⁴⁵ In February 1956, the Caucus convened a meeting to discuss the *Brown* decision and whether a statement of any kind should be offered. “Attended by practically all of the Southern Senators who had been active in opposing the various legislative proposals aimed at the Southern states,” the Caucus voted to appoint a special committee to draft a statement condemning the Court’s decision.¹⁴⁶ Experts in constitutional, as opposed to racial, defenses of segregation, Ervin, Russell, and Stennis were selected “to consider all the various problems regarding the segregation decision of the Supreme Court.”¹⁴⁷

Endeavoring to compose a statement that would garner the support of a majority of southern senators, the committee “requested all of the members who desired to do so to submit their ideas as to what the draft should contain.”¹⁴⁸ Some members of the Caucus, Russell acknowledged, “actually favor the [*Brown*] decision. To get something respectable that most of our Southern Senators can sign, when you run into 5 or 6 who are unwilling to denounce the decision as illegal and unconstitutional, is discouraging.”¹⁴⁹ Russell did not keep his concerns over southern discord entirely private, writing to several citizens: “As you of course know, we are in a minority and substantially out-numbered here now and cannot even count upon the solid

¹⁴¹ J. William Fulbright to George Yarbrough, June 28, 1955, University of Arkansas Mullins Library (UARML), J. William Fulbright Papers, Box 19, Folder “14A.”

¹⁴² As quoted in Finley, *Delaying the Dream*, 147.

¹⁴³ As quoted in Finley, *Delaying the Dream*, 141.

¹⁴⁴ Fite, *Senator from Georgia*, 332.

¹⁴⁵ Russell to M. Hayes Mizell, April 30, 1962, UGASC, Russell Papers, Series X, Box 195, Folder 10.

¹⁴⁶ George to Stennis, February 6, 1956, MSUSC, Stennis Papers, Series 32, Box 128, Folder 15.

¹⁴⁷ George to Russell, Stennis, and Ervin, February 9, 1956, UGASC, Russell Papers, Series X, Box 99, Folder 1.

¹⁴⁸ Russell to Mizell, April 30, 1962, UGASC, Russell Papers, Series X, Box 195, Folder 10.

¹⁴⁹ As quoted in Fite, *Senator from Georgia*, 333.

support of the Old South, but we shall continue our efforts with every means at our command to build this minority into a majority.”¹⁵⁰ Whereas Russell felt that the moderate members of the Caucus were hindering group solidarity, they themselves believed that Caucus conservatives exercised a disproportionate and detrimental influence over the drafting committee. “Senator Byrd, I believe, is inspiring an extreme position,” Fulbright confided. “Under [his] leadership, some 12 or 15 of the Senators [are] determined to make a statement, so the best we [can] do [is] try to keep it within reasonable bounds.”¹⁵¹

In early March 1956, a final draft was completed that “utiliz[ed] suggestions from nearly all of the papers that had been submitted.”¹⁵² Although Russell and the drafting committee had avoided much of the incendiary language proposed by their conservative colleagues, the statement still had “some objectionable spots” in the eyes of Caucus moderates.¹⁵³ According to Russell, “Several [s]enators including Senator Fulbright, Holland and Daniel thought that the language...originally suggested was, as one of them expressed it, ‘too bitter’ and these three [s]enators made some revisions, changing a few words to a softer meaning.” The revised draft pledged “to use all lawful means to bring about a reversal of [the *Brown*] decision [and] to prevent the use of force in its implementation” and “commend[ed]...those states which have declared the intention to resist forced integration.”¹⁵⁴ However, by not requiring specific actions to be taken, the statement allowed moderate southerners to refrain from engaging in meaningful opposition to the Court’s ruling, even as they publicly denounced racial integration. Moreover, signing onto the Manifesto gave Caucus members the opportunity to assert their support for the South in a way that would be viewed by their constituents as legitimate.

As it had in prior battles, the Caucus functioned as gatekeeper, transforming the defense of Jim Crow into an excludable good available only to the organization’s membership. Satisfying both conservative and moderate members, the Southern Manifesto “was signed by all

¹⁵⁰ Russell to Albert Penn, May 5, 1956, UGASC, Russell Papers, Series X, Box 195, Folder 10.

¹⁵¹ Fulbright to Joe Barrett, March 10, 1956, UARML, Fulbright Papers, Series 61, Box 2, Folder 6.

¹⁵² Russell to Mizell, April 30, 1962, UGASC, Russell Papers, Series X, Box 195, Folder 10.

¹⁵³ Finley, *Delaying the Dream*, 146. As Stennis related to the Mississippi delegation in the House: “Senator Russell, Senator Ervin, and I are trying to work on a statement that can be subscribed to by most of the Southern Senators. The three of us are in favor of a very strong statement, but getting one to which most of them will subscribe is a difficult problem.” Stennis to Walter Sillers, February 11, 1956, MSUSC, Stennis Papers, Series 29, Box 5, Folder 7.

¹⁵⁴ “Declaration of Constitutional Principles,” March 12, 1956, MSUSC, Stennis Papers, Box 29, Folder 5.

of the 19 members of [the] group.”¹⁵⁵ (See Figure 4.4 for Southern Caucus membership at the time.) Caucus members had prioritized solidarity, compromising their individual beliefs to achieve it. The Southern Caucus served another gatekeeping function. Although Caucus members harshly derided Sen. Estes Kefauver (D-TN) and Sen. Albert Gore (D-TN) for refusing to sign the Manifesto, they kept silent on Lyndon Johnson’s failure to do the same. According to Caro, Johnson was given a pass because Russell had persuaded the southern senators to give him one. “Anybody that signed such an inflammatory, anti-civil rights document could never become President.” At the time, “Russell was much more interested in pushing Johnson for President...than in having another name on the Manifesto.”¹⁵⁶ While Stennis would later observe that the southerners understood Johnson “had to work with all sides...and so it wasn’t held against him by the southerners...that he didn’t sign it,” it was organization that ensured Johnson’s relief.¹⁵⁷ Coordinating their silence, the Southern Democrats preserved Johnson’s opportunity to win the party’s presidential nomination.

On March 12, 1956, the Southern Caucus released the text of the “Declaration of Constitutional Principles,” and the group’s senior statesmen presented the document to the Senate body. “In solemn unity and determination,” the southerners vowed to “fight for the preservation of the Constitution” and “pledge[d] the States [their] support in using every lawful means of resistance against the decision of the Court.”¹⁵⁸ Given the structure of the Manifesto, which emphasized national lawmakers’ support for the rights of states and communities to respond to the Supreme Court’s instructions as they saw fit, resistance to the *Brown* decision took place largely at the state and local level. Conservative Caucus members were free to encourage their communities to defy the Court’s edict, while their more moderate colleagues were given wide latitude to avoid taking action altogether. Although characterized by the press

¹⁵⁵ Much has been made of the fact that several “southern” senators did not sign the Manifesto. After the members of the Caucus endorsed the statement, the document was circulated to southern senators who did not participate in the Caucus with an invitation to join in signing the Manifesto. Kefauver and Gore declined to sign their names to the statement on the grounds that they disagreed with the premise of the declaration. The senators’ decision did not come as a surprise to the senior members of the southern bloc. Gore had always portrayed himself as moderate on the segregation question and Kefauver was long viewed as unreliable by Connally and Russell, having supported legislation to abolish the poll-tax but opposed federal anti-lynching proposals. Although the senators’ refusal to sign the document may not have surprised the Southern Caucus, it did have consequences. Gore and Kefauver were never invited to participate in subsequent Caucus activities, and the Southern bloc took pains to frustrate their legislative and electoral ambitions when possible. Lyndon Johnson also declined to sign the Manifesto, though his own testimony and the archival record make it appear that he was never given the opportunity to do so. As a senator, Johnson did not attend Caucus meetings. However, his close friendship with Russell makes it likely that Johnson was generally briefed on the southerners’ activities. Russell to Mizell, April 30, 1962, UGASC, Russell Papers, Series X, Box 195, Folder 10.

¹⁵⁶ Caro, *Master of the Senate*, 787; Fite, *Senator from Georgia*, 333.

¹⁵⁷ Stennis as quoted in Caro, *Master of the Senate*, 787

¹⁵⁸ Stennis Memorandum, “Statement of the Supreme Court Decision in the School Cases,” MSUSC, Stennis Papers, Series 29, Box 5, Folder 5.

as the “monolithic opinion” of the region’s senators, the Southern Manifesto concealed fundamental differences in the views of individual Caucus members.¹⁵⁹

Figure 4.4: Southern Caucus, 1956

State	Participating Senators	
Alabama	J. Lister Hill	John J. Sparkman
Arkansas	John L. McClellan	J. William Fulbright
Florida	Spessard L. Holland	George A. Smathers
Georgia	Walter F. George	Richard B. Russell
Louisiana	Allen J. Ellender	Russell B. Long
Mississippi	James O. Eastland	John C. Stennis
North Carolina	Sam Ervin	W. Kerr Scott
South Carolina	Olin D. Johnston	Strom Thurmond
Texas	Price Daniel	
Virginia	Harry F. Byrd	A. Willis Robertson

Source: “Declaration of Constitutional Principles,” March 12, 1956, MSUSC, Stennis Papers, Box 29, Folder 5.

Rallying Southern Representatives

As in the Senate, the *Brown* decision aggravated tensions between conservative and moderate southern representatives. Like their Senate colleagues, many within the Southern Delegations were resigned to the belief that resistance to the Court’s decisions was futile. In addition, they feared that encouraging defiance would prompt a far worse outcome: federal intervention. Although conservative on most matters, even Colmer saw little point in defying the Court’s decision. “I am alarmed...The trouble is that Congress can do very little about it. The various states are going to have to find ways to work their own problems out.”¹⁶⁰ For Colmer and more moderate members of the Southern Delegations, “the civil rights program [would continue to be] a political issue just as long as Negroes controll[ed] the balance of power in a number of pivotal states.” In their view, little could be done to change the political winds.¹⁶¹

¹⁵⁹ Fite, *Senator from Georgia*, 334.

¹⁶⁰ Colmer to M. Feldman, May 28, 1954, USMML, Colmer Papers, Box 464, Folder 14.

¹⁶¹ Colmer to John A. Guice, November 23, 1951, USMML, Colmer Papers, Box 464, Folder 14.

More conservatives members of the Southern Delegations, however, objected to this “fatalistic” view of the “southern situation.” “The least we can do,” they argued, “is assert ourselves and hope that an aroused public opinion will make itself felt in opposing future encroachment. Playing ostrich will not suffice.”¹⁶² Condemning the “tragic situation menacing education and race relations in the South,” the conservatives vowed to support a campaign of massive resistance, declaring “the South will not stand for any break through to compulsory social amalgamation.”¹⁶³

Like their Senate colleagues, and despite the diversity of opinion within their group, both moderates and conservative members of the Southern Delegations faced intense constituent pressure to respond to the Court’s verdict. Yet they were also forced to acknowledge an institutional problem: “the Supreme Court decision [took] the whole question out of the hands of Congress,” such that “Congress cannot act as a legislative body... to work [the] matter out.” Conscious of their “parliamentary limitations,” the leaders of the Southern Delegations appealed to the Southern Caucus for assistance in formulating an appropriate response.¹⁶⁴ According to Russell, “a meeting was held... attended by Senator Byrd and perhaps another Senator and by Representatives Howard Smith of Virginia, James C. Davis of Georgia, William Colmer of Mississippi, and perhaps one or two other members of the House.” There it was decided that the Southern Delegations would also sign the Southern Manifesto to demonstrate the strength and depth of southern opposition to the *Brown* rulings. “After they had read the manifesto,” Russell recounted, “the Representatives accepted it just as written, [and] carried it to the House.”¹⁶⁵ Eager to obtain unanimous support for the Southern Manifesto, Colmer appointed Smith to “whip” the senior congressmen from each participating southern delegation to secure the signatures of their more junior colleagues.¹⁶⁶

Smith’s informal whip counts suggest that while the Manifesto helped to bridge divisions within many of the participating southern delegations, securing support for the statement among delegations with large moderate contingents proved more challenging. Collected over the course of several days, the whip counts reveal that Smith had little trouble obtaining the unanimous consent of the Alabama, Arkansas, Georgia, Louisiana, Mississippi, South Carolina, and Virginia delegations — including both Democratic and Republican members.¹⁶⁷ Acquiring signatures from the Florida, North Carolina, Tennessee, and Texas delegations — states represented by

¹⁶² O.C. Fisher, “Our Washington Newsletter,” March 22 1956, UVASL, Smith Papers, Box 111, Folder “Segregation.”

¹⁶³ Frank Boykin to Sikes, October 18, 1958, UVASL, Smith Papers, Box 107, Folder “Personal.”

¹⁶⁴ Southern Delegations Press Release, February 21, 1950, USMML, Colmer Papers, Box 464, Folder 13.

¹⁶⁵ Russell to Mizell, April 30, 1962, UGASC, Russell Papers, Series X, Box 195, Folder 10.

¹⁶⁶ Smith, “Whip Count of Signing Delegations,” March 1956, UVASL, Smith Papers, Box 110, Folder “Segregation”; Sikes to Smith, March 1956, UVASL, Smith Papers, Box 110, Folder “Segregation.”

¹⁶⁷ Two Republican representatives from Virginia — Rep. Joel Broyhill and Rep. Richard Poff — joined their Democratic colleagues in signing the Manifesto. “Declaration of Constitutional Principles,” March 12, 1956, UVASL, Smith Papers, Box 110, Folder “Segregation.”

many moderate representatives — proved more difficult, despite significant lobbying efforts by Smith and Colmer. As shown in Figure 4.5, Smith managed to secure signatures from 77 of the 106 members of the Southern Delegations. In the weeks following the Manifesto’s formal presentation on the House floor, several dozen members from Florida, North Carolina, Tennessee and Texas — disparagingly referred to as “Saturday night states’ righters” by leaders of the southern bloc — retroactively included their names for the House Journal.¹⁶⁸

Although unable to obtain unanimous support for the Manifesto, the leaders of the Southern Delegations nonetheless viewed their cooperation with the Southern Caucus as a success. Lacking the procedural tools to meaningfully resist the *Brown* decision in the House, the Southern Delegations benefited from their partnership with the Southern Caucus in two ways. First, signing the Southern Manifesto provided both moderate and conservative members of the Southern Delegations with an opportunity, sanctioned by their senior senators, to legitimately claim credit for defending “the southern way of life.” Second, the Southern Manifesto allowed members of the Southern Delegation to more closely associate themselves with their partners in the Southern Caucus. Indeed, southern members of the House enthusiastically enclosed copies of the joint statement in mass mailings to their constituents.¹⁶⁹

For southern voters, the “Southern Manifesto evidenced... a truth frequently ignored by some — that the South is unanimous...in its love for the fundamental rights and liberties so clearly enunciated in the Constitution.”¹⁷⁰ For southern lawmakers, however, the document evidenced yet again the virtues of intraparty organization. Without an existing institutional apparatus to resolve their ideological differences, southern unity was far from assured, even on a subject as fundamental to the region’s identity as racial segregation in public education. The Southern Caucus and Southern Delegations provided an institutional framework within which members could privately work toward a political compromise, and then broadcast that manufactured unanimity to the country.

¹⁶⁸ O.C. Fisher, “Our Washington Newsletter,” March 22 1956, UVASL, Smith Papers, Box 111, Folder “Segregation.” Fite, *Senator from Georgia*, 334.

¹⁶⁹ Smith to M. Elgin, March 16, 1956, UVASL, Smith Papers, Box 110, Folder “Segregation.”

¹⁷⁰ E.J. McMillen to Smith, March 15, 1956, UVASL, Smith Papers, Box 110, Folder “Segregation.”

Figure 4.5: Support for Southern Manifesto by state delegation, March 1956

State Delegation	Fraction of Members Signing
Alabama	9/9
Arkansas	6/6
Florida	6/8
Georgia	10/10
Louisiana	8/8
Mississippi	6/6
North Carolina	6/8
South Carolina	6/6
Tennessee	4/9
Texas	4/22
Virginia	10/10

Source: Smith, “Whip Count of Signing Delegations,” March 1956, UVASL, Smith Papers, Box 110, Folder “Segregation.”

5. Conclusion

Historians and political scientists have long observed that southern lawmakers demonstrated remarkable unity throughout the New Deal and in the decades that followed. A “coherent cluster” both in back-room negotiations and roll-call votes, southern senators and representatives worked in lockstep to defend their region’s repressive racial order.¹⁷¹ Challenging the view that shared preferences formed a sufficient basis for southern cohesion, this chapter has endeavored to show that southern senators and representatives depended on intraparty organization to secure regional unity in Congress.

From 1937 to 1956, southern senators and representatives relied on intraparty organization to overcome a collective action problem similar to that faced by their Insurgent predecessors. Although all southern lawmakers benefitted from the preservation of Jim Crow — enjoying, in particular, the insulation from electoral competition the system provided — the archival record makes clear that the region’s senators and representatives were not equally committed to the regime’s defense. Southern legislators who, for personal or electoral reasons, were not passionate guardians of Jim Crow often chose to focus on other legislative priorities,

¹⁷¹ Katznelson and Mulroy, “Was the South Pivotal,” 604-620.

confident that their colleagues would continue to safeguard “the institutions and traditions of the South.”¹⁷² By free-riding on the defense of the South’s racial order, moderate members jeopardized the region’s dominant legislative position, as well as the ability of their conservative colleagues to sustain the existing racial regime in their respective states. Indeed, as one member of the southern bloc observed: “We want, and we must have, if we are to have any hope of success...the South united, determined, self-sacrificing, devoted to [the] common cause.”¹⁷³

With the creation of the Southern Caucus and Southern Delegations, the region’s senators and representatives were newly empowered to counter individual incentives to free-ride on the defense of Jim Crow. By offering benefits exclusively to those who contributed their fair share, the active defenders of Jim Crow were generally able to secure the cooperation of their more ambivalent colleagues. Indeed, the provision of selective incentives allowed southern conservatives to compensate those representatives of their region less committed to defending Jim Crow for their active support.

By the late 1950s, southern lawmakers would face a new organizational dynamic. In the following chapter, I chronicle a shift in the motivating objective of southern intraparty organization, from a concern over free-riding to a concern over coordinating members’ activities to achieve a unified — if for some — second-best strategy. As we shall see, southern lawmakers would use intraparty organization to coordinate a new strategy of compromise, in which members agreed to accept modest civil rights measures as part of their collective effort to prevent more sweeping reform. Intraparty organization proved to be instrumental in facilitating this strategy. Southern leaders used the Southern Caucus and Southern Delegations to coordinate an extended public relations campaign to make clear the groups’ continuing and steadfast opposition to Jim Crow, while guarding against challenges that likened this compromise to surrender.

¹⁷² Howard D. Cooley to Smith, July 23, 1958, UVASL, Smith Papers, Box 105, Folder “H.R. 3”

¹⁷³ Dixon, “Keynote Address,” July 17, 1948, USMML, Colmer Papers, Box 464, Folder 9 “Civil Rights.”

Chapter 5. The Decline of Southern Influence, 1957-1964

I can assure the people [that] the Southern Senators and Congressmen will stand like a stone against the passage of unjust discrimination legislation obviously aimed at the South.

— Sen. Harry F. Byrd, January 2, 1957¹

Assailed by Byrd as “the most serious crisis that ha[d] occurred since the War between the States,” the Supreme Court’s decision in *Brown v. Board* occasioned a major shift in southern opinion and strategy in Congress.² Prior to *Brown*, southern lawmakers believed that their region’s segregated institutions were protected, not only by their own votes in Congress, but by sympathetic allies in the executive branch and federal judiciary. But when the Court broke with the “separate but equal” doctrine established in *Plessy v. Ferguson*, a reversal in legal precedent ultimately enforced by President Eisenhower, the region’s senators and representatives realized they were “completely without allies.”³ Without the aid of their institutional allies, the lawmakers observed that safeguarding the South’s system of racial subordination would require the active participation of all the region’s representatives. Even though southern senators and representatives now shared the same commitment and incentive to defend Dixie’s racial status quo, organization was still necessary to select and coordinate the bloc’s strategy.

The previous chapter traced the development of the Southern Caucus and Southern Delegations from the groups’ origins in the 1930s through to their zenith in the mid-1950s. During these formative years, southern lawmakers depended on intraparty organization to reach collective agreement that individual policy proposals jeopardized core southern interests and to offset the incentive of moderate members to free-ride on the region’s collective efforts to defend de jure racial discrimination. This chapter describes the subsequent organizational efforts of southern lawmakers, in the decade following *Brown*, to counter the advance of the civil rights movement and its escalating threat to Jim Crow. As I will demonstrate, intraparty organization continued to provide southern lawmakers with the essential tools to coordinate southern activity. This time, however, southern organization would work to ensure that members did not work at cross-purposes in their defense of Jim Crow or otherwise erode the public’s perception of regional solidarity.

¹ “Statement by Senator Harry F. Byrd,” January 2, 1957, UVASL, Byrd Papers, Box 410, Folder “Statement after meeting of Southern Senators to oppose change in rules of the Senate.”

² Byrd to *Richmond News Leader*, March 12, 1956, UVASL, Byrd Papers, Box 242, Folder “Massive Resistance.”

³ As quoted in Perman, *Pursuit of Unity*, 290.

1. Collective Threat: A Changed Dynamic

The Court's decision in *Brown v. Board* left little doubt in the minds of Caucus and Delegations members that the South's system of racial subordination was under direct threat. Despite their shared fear that the verdict would transform southern race relations, moderate and conservative members divided over the best strategy to safeguard the region's repressive status quo. Moderate senators and representatives increasingly believed that compromise represented the most prudent solution to the region's troubles; conversely, southern conservatives favored a full-scale defense of Jim Crow.⁴ At the same time, both factions recognized that "unity on the national scene" was imperative, and knew that pursuing both strategies simultaneously — with some lawmakers working to forge compromise and others fighting against any incursion against southern autonomy — would sabotage southern influence. Consequently, southern organization shifted from a concern over free-riding on the preservation of Jim Crow to a concern over coordinating members' activities to achieve a unified if, for some, second-best strategy.

We can think of this dynamic as a version of a "battle of the sexes" coordination game. As evidenced by their efforts to draft the Southern Manifesto (described in Chapter 4), by 1956, moderate and conservative members of the southern bloc had come to favor quite different strategies to defend de jure racial discrimination. On the one hand, moderate southerners hoped to stop the proliferation of civil rights legislation by compromising with liberal members of Congress. By accepting legislation that weakened, but did not eradicate, "the southern way of life," moderate lawmakers hoped to satisfy their liberal colleagues' enthusiasm — and increasingly public commitment to fight — for reform. Conservative southerners, on the other hand, preferred to attack any legislation that sought to alter the South's racial status quo, even when it was clear that southern resistance would be insufficient to prevent the legislation from passing.

Although each wing of the Southern Caucus and Southern Delegations hoped the other would adopt their preferred strategy, the worst outcome for both moderate and conservative lawmakers was the possibility that the bloc would divide and that each faction would pursue its own plan of action. To prevent this from happening, the southerners sought to coordinate their selection and pursuit of a defensive strategy. As we shall see, intraparty organization played a pivotal role in this process, helping to ensure that members of the Southern Caucus and Southern Delegations pursued either the moderates' or conservatives' preferred strategy, but never both.⁵

Securing southern solidarity would prove to be particularly important to southern moderates. As the battle for civil rights intensified in the 1950s, it became increasingly hazardous for southern lawmakers to act in ways that made them appear weak in their defense of Jim Crow. If the Southern Caucus and Southern Delegations were going to pursue a strategy of

⁴ On this account, it was not southerners' divergent views about what was attainable, but rather their different preferences over outcomes and manifold devotion to white supremacy that led to disagreement over strategy.

⁵ Stennis, "Permanent Memorandum on Cloture Vote and Passage of the 1964 Civil Rights Bill," July 19, 1964, MSUSC, Stennis Papers, Series 29, Box 3, Folder 14.

compromise, moderate members would need to convince the public that no other effective alternative existed, a task that would be made more difficult if conservatives waged a public protest of the legislation on the House and Senate floor. Of added concern in the Senate, moderate southerners feared that protracted filibustering by conservative members of the Southern Caucus would foment a movement to change chamber rules to restrict the filibuster's use, stripping the southerners' of their most effective weapon. To persuade the southern electorate that compromise was Dixie's best option — indeed, the only option — members of the Southern Caucus and Southern Delegations used their organizations to coordinate a series of public relations campaigns designed to highlight each lawmaker's steadfast commitment to Jim Crow. At the same time, the southern organizations were prepared to punish any member who publicly likened compromise to surrender or engaged in independent legislative protests.

Fearful that the proliferation of legislative proposals aimed at advancing African-American rights presaged the end of Jim Crow, and increasingly convinced that their diminished numbers would be insufficient to hold back the liberal tide, southern members looked to their intraparty organization to coordinate a unified defense. As I will demonstrate, Southern lawmakers used their organization to shape and coordinate a strategy of compromise. Moderate members of the Southern Caucus and Southern Delegations used the tools of intraparty organization to convince their conservative colleagues to accept modest civil rights legislation when doing so was believed to offer the prospect of staving off more dramatic reform.

This chapter proceeds as follows. The next two sections consider the bloc's extended campaign to prevent the passage of the Civil Rights Acts of 1957 and 1964 respectively. As in Chapter 4, I pay particular attention to the asymmetric organizational efforts of southerners in the House and Senate. To conclude, I reconsider the decades-long fight to secure equal rights for black citizens in light of the South's carefully organized effort to preserve Jim Crow.

2. The Civil Rights Acts of 1957: Best Laid Plans

As moderate members of the Southern Caucus and Southern Delegations so accurately predicted, local campaigns of massive resistance to the *Brown* decision did not improve the southern position. Violent attempts to obstruct school desegregation tarnished the national image of white southerners and put defiant officials on “the wrong side of the law.”⁶ Indeed, by 1955, a majority of Americans outside the South favored full compliance with the Court's decision and, if necessary, federal intervention to restore the rule of law.⁷ The brutal lynching of Emmet Till, a black youth visiting family in rural Mississippi, and the subsequent acquittal of his confessed murderers by an all-white jury, outraged the public and intensified demand for a federal solution to the South's racial unrest.

⁶ Klarman, *From Jim Crow to Civil Rights*, 421.

⁷ Klarman, *From Jim Crow to Civil Rights*, 421. Despite a healthy majority of nonsouthern opinion in favor of *Brown*'s implementation, a series of Gallup polls found that 70% of southerners disapproved of the verdict and 51% believed race relations would continue to erode over the coming year. See George H. Gallup, *The Gallup Poll: Public Opinion, 1935-1971* (New York: Random House, 1972), vol. 2, 1507, 1518.

Although President Dwight D. Eisenhower had never openly supported the *Brown* verdict, the violence that erupted in the wake of the decision forced him to respond. In early 1956, Eisenhower called for a bipartisan Commission on Civil Rights to investigate charges of racial discrimination and voting irregularities. Believing suffrage to be the key to racial harmony, the president wrote, “With his right to vote assured, the American Negro [can] use it to safeguard his other rights.”⁸ Several months later, at the urging of Attorney General Herbert Brownell, Eisenhower’s Justice Department took more decisive action, submitting a comprehensive civil and voting rights bill to Congress.⁹

Despite the organized opposition and delaying tactics of the Southern Delegations, a coalition of Republican and Democratic representatives managed to pass the bill at the close of the congressional session, with the aid of Speaker Sam Rayburn (D-TX). The measure was then hastily introduced in the Senate and referred to the Judiciary Committee, where it was tabled by the committee’s southern chairman, Eastland, until Congress adjourned. At the opening of the 85th Congress, congressional liberals reintroduced the Administration’s proposal, and, after much delay, it again passed the House by a strong majority. Careful to avoid repeating past mistakes, civil rights advocates ensured that the measure was referred directly to the Senate floor, bypassing Eastland’s Judiciary Committee. Denied the opportunity to obstruct the bill in committee and faced with strong Republican support for Eisenhower’s initiative, the Southern Caucus pursued a strategy of compromise. Unable to prevent the bill’s passage, they sought to weaken the final legislation so that it would do little damage to southern segregation. Ramping up their organizational efforts, the Caucus sought to offset its institutional disadvantage, by implementing strict control over floor strategy and further centralizing power under Russell.

As in the battle to define the southern response to *Brown*, the decision to compromise was contentious — dividing the Caucus’s conservative and moderate factions. Only after a series of long strategy sessions did the Southern Caucus reach agreement to eschew a filibuster and work, instead, “to wipe out many of the bill’s original teeth.”¹⁰ Through a series of amendments and the public threat of a filibuster (which the group did not intend to carry out), the southern bloc succeeded in removing what it believed to be the measure’s “tough[est]” provisions.¹¹ On August 2, 1957 the Senate succeeded in passing a much weakened version of

⁸ Dwight D. Eisenhower, *The White House Years: Waging Peace, 1956-1961* (Garden City, NY: Doubleday, 1965), 156.

⁹ Eisenhower determined that the proposed measure should not come from the Administration, and had decided “to submit the bill to Congress...only as a Justice Department [proposal.” Caro, *Master of the Senate*, 780. The measure consisted of four sections or “titles.” Title I called for the establishment of a nonpartisan civil rights commission, as Eisenhower had previously outlined. Title II provided for an assistant attorney general to head a new civil rights division in the Justice Department. Title III expanded the right of the attorney general to expedite cases involving alleged civil rights violations. Title IV granted executive officials the civil authority to secure and protect the right to vote.

¹⁰ “Genuine, Practical Progress,” *The Christian Science Monitor*, September 3, 1957, UGASC, Russell Papers, Series X, Box 96, Folder 1.

¹¹ Willard Shelton, “It’s Your Washington,” September 1957, UGASC, Russell Papers, Series X, Box 96, Folder 1.

the civil rights bill.¹² In conference committee, civil rights advocates succeeded in reversing some of the southerners' work, allowing for the bill's easy passage in the House. Although disappointed by the conferees' changes, the majority of the Southern Caucus agreed to refrain from filibustering the final legislation, freeing the Senate to vote on the measure. On September 9, 1957, President Eisenhower signed the Civil Rights Act of 1957 into law. More a symbolic victory than a substantive one, the new law signaled the federal government's growing commitment to the cause of civil rights and with it, an intensified reliance by southern lawmakers on intraparty organization to sustain Jim Crow.

Delaying the House

As early as 1956, there was considerable doubt that southern House members would control enough votes to prevent the passage of Eisenhower's civil rights initiative. With a Republican president behind the civil rights proposal, members of the Southern Delegations found that the conservative Republicans with whom they had worked in previous battles "to preserve constitutional government" had largely deserted them.¹³ Moreover, their nonsouthern conservative allies within the Democratic Party — "safe men...who always came down on the side of the South" — were increasingly keen to support civil rights legislation, in light of growing black political participation in districts outside the South. Compounding the southerners' difficulties, Speaker Rayburn had offered civil rights advocates his tepid support.¹⁴ Although generally an ally of the Southern Delegations, Rayburn was unwilling to oppose Eisenhower's suffrage measure on the grounds that he "[was] not against the right to vote."¹⁵

Their challenge was by now familiar. Without sufficient votes to defeat the bill on the floor, and lacking the favorable institutional rules of the Senate, the leaders of the Southern Delegations debated their best course of action. Ultimately, it was decided that their chief advantage lay in their ability to influence the timing of the measure's introduction in the House.¹⁶ Explaining the Delegations' plan to a constituent, Smith wrote, "We [can] fight it very hard in the House and have it delayed sufficiently so that it will not have an opportunity to be taken up in the Senate before the end of the session."¹⁷ Submitted to the House in April 1956, the southerners had only to delay the proposal's consideration until late July, when the 84th Congress would adjourn and the measure, regardless of whether it had passed the House or not,

¹² The Senate measure removed Title III from the original proposal and added a provision that granted individuals held in contempt by the federal court for violating the Act's suffrage laws the right to a trial by jury.

¹³ Smith, "Statement in the Rules Committee at the Opening of Hearings on Civil Rights," February 1, 1960, UVASL, Box 30, Folder "Civil Rights Bills."

¹⁴ Caro, *Master of the Senate*, 781.

¹⁵ As quoted in Caro, *Master of the Senate*, 782.

¹⁶ Smith to E.L. Forrester, June 25, 1956, UVASL, Smith Papers, Box 107, Folder "Civil Rights Legislation."

¹⁷ Smith to Charles L. Ellis, July 16, 1956, UVASL, Smith Papers, Box 107, Folder "Civil Rights Legislation."

would die.¹⁸ The leaders of the Southern Delegations acknowledged that little could be done to detain the bill in the House Judiciary Committee, to which it had been referred. Indeed, the measure was quickly stewarded through committee markup by Judiciary Chairman Rep. Emanuel Celler (D-NY). An early and staunch advocate of civil rights, Celler quickly reported the Administration's proposal to the House floor over the objections of southern committee members.¹⁹

However, once reported out of committee, scheduling the bill's consideration on the House floor fell to the Rules Committee. Chaired by Smith, the Rules Committee would give the Southern Delegations the power to delay the proposal for many months with "proper maneuvering."²⁰ With Smith the key to their strategy, the Southern Delegations "selected [him] as the floor leader in [their] fight against the civil rights bill."²¹ In a series of hearings before the Rules Committee — intended to "give [them] extra time and extra debate" — Smith called upon members of the Southern Delegations to "expose the evils of the pending civil rights legislation."²² The Southern Delegations' strategy of delay furthered a secondary goal for the organization's membership. According to Smith, "This extended debate enabled [his southern] colleagues to so annihilate the bill that many of the Members who may vote for it will do so with shame."²³

Though resigned to the fact that civil rights legislation would eventually pass the House, southern representatives were eager to mount a spirited public defense of Jim Crow. Members of the Southern Delegations drafted and publicly presented "a resolution...citing in detail the dangers of the pending so-called civil rights legislation to the liberties of all citizens." Signed by both Democratic and Republican members of the Alabama, Arkansas, Florida, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia delegations, the resolution pledged the signatories' "united stand [in] unqualified opposition to [the] legislation." Southern members included copies of this "warning of grave danger" in correspondence with their constituents, sharing franking privileges to ensure that every member communicated the

¹⁸ Any bills that have been introduced in either the House or the Senate that have not made it through the entire legislative process and then signed into law by the president are considered "dead" when a Congress adjourns at the end of its two-year cycle.

¹⁹ So committed was Celler to passing civil rights legislation that he gave up authorship of his own civil rights proposal to promote the Eisenhower measure instead — recognizing the bill would garner greater support from Republicans if it was one backed by a Republican White House. See Caro, *Master of the Senate*, 781, 790.

²⁰ Colmer to W.J. Simmons, June 10, 1954, USMML, Colmer Papers, Box 464, Folder 14.

²¹ Smith to James C. Davis, July 23, 1956, UVASL, Smith Papers, Box 107, Folder "Civil Rights Legislation."

²² Smith to Davis, July 23, 1956, UVASL, Smith Papers, Box 107, Folder "Civil Rights Legislation"; William M. Tuck, July 13, 1956, UVASL, Smith Papers, Box 107, Folder "Civil Rights Legislation."

²³ Smith to Davis, July 23, 1956, UVASL, Smith Papers, Box 107, Folder "Civil Rights Legislation."

same clear message: “The Southern Members of Congress are unanimously doing everything possible to defeat [the civil rights bill].”²⁴

The Southern Delegations delayed Eisenhower’s proposal for nearly four months, and were prepared to suppress it indefinitely. But, in the final days of July, under pressure from Speaker Rayburn to end their obstruction, they allowed the measure to come to a vote. In a final ploy to defeat the measure, the leaders of the southern bloc unexpectedly called for a vote on July 23, hoping to catch congressional liberals off guard. But, the last-minute maneuver failed, and Eisenhower’s proposal passed the House with overwhelming support, 279-126.²⁵ In the days that followed, members of the Southern Delegations reveled in the knowledge that, although they had lost the vote, they had “killed the legislation for the 84th Congress.”²⁶

With the reintroduction of Eisenhower’s civil rights initiative at the opening of the 85th Congress in January 1957, the Southern Delegations once again agreed to pursue a strategy of delay. As Southern Delegations member Rep. James C. Davis (D-GA), explained to constituents: “It is not possible under House Rules to filibuster a bill in the House, but by using the rules available to it, the Southern Members of the House [can] keep this bill in the possession of the House.” Again, the southerners used their control of the Rules Committee and House calendar to “force [the bill] to lie on the Speaker’s table, stalemated.”²⁷ For five months and eleven days the Southern Delegations delayed the measure, “until one Republican on the Rules Committee joined six Democrats on the Committee [to] vote to bring it to the floor... a so-called compromise [by] Speaker Rayburn.”²⁸

²⁴ William M. Tuck, “Warning of Grave Danger, July 1956, UVASL, Smith Papers, Box 107, Folder “Civil Rights Legislation”; Smith to Ellis, July 16, 1956, UVASL, Smith Papers, Box 107, Folder “Civil Rights Legislation.”

²⁵ *Congressional Record*, 84th Congress, 2nd Sess., 1956, 103, 13999.

²⁶ Davis to Smith, July 28, 1956, UVASL, Smith Papers, Box 107, Folder “Civil Rights Legislation.”

²⁷ “Statement of Representative James C. Davis,” August 28, 1957, W.A.G.A.-TV Atlanta, UVASL, Smith Papers, Box 106, Folder “Civil Rights.”

²⁸ Smith to Robertson, June 18 1957, UVASL, Smith Papers, Box 106, Folder “Civil Rights.” For more on the Southern Delegations’ strategy in the 85th Congress, see Howard Suttle’s Washington weekly report: “Following introduction last January, New York’s Celler, House Judiciary chairman, favored committee action without hearings. Colmer and his ‘Committee of 78’ contacted southern governors, attorneys general and other state officials, who, in turn telegraphed Speaker Rayburn, requesting time to testify at hearings before the House Judiciary group. Celler then set four days of hearings. The hearings were still in progress four weeks later. Then the Rules Committee held further hearings. The legislation did not reach the floor until June 1.” Howard Suttle, “Viewing the South from Washington,” August 4, 1957, *Slim Suttle’s View from Washington*, UGASC, Russell Papers, Series X, Box 96, Folder 3.

Figure 5.1: Southern Delegations Membership, 1956-1957 (participating representatives/state delegation)

Alabama (9/9)	George W. Andrews Frank W. Boykin Carl Elliott George M. Grant George Huddleston, Jr. Robert E. Jones Albert Rains Kenneth A. Roberts Armistead I. Seldon, Jr.	Arkansas (6/6)	E.C. Gathings Oren Harris Brooks Hays Wilbur D. Mills W.F. Norrell James W. Trimble	Florida (7/8)	Charles E. Bennett William C. Cramer James A. Haley A.S. Herlong, Jr. D.R. Matthews Paul G. Rogers Robert L.F. Sikes
	Iris F. Blich Paul Brown James C. Davis John James Flynt, Jr. E.L. Forrester Henderson Lanham Phil M. Landrum John L. Pilcher Prince H. Preston Carl Vinson		Hale Boggs Overton Brooks F. Edward Herbert George S. Long James H. Morrison Otto E. Passman T. Ashton Thompson Edwin E. Willis		Thomas G. Abernathy William M. Colmer Frank E. Smith Jamie L. Whitten John Bell Williams Arthur Winstead
	Hugh Q. Alexander Graham A. Barden Herbert C. Bonner F. Ertel Carlyle L.H. Fountain Woodrow W. Jones George A. Shuford		Robert T. Ashmore W.J. Bryan Dorn John L. McMillan James P. Richards John J. Riley L. Mendel Rivers		Ross Bass Jere Cooper Clifford Davis Joe L. Evins James B. Frazier, Jr. Tom Murray J. Percy Priest
	Texas (5/22)		Virginia (10/10)		
	Martin Dies John Dowdy O. Clark Fisher Wright Patman Walter Rogers		Watkins M. Abbitt Joel T. Broyhill J. Vaughan Gary Porter Hardy, Jr. Burr P. Harrison W. Pat Jennings Richard H. Poff Edward J. Robeson Howard W. Smith William M. Tuck		

Source: "Warning of Grave Danger, July 1956, UVASL, Smith Papers, Box 107, Folder "Civil Rights Legislation"; Smith to Ellis, July 16, 1956, UVASL, Smith Papers, Box 107, Folder "Civil Rights Legislation."

With delay no longer an option, southern representatives resumed their public relations campaign against the substance of the legislation. As they had in the previous Congress, the Southern Delegations drafted an open letter to Eisenhower outlining the organization's objections to his civil rights bill. In particular, the southerners charged, the measure gave "extraordinary

powers to the Attorney General” and “definitely does deprive citizens [accused of obstructing suffrage] of a right of trial by jury.”²⁹

Although the Southern Delegations had managed to subvert the wishes of the House majority once, “putting in a lot of sweat and tears,” the organization could not do so a second time.³⁰ As expected, the southerners’ objections did little to weaken the “union of New Deal Democrats and Republicans” in support of the measure. Finally, on June 18, 1957, the House passed the legislation, 286-126.³¹ While “the best laid plans can sometimes be upset,” Smith and his colleagues recognized that their opportunities were limited by House rules. “I do hope,” the congressman wrote to Virginia’s Senate delegation, “that the Southern Democrats [in] ... the Senate will leave no stone unturned to keep [the civil rights bill] from becoming law.”³²

Revising Senate Strategy

In early July 1956, several weeks before the Administration’s proposal would pass the House for the first time, the Southern Caucus gathered to discuss how “to wage the most effective battle possible for the preservation of southern customs, traditions and way of life.”³³ The group’s chief concern was the apparent dissolution of the conservative coalition in the House. If, as appeared to be true in the House, the Caucus could no longer rely on conservative Republicans to help them block civil rights legislation, the South would find itself “completely without allies.”³⁴ Believing the political situation had become increasingly unfavorable to southern interests, Russell and his senior lieutenants stressed that the Caucus’s first goal must be to maintain the support of sympathetic Republican senators. As they had in the past, Russell argued, the senators would need to eschew the racist rhetoric often used to placate their own constituencies and, instead, adopt language that would reassure their allies in the Senate that southern opposition to civil rights legislation rested on sound constitutional grounds.³⁵ Explaining the group’s strategy to a constituent, Ervin wrote: “We no longer enjoy the benefit of

²⁹ Southern Representatives to Dwight D. Eisenhower, July 12, 1957, UVASL, Smith Papers, Box 85, Folder “Civil Rights Bills.” The letter was initially signed by members from Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia. The document was then circulated and signed by a select number of representatives from Idaho, Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, New York, Ohio, Oklahoma, and Wisconsin.

³⁰ Smith to Robertson, June 18 1957, UVASL, Smith Papers, Box 106, Folder “Civil Rights.”

³¹ Smith to Robertson, June 18 1957, UVASL, Smith Papers, Box 106, Folder “Civil Rights,” *Congressional Record*, 85th Congress, 1st Sess., 1957, 103, 9518.

³² Smith to Robertson, June 18 1957, UVASL, Smith Papers, Box 106, Folder “Civil Rights.”

³³ As quoted in Finley, *Delaying the Dream*, 154.

³⁴ As quoted in Perman, *Pursuit of Unity*, 290.

³⁵ Fite, *Senator from Georgia*, 337.

conditions which used to exist...in consequence we will have to fight Civil Rights Bills in the future as we [fight] this particular bill, by appeals to the reason of our fellow senators.”³⁶

Saved from having to consider the civil rights measure during the 84th Congress by the Southern Delegation’s delaying tactics, the Southern Caucus prepared for the proposal’s reintroduction at the opening of the new Congress in February 1957. Convening in Russell’s office on January 2, 1957, the Caucus commander outlined his proposed plan of action.³⁷ With “the lost support of even some Southern Senators” and only eighteen votes, Russell argued, the Southern Caucus could not hope to defeat Eisenhower’s civil rights initiative.³⁸ Nor, he urged, could the senators risk an endless filibuster to prevent the bill’s passage, lest their actions provoke “further efforts during this Congress...to kill the filibuster.”³⁹ Compromise, Russell insisted, was the only viable option. If the southerners agreed not to filibuster the legislation, and instead negotiated with their Senate colleagues, it might be possible to remove the bill’s most objectionable provisions, ensuring the measure would cause only minimal damage to Jim Crow.⁴⁰

In previous battles, Caucus strategy had been crafted to satisfy both moderate and conservative members. With the senators now “in greater danger than [they had] ever been,” placating factional interests was a luxury the group could no longer afford. Instead, the “course of action [was] designed to obtain the maximum results from the meager amount of bargaining power [the] small group possessed.”⁴¹ Predictably, Russell’s strategy of compromise received an enthusiastic reception from Caucus moderates. Describing the situation facing the Southern Caucus in 1957, Long argued, “This is the time for a tactical retreat. If Eisenhower’s civil rights bill is anything like reasonable...it [is not] wise for us to filibuster the bill...We would do best to save our filibuster weapon against the day when it is desperately needed.”⁴² But conservative members of the Caucus found compromise a bitter pill to swallow. “The South has already compromised too much,” Sen. Strom Thurmond (D-SC) wrote; “I do not see how we can continue to compromise away our principles.”⁴³ “We certainly must fight it in every way possible,” Sen. A. Willis Robertson (D-VA) exhorted Russell.⁴⁴ Likewise, his senior colleague

³⁶ As quoted in Finley, *Delaying the Dream*, 186.

³⁷ Russell to Byrd, December 13, 1956, UGASC, Russell Papers, Series X, Box 99, Folder 1.

³⁸ Russell to Ruby Dobyns, July 24, 1956, UGASC, Russell Papers, Series X, Box 21, Folder 2.

³⁹ As quoted in Finley, *Delaying the Dream*, 160; Byrd, “Statement by Senator Harry F. Byrd,” January 2, 1957, UVASL, Box 410, Folder “Statement after meeting of Southern Senators to oppose change in rules of the Senate.”

⁴⁰ Fite, *Senator from Georgia*, 337.

⁴¹ As quoted in Finley, *Delaying the Dream*, 186.

⁴² As quoted in Finley, *Delaying the Dream*, 161.

⁴³ Thurmond to T.W. Waring, September 4, 1957, Clemson University Special Collections Library (CUSCL), Strom Thurmond Papers, Series 18, Box 14, Folder 1.

⁴⁴ Robertson to Russell, December 17, 1956, UGASC, Russell Papers, Series X, Box 99, Folder 3.

Byrd pledged that “the Southern Senators and Congressmen will stand like a stone wall against the passage of unjust discrimination legislation obviously aimed at the South.”⁴⁵ Despite their misgivings, however, the bloc’s conservative wing agreed to abide by Russell’s strategy, ultimately swayed by the numerical realities and determined to avoid southern disunity.

To persuade the full Caucus membership to pursue a plan of action that appealed to only a fraction of the group, Russell adopted a two-pronged strategy. For one, the Caucus leader was even-handed in his presentation. According to Long, “[Russell] would more or less present the question to people and let them answer it for themselves. He was a master of putting the matter to the people so that they weren’t doing him a favor.”⁴⁶ Stennis observed a similar talent in the Caucus commander: “[Russell] never gave the appearance that he was coaxing people into doing what they didn’t want to do. He would always listen to everyone at the conference table. He didn’t start out with a premise and try to drive everyone to it.”⁴⁷ Second, Russell made clear to the conservative members of the Southern Caucus, who were desperate to demonstrate to their constituents that Dixie’s Senate delegation remained unified and “in control,” that compromise on their part would assure a publicly cohesive southern front.⁴⁸

Unable to revise the bill in committee because it had been reported directly to the floor, the Southern Caucus ramped up their organizational efforts. To ensure the southerners’ control of the negotiation and amendment process, Russell established a careful schedule of “floor guards.” Each member of the Southern Caucus was assigned specific dates for which he would be responsible for monitoring activity on the Senate floor. Should some action of note take place, the floor guard on duty was to report to a second, “auxiliary” guard who would then alert the Caucus leader. With this strategy in place, Russell explained to his membership, there would be no “enemy surprises.”⁴⁹

As in previous battles, Russell also coordinated the Caucus’s speaking schedule, determining which members would speak first and on what subject, and timing the sequence of speeches so as to minimize the likelihood that one speech might devolve into a filibuster.⁵⁰

⁴⁵ Byrd, “Statement by Senator Harry F. Byrd,” January 2, 1957, UVASL, Box 410, Folder “Statement after meeting of Southern Senators to oppose change in rules of the Senate.”

⁴⁶ Mann, *Walls of Jericho*, 196.

⁴⁷ Stennis to Fite, June 7, 1983, UGASC, Gilbert C. Fite Papers, Oral Histories, Box 1, Folder 4.

⁴⁸ Wilmot Hercher, “Russell Strategy on Rights Bill Lauded: Southern Demos Irked by Thurmond Filibuster,” August 21, 1957, UGASC, Russell Papers, Series X, Box 96, Folder 1.

⁴⁹ Russell to Stennis, August 21, 1959, MSUSC, Stennis Papers, Series 28, Box 3, Folder 61.

⁵⁰ Russell to Eastland, Ervin, Fulbright, Hill, Holland, Johnston, Long, Talmadge, and Thurmond, September 1959, UGASC, Russell Papers, Series X, Box 186, Folder 13. Unwilling to use lengthy speeches to further an “educational campaign,” the Southern Caucus turned to national televisions and radio. In June 1957, Russell dispatched Sen. Herman Talmadge (D-GA) to recruit members of the Southern Caucus to make transcribed and filmed radio and television shorts, presenting the southern viewpoint, to be broadcast without cost to the station. See Howard Suttle, “Viewing the South from Washington,” August 4, 1957, *Slim Suttle’s View from Washington*, UGASC, Russell Papers, Series X, Box 96, Folder 3.

Ervin, one of Dixie's recognized "constitutional experts," would lead off and conclude debate for most sections. Fulbright and Sparkman, both well-known and well-liked southern liberals, were assigned to make arguments on those provisions deemed most objectionable to the Caucus, thereby putting as friendly a face as possible on the most contentious issues. And Hill, who had strong connections to organized labor, was tasked with enlisting support among unions for some revision to the measure.⁵¹ Meanwhile, Russell quietly worked with his longtime friend and Senate prodigy, Lyndon Johnson — by this point, Senate Majority Leader — to cobble together enough Democratic votes beyond the Mason Dixon line to prevent the passage of an overly liberal civil rights bill. Forging a deal with western members of the "public power bloc," Russell agreed to lend a few southern votes to pass a bill, long-buried in committee, authorizing the construction of a federal dam by the Snake River, between Oregon and Idaho. In return, the western Democrats would ensure that the southerners' had enough votes to attach their "weakening amendments" to the civil rights bill and pass the measure.⁵²

In July 1957, two weeks after the House passed Eisenhower's proposal for a second time, the members of the Southern Caucus began their public offensive. The core of the southerners' critique was that the passage of Eisenhower's proposal would greatly extend federal powers, threatening every state's autonomy. Focusing on questions of federal power allowed the southerners to shift debate away from discussions of race and voting that would make potential Senate allies uneasy. Russell opened the discussion, arguing that the civil rights measure gave the Attorney General carte blanche to use "military force...in the southern states" to compel compliance with any civil rights order — not simply suffrage laws. Moreover, Russell claimed, "[the] injunction suits [that might follow from non-compliance] could result in the jailing of American citizens for an indeterminate period, without the benefit of a jury trial."⁵³

When the amendment process began, the southerners found that their speeches had raised serious doubts among northern moderates about Title III, which expanded the powers of the attorney general to expedite cases involving alleged civil rights violations. In fact, with the support of their western allies, the Southern Caucus had generated such concern that the Senate voted to remove the provision from the legislation altogether. Under Johnson's shrewd stewardship and the Caucus's secret alliance with western Democrats, the legislation was also amended to address other southern concerns.⁵⁴ With "the defects in the original administration bill" removed, the Southern Caucus permitted the legislation to come to a vote; they would not,

⁵¹ Mann, *Walls of Jericho*, 200.

⁵² Caro, *Master of the Senate*, 897-902.

⁵³ *Congressional Record*, 85th Congress, 1st Sess., 1957, 103, 10989-10991.

⁵⁴ Even after Title III was removed, the measure's remaining provisions were too strong for Southern senators, who objected — in particular — to the provision that individuals who violated federal court orders safeguarding full suffrage could be cited for criminal contempt. The Southern Caucus demanded that the accused should be guaranteed a jury trial, which in the South meant by an all-white jury trial. To the dismay of civil rights advocates, the southerners' arguments persuaded several liberal senators to draft and pass an amendment granting individuals accused of contempt a trial by jury.

however, vote in favor of its passage. Despite southern opposition, the civil rights resolution passed the Senate on August 7, 72-18.⁵⁵

With the resolution in conference committee, Russell and his colleagues reflected on their compromise strategy. Although, in Russell's words, "the Dixie bloc had succeeded in pulling the fangs of legislation which, in its original form, could have destroyed southern civilization beyond the hope of redemption," the Caucus's strategy confounded many members' white constituents. According to Ervin, throughout the months of debate, the senators were "under pressure from the folks back home to attempt to kill the civil rights bill by filibuster." Public support for a filibuster was so intense that even southern representatives, generally deferential to their Senate partners, criticized Russell's strategy. "It is possible in the Senate to filibuster, and I think they ought to use it to defeat this vicious piece of legislation," a Georgia representative stated to the press. The Caucus commander caustically responded: "I have been so busy fighting the enemy that I had not anticipated an attack from the flank."⁵⁶ In letters to constituents, members of the Southern Caucus struggled to explain to unhappy voters that compromise "warded off a stronger measure." "It would be physically impossible," Ervin explained, "for such a small minority to maintain a filibuster."⁵⁷

On August 23, the conference committee reached a settlement between the House and Senate versions of the resolution, including most of the Senate's amendments. However, to appease congressional liberals, the conference committee limited the scope of a controversial amendment favored by the Southern Caucus that ensured that individuals held in contempt for violating federal orders enforcing civil rights would have the right to a jury trial. Upon receiving the conference report, the Caucus gathered in Russell's office to decide how best to proceed. According to Long, the group debated the merits of an organized filibuster. "When I raised the issue," Long wrote, "the junior Senator from South Carolina — Thurmond — advised me, in the presence of other Senators, that that would be the worst mistake we could make." Lacking the numerical strength to make the filibuster effective and concerned that delaying tactics might "goad supporters of the bill into efforts to strengthen it [and] quicken sentiment for changing Senate rules," the Caucus agreed, by unanimous consent, to let the measure come to a vote. However, several days later, in clear violation of the group's decision, Thurmond launched a record-breaking "renegade" filibuster. Despite Thurmond's "kamikaze attack," the conference committee's resolution passed the Senate, as predicted.⁵⁸

⁵⁵ Fulbright to W.A. Duerson, August 7, 1957, UARML, Fulbright Papers, Series 61, Box 126, Folder 9. As Russell's whip counts had anticipated, with the jury trial amendment in place, Southern Caucus member Smathers voted in favor of measure along with Gore, Kefauver and Johnson. *Congressional Record*, 85th Congress, 1st Sess., 1957, 103, 13900.

⁵⁶ "Filibuster Bids Ignored: Southern Senators Admit Pressures from Home," *Baltimore Sun*, August 29, 1957, UGASC, Russell Papers, Series X, Box 96, Folder 1.

⁵⁷ "Southern Solons Flay Rights Bill," August 29, 1957, *Savannah Morning News*, UGASC, Russell Papers, Series X, Box 96, Folder 1.

⁵⁸ Hercher, "Russell Strategy on Rights Bill Lauded: Southern Demos Irked by Thurmond Filibuster," August 21, 1957, UGASC, Russell Papers, Series X, Box 96, Folder 1.

The southerners' response to Thurmond's defection was both quick and effective. Publicly, Russell condemned Thurmond on the Senate floor: "Under the conditions we faced, if I had undertaken a filibuster for personal aggrandizement, I would have forever reproached myself for being guilty of a form of treason against the South."⁵⁹ Behind the scenes, Thurmond was removed from the list of southerners regularly invited to attend Caucus meetings; from that day forward, Thurmond would not be informed of any Caucus activities without Russell's express permission.⁶⁰ If Thurmond expected a warm response from his southern colleagues after violating their agreement, he underestimated their respect for Russell and the group's policy of unanimous consent. In Long's view, Thurmond had placed his own interests over those of the group, "making a cheap campaign for his own reelection at the expense of the other guys [that] caused [constituents] to say, 'What's the matter with you? That man's out there fighting for us and you're sitting on your ass [and] won't even help him.'"⁶¹ Furious that Thurmond had put them all in a potentially precarious electoral situation, and undermined their organization in the process, both conservative and moderate members of the Caucus rallied to defend the decision not to filibuster. Together, Eastland and Byrd expressed their "complete confidence in Russell" and "complete agreement with every decision he made." Similarly, Fulbright told the press, "I can't endorse [Russell's strategy] too highly. Passage of the legislation, as distasteful as it was to me, may be the beginning of a new era of understanding and lessening of the controversy...that has plagued us."⁶²

Thurmond's surprise defection sorely tested the Southern Caucus's ability to force its members to adhere to a mutually agreed-upon plan of action. Considering the pressure southern lawmakers received from constituents to "hold the line against civil rights," there were strong incentives for conservative members of the Caucus to depart from the bloc's compromise strategy and instead, to make public attempts to defeat the measure in its entirety, despite the certainty of failure.⁶³ To prevent "attrition" within the southern organization, the Caucus would again leverage its capacity to legitimize members' credit claiming to deter this behavior going forward.⁶⁴

⁵⁹ *Congressional Record*, 85th Congress, 1st Sess., 1957, 103, 16662.

⁶⁰ Russell Office Memorandum, January 9, 1967, UGASC, Russell Papers, Series X, Box 186, Folder 5. Hercher, "Russell Strategy on Rights Bill Lauded: Southern Demos Irked by Thurmond Filibuster," August 21, 1957, UGASC, Russell Papers, Series X, Box 96, Folder 1. Members of Southern Caucus chastised Thurmond as well. For example, both Stennis and Ervin took pains to publicly refute Thurmond's claims to having authored the Southern Manifesto, going so far as to circulate a detailed accounting of the draft's creation to correspondents from the Senator's home state. See Ervin to Mizell, April 13, 1962, MSUSC, Stennis Papers, Series 29, Box 5, Folder 5.

⁶¹ As quoted in Mann, *Walls of Jericho*, 221.

⁶² Hercher, "Russell Strategy on Rights Bill Lauded: Southern Demos Irked by Thurmond Filibuster," August 21, 1957, UGASC, Russell Papers, Series X, Box 96, Folder 1; Finley, *Delaying the Dream*, 188-189.

⁶³ Finley, *Delaying the Dream*, 153.

⁶⁴ "House Strikes Again," *New Orleans Times-Picayune*, August 28, 1957, UGASC, Russell Papers, Series X, Box 96, Folder 1.

Paradoxically, the passage of the 1957 Civil Rights Act — the first civil rights legislation to become law since Reconstruction — marked the zenith of the Southern Caucus's organizational strength. No longer a loosely organized group, the Southern Caucus had become a powerful and well-oiled machine. But, just as the Caucus was intensifying its organizational efforts, implementing stricter control over floor strategy and further centralizing power under Russell's command, southern senators found their capacity to halt the advance of civil rights legislation ever more constrained. Although the senators managed to collectively pursue their mutually agreed-upon plan of action and to effectively police defection within their ranks, the bloc's political situation had become increasingly unfavorable. A new and ultimately more successful phase of the civil rights movement was about to begin.

3. The Civil Rights Act of 1964: Beginning of the End

Emboldened by their legislative success, civil rights organizations intensified their grassroots activity in the early 1960s. Lacking the power to overturn Jim Crow at the state and local level, the movement's leaders hoped to "induce their opponents to disrupt public order to the point where supportive federal intervention was required."⁶⁵ That opportunity came in the summer of 1963, when civil rights demonstrators were assaulted on the streets of Birmingham, Alabama and Medgar Evers, a field secretary for the NAACP, was gunned-down outside his home in Jackson, Mississippi. In response, President John F. Kennedy unveiled a civil rights proposal to end segregation in both public and private sectors across the country. Kennedy would not live to see the proposal win passage, but his assassination in November 1963 galvanized congressional liberals and added momentum to the martyred president's policy goals. Suddenly elevated to the presidency, Johnson vowed to pass Kennedy's civil rights program and made clear to his former southern allies that compromise was not an option. Despite southern obstruction, the measure passed the House in February 1964. The proposal's progress stalled in the Senate for two months while the Southern Caucus waged a desperate filibuster, but congressional liberals refused to capitulate and eventually mustered the votes needed to impose cloture. The measure passed the upper chamber in June of that year. On July 2, 1964, Johnson signed the landmark legislation into law — ensuring that the federal government would no longer condone Jim Crow.

The passage of the 1964 Civil Rights Act marked the beginning of the end for southern organization in the House and Senate. For nearly three decades, southern lawmakers had successfully defeated or dramatically weakened all assaults against their region's racial order. After years of innovation and investment, by 1963, the Southern Delegations and Southern Caucus were at the peak of their organizational strength. With a centralized leadership, ordered decision-making, battle-tested floor teams, rigid discipline, and the experience of past struggles, southern lawmakers possessed all of the institutional resources necessary to wage an effective battle. By 1963, however, it was no longer in their power to sustain the status quo; collaboration between liberal Democrats and moderate Republicans left southern lawmakers with limited

⁶⁵ Doug McAdam, *Political Process and the Development of Black Insurgency, 1930-1970* (Chicago: University of Chicago Press, 1982), 174.

influence over chamber proceedings. In addition, by 1963, civil rights advocates were better prepared to counter southern intraparty organization. Determined to parry southern obstruction, congressional liberals developed organizational tools of their own, emulating those of the Southern Caucus and Southern Delegations. In the House, the Southern Delegations tried to defeat the legislation in committee, but found that it could not break the cross-party coalition in favor of civil rights. In the Senate, the Southern Caucus faced a new, and ultimately lethal, challenge: a supermajority willing to impose cloture. Now, the southern filibuster could hope only to delay, but not prevent, the passage of civil rights legislation.

Defeat in the House

Lacking the requisite votes to prevent the civil rights measure from passing the House, the leaders of the Southern Delegations identified two opportunities to defeat the legislation before it reached the floor. First, southern representatives would target the legislation in committee markup, revising Kennedy's intentionally moderate measure, hoping that a more aggressive proposal would split the bipartisan coalition supporting civil rights. Second, as they had so many times in the past, they would exploit their control of the House Rules Committee to prevent the legislation from coming to a vote on the chamber floor. At both junctures, however, moderate Republicans, Dixie's former allies, successfully parried the southerners' maneuvers.

Referred to the House Judiciary Committee in June 1963, Kennedy's proposal was deliberately assigned to a "safe" subcommittee dominated by civil rights advocates, under the direct control of the committee's progressive chairman, Celler.⁶⁶ Believing that "the stronger the subcommittee bill, the stronger the final product," Celler ignored the President's counsel to produce a moderate bill that could win cloture in the Senate.⁶⁷ Instead, no longer satisfied with half measures, the congressman challenged the subcommittee to produce "stringent laws." "We must no longer palliate and ponder, quibble and quarrel," he said, authorizing the Judiciary committee's liberals to "put more muscle" into the legislation.⁶⁸ For their part, the southerners were eager to assist their liberal colleagues, hoping to make the legislation unpalatable to moderate Republicans. Together, the subcommittee's liberal and southern members strengthened the measure's voting rights provisions, granted the Attorney General additional authority, and widened the administration's discrimination ban.

While Celler believed that these stronger provisions were valuable "trading chips" to offer southern Democrats in the full committee, the White House understood — as did the leaders of the Southern Delegations — that a civil rights bill with a "radical past" would

⁶⁶ Daniel B. Rodriguez and Barry R. Weingast, "The Positive Political Theory of Legislative History: New Perspectives on the Act and Its Interpretation," *University of Pennsylvania Law Review* 151 (2003), 1464-1465.

⁶⁷ Charles Whalen and Barbara Whalen, *The Longest Debate: A Legislative History of the 1964 Civil Rights Act* (Cabin John, MD: Seven Locks Press, 1985), 38.

⁶⁸ Whalen and Whalen, *The Longest Debate*, 34.

endanger the delicate compromise between moderate Republicans and liberal Democrats.⁶⁹ When the subcommittee finally reported its measure to the full Judiciary committee, southern committee members seized on the bill “in the hopes they could muscle it through the full committee and onto the House floor — where it would face almost certain defeat.”⁷⁰ However, their efforts were thwarted by moderate Republicans who introduced a series of amendments that systematically weakened the subcommittee’s more radical provisions.⁷¹ The southerners lacked sufficient votes to prevent these amendments from being adopted, and the full committee’s bipartisan product was soon reported to the floor.

As the Southern Delegations had anticipated, the measure would need to be scheduled for consideration by the House Rules Committee before it could come to a vote on the floor. For three months, Rules chairman and Southern Delegations leader Smith refused to grant a rule under which the civil rights bill would be debated. According to Johnson, “Howard [Smith] [told] the Speaker, ‘I won’t even give you a hearing on it...don’t mess with me until next year.’”⁷² Initially, Smith’s obstruction was abetted by Republicans, who were unwilling to produce a discharge petition to allow the legislation to bypass the Rules Committee and move directly to the House floor. Eventually, however, the committee’s ranking Republicans grew weary of Smith’s inaction and threatened to discharge the measure without the chair’s approval.⁷³ Fearful of losing control of his own committee, Smith reluctantly agreed to hold hearings on the proposal, saying, “I know something about the facts of life around here, and I know that many members want this bill considered. They could take it away from me, and they can do it any minute they want to.”⁷⁴ After a series of hearings, the Rules Committee voted in January 1964 to send the civil rights measure to the House floor under an “open rule,” which allowed members to offer floor amendments to every section.

During the floor debate, Celler and his moderate Republican allies on the Judiciary Committee held their ground, directing their bipartisan coalition to reject amendments intended either to dismantle or to radicalize the measure. In previous battles, the Southern Delegations’ organizational strength had bested their liberal opponents. Now, they found their circumstances reversed. A liberal intraparty organization, the Democratic Study Group, helped Celler and the Democratic leadership to prevent substantive changes to the legislation, whipping members to defeat unfriendly amendments and strong-arming reluctant allies to participate in close votes.⁷⁵

⁶⁹ Mann, *Walls of Jericho*, 373.

⁷⁰ Mann, *Walls of Jericho*, 373.

⁷¹ Rodriguez and Weingast, “The Positive Political Theory of Legislative History,” 1465.

⁷² Mann, *Walls of Jericho*, 388.

⁷³ Fite, *Senator from Georgia*, 407; Mann, *Walls of Jericho*, 388-389.

⁷⁴ Whalen and Whalen, *Longest Debate*, 86.

⁷⁵ Clem Miller, April 15, 1960, UVASL, Smith Papers, Box 30, Folder “Civil Rights Bills.” See also Whalen and Whalen, *Longest Debate*, 108-109.

This time, in contrast to previous battles, the bloc mounted only a limited, and surprisingly disorganized, floor fight. Although the Southern Delegations implemented a whip system “to assist in getting Members to the floor when vital amendments were to be voted on,” the southern leaders were “unable to keep many of the Southern Members on the floor during the unrecorded votes on amendments.”⁷⁶ Indeed, totals in the nonrecorded amendment votes reveal that at times, only a quarter of the Southern Delegations’ membership even bothered to vote. Outraged by his colleagues’ negligence, one Louisiana representative complained to the press: “I have sat here patiently and voted every time the opportunity presented itself...I appoint [*sic*] the accusatory finger against my own section of the country, the South...vote after vote, only half of the Southerners have been on the floor to raise their voices in protest.”⁷⁷ The record does not make clear why the Southern Delegations offered such little resistance to the measure once it reached the floor or why they failed to attach any major amendments to weaken the bill. Perhaps they were “drained...of their will to fight,” or perhaps their organization could not be sustained in the face of what all believed to be a losing battle.⁷⁸ Regardless of the cause of the Southern Delegations’ limited opposition, on February 10, 1964, the measure passed the House by a large bipartisan majority, 290-130.⁷⁹

The Southern Delegations’ feeble floor fight did not prevent southern members from using the organization to attempt to placate their disgruntled constituents. Defending themselves against local reports that the “Southerners as a group did not distinguish themselves in the House battle over the Administration’s civil rights bill,” members of the Southern Delegations appealed to their leadership for written assurances of their participation.⁸⁰ For example, Rep. Robert A. Everett (D-TN) wrote to Smith: “If you could I would certainly appreciate your writing me a letter telling me I...did the best I could on the Civil Rights Bill and stayed right by your warm side the whole time.”⁸¹ Smith obliged, providing written testament of the congressman’s hard efforts in “the long-drawn out fight over the Civil Rights Bill.”⁸²

⁷⁶ Smith to Robert A. Everett, February 12, 1964, UVASL, Smith Papers, Box 107, Folder “Civil Rights Legislation.”

⁷⁷ Morris Cunningham, “Southerners’ Stand Hardly United,” *Commercial Appeal*, February 8, 1964, UVASL, *Smith Papers*, Box 107, Folder “Civil Rights Legislation.”

⁷⁸ Whalen and Whalen, *Longest Debate*, 114.

⁷⁹ *Congressional Record*, 88th Congress, 2nd Sess., 1964, 110, 2804.

⁸⁰ Cunningham, “Southerners’ Stand Hardly United,” February 8, 1964, *Commercial Appeal*, UVASL, *Smith Papers*, Box 107, Folder “Civil Rights Legislation.”

⁸¹ Everett to Smith, February 11, 1964, UVASL, Smith Papers, Box 107, Folder “Civil Rights Legislation.”

⁸² Smith to Robert A. Everett, February 12, 1964, UVASL, Smith Papers, Box 107, Folder “Civil Rights Legislation.”

Senate Endgame

As in previous battles, both conservative and moderate members of the Southern Caucus publicly vowed to wage a spirited fight against the proposed civil rights legislation. As the House fought to pass the measure, the southern senators pledged to “fight the proposition till hell freezes over.”⁸³ To reassure their apprehensive constituents that the prevailing national mood in favor of civil rights would not deter their “fight to the last ditch,” the senators emphasized the resilience and past victories of their southern organization. As Sparkman wrote to one of his constituents: “We Southern Senators have been organized for a long time and are fully prepared for the fight that is coming.”⁸⁴

Privately, however, the southerners doubted they could persuade enough senators to vote against the civil rights measure.⁸⁵ In caucus meetings held between June 1963 and January 1964, members repeatedly expressed concern that without the support of their Republican allies, even a united southern front could do little “to preserve the principles that mean so much to [the South’s] people.” The senators worried that — excepting Sen. John Tower (R-TX), who had joined the Southern Caucus in 1961 — “nearly all of the Republicans are against us.”⁸⁶ The Caucus’s dwindling ranks and the fading commitment of former anti-civil rights activists further discouraged the group. As Stennis described the situation, “[T]oo many hearts are not in it who have the same priority.”⁸⁷ Moreover, the changing composition of the Democratic Party left the southerners with few allies in their own party. Assessing the southerners’ predicament, Russell observed, “The so-called ‘liberals’ are in an ever-increasing majority in the Senate, and I have never been able to find a way for eighteen to twenty Senators to override the vote of the rest of the Senate.”⁸⁸

After Kennedy’s assassination, the southern senators’ situation grew considerably worse. Before the measure’s passage in the House, Russell believed that, as in 1957, some compromise might be reached with Senate Republicans. However, in the aftermath of the House battle, the

⁸³ As quoted in Finley, *Delaying the Dream*, 242.

⁸⁴ As quoted in Finley, *Delaying the Dream*, 244.

⁸⁵ Caro suggests that the Southern Democrats possessed one remaining point of leverage. The southerners could “defeat a civil rights bill by holding other bills hostage until, to secure their release, the White House or liberal senators agreed to withdraw it.” In 1964, Caro argues that the southern bloc had coordinated amongst themselves to delay eight vital appropriations bills in committee. Unless Johnson were able to negotiate for their release, the president would risk a federal budget crisis of epic proportions. Quoting Thurmond’s administrative assistant, Caro notes, “No one had to say anything, they [southern representatives and southern senators] had been doing it so long. Things were understood without any words having to be spoken.” Perhaps this explains the paucity of archival evidence suggesting a connection between the appropriations bills and the 1964 civil rights measure. In any event, there is strong evidence that the Southern Caucus believed, by 1964, that their leverage had run out. See Robert A. Caro, *The Passage of Power* (New York: Vintage Books, 2012), 458-459.

⁸⁶ As quoted in Finley, *Delaying the Dream*, 244.

⁸⁷ Fite, *Senator from Georgia*, 407.

⁸⁸ Russell to Troy A. Mays, October 4, 1962, UGASC, Russell Papers, Series Xa, Box 186, Folder 19.

Caucus leader began to question this assumption. “As things now stand,” Russell wrote, “our prospects are not very good. The odds against our group...in the emotional atmosphere which prevails are indeed fearful to contemplate.”⁸⁹ Recognizing their changed political circumstances, the moderate wing of the Southern Caucus did not press for compromise, as they had in 1957. Indeed, both wings of the Caucus agreed that after “the action in Little Rock that set the precedent for the use of federal troops against our people,” “the folks back home” would view compromise as an unacceptable surrender to “black agitators.”⁹⁰

With compromise no longer a viable strategy, the southern senators agreed to fight the proposal with an “all-out,” last-ditch filibuster.⁹¹ As in previous debates, the southerners hoped their speeches would promote the group’s long-running “educational campaign” to undo the “anti-Southern feeling [which] has been fanned by slanted and biased reporting by the press, radio, television and all other media of communication.”⁹² Unlike 1957, however, the Southern Caucus did not intend to use the filibuster to leverage concessions. Now, their overriding purpose was to block the legislation entirely. But, as members recognized, waging a prolonged filibuster with their ranks diminished would be a difficult task. As Russell acknowledged to a constituent, “As matters now stand, we are worse outnumbered today than Lee was at Appomattox.”⁹³

In February 1964, the civil rights measure was finally introduced in the Senate. Johnson anticipated the southern senators’ “all-out” strategy and also knew that the House would not accept a weakened measure. The president urged the Senate leadership to allow the Southern Caucus to filibuster, arguing that civil rights advocates would either “win, by securing cloture, or [they] would lose.”⁹⁴ To meet the challenge, the Southern Caucus divided into three six-man teams headed by Hill, Ellender, and Stennis, all of whom were well respected by both conservative and moderate wings of their organization. Equally important, Russell knew that all three senators were meticulous in their duties and among the most committed members of the Caucus.⁹⁵ Adopting a three-day rotation, each team was assigned a speaking day and each individual member was assigned a specific speaking time. The team captains were responsible for ensuring that every senator spoke when assigned, and in the event an individual had to leave the floor, for finding a replacement. Within each team, the senators circulated useful debate

⁸⁹ Russell to E.D. Ricketson, February 14, 1964, UGASC, Russell Papers, Box 49, Folder 3.

⁹⁰ As quoted in Finley, *Delaying the Dream*, 244; “Filibuster Bids Ignored: Southern Senators Admit Pressures from Home,” *The Baltimore Sun*, August 29, 1957, UGASC, Russell Papers, Series X, Box 96, Folder 1

⁹¹ Stennis, “Permanent Memorandum on Cloture Vote and Passage of the 1964 Civil Rights Bill,” July 19, 1964, MSUSC, Stennis Papers, Series 29, Box 3, Folder 14.

⁹² Russell to Worthington, May 21, 1963, UGASC, Russell Papers, Series I, Box 18, Folder 10.

⁹³ Russell to K.H. Steele, May 16, 1963, UGASC, Russell Papers, Series Xa, Box 186, Folder 18.

⁹⁴ As quoted in Mann, *Walls of Jericho*, 394.

⁹⁵ Office of Richard B. Russell to Southern Senators, March 14, 1964, UGASC, Russell Papers, Series X, Box 186, Folder 8.

material and notified their colleagues, in advance, of the substance of their speeches. At the close of each day, the team captains would meet to provide Russell with a careful analysis of the day's activities.⁹⁶

First formed in 1960, filibuster teams had served the Caucus well in the intervening four years. As their ability to combat civil rights legislation by other means had diminished, the southern bloc increasingly deployed organized teams to “steam-roll” the proponents of civil rights, “compel[ling] them to compromise” with only a handful of “fresh and well-rested” Caucus members on the floor at any given time.⁹⁷ Indeed, members of the Southern Caucus had long understood that “the men representing the South have...exercised power and influence far beyond their mere numerical strength...by working together.”⁹⁸ However, the southern senators were soon to discover that, like their colleagues in the House, they too were to be outmatched by their opponents.

Determined to pass the measure, civil rights advocates in the Senate organized a massive counteroffensive to defeat the Southern Caucus — in effect, turning the southerners' strategy against them. In partnership with moderate Republicans, the Democratic leadership appointed several rotating four-member groups — known as the Civil Rights Corporals' Guard — to remain on the Senate floor at all times to ensure that all quorum calls were met. Democratic leaders stationed other civil rights advocates on the Senate floor to aggressively challenge, refute, and question the southerners' speeches. These tactics made the southern filibuster more onerous, prevented “the Southerners [from] occupy[ing] the press,” and offered liberal members ample opportunity to declare their support for civil rights — mirroring the southerners' strategy of legitimizing cooperative members' credit claiming. Indeed, as one prominent civil rights advocate observed, “when each [liberal] senator had a chance to debate the bill...they also had an opportunity to get some press for themselves, to be known as part of the team fighting for civil rights.”⁹⁹ Finally, to help ensure that the southerners' “educational campaign” failed to persuade any senators to abandon their support for the measure, the Democratic leadership assigned floor captains to each of the legislation's key provisions.

With the battle lines drawn, the Senate proceeded to debate the legislation. Early on, the southerners' speeches addressed the constitutional implications of the major provisions. However, over time, their arguments deteriorated into overtly racist appeals. In part, the shift in southern rhetoric reflected the Caucus's growing conviction that they were fighting a losing battle, that few if any of their Senate colleagues could be swayed to vote against cloture. According to Caucus whip counts, Russell estimated that the civil rights forces controlled fifty-eight votes (forty-seven Democrats and eleven Republicans), more than enough to pass the

⁹⁶ Stennis to “Stennis Team,” March 26, 1964, MSUSC, Stennis Papers, Series 32, Box 129, Folder 22.

⁹⁷ As quoted in Mann, *Walls of Jericho*, 393.

⁹⁸ Stennis, 1960, MSUSC, Stennis Papers, Series 50, Box 12, Folder “Alternative 1960 Campaign Speech.”

⁹⁹ As quoted in Mann, *Walls of Jericho*, 396.

measure by a simple majority vote. However, the Democratic leadership would need to procure an additional nine Republican votes to invoke cloture. At the outset of debate, Russell felt it might be possible to “educate” enough Republican senators to convince them to vote against cloture. To the Caucus commander’s chagrin, however, it gradually became clear that the Republicans who Russell had thought were “friendly to our view,” would rather accept substantive concessions from the Democratic leadership than join the Southern Caucus in opposition to the legislation. “Frankly,” Fulbright confided, “it appears that in the end those in favor of this legislation will muster sufficient votes to invoke cloture.”¹⁰⁰ Nevertheless, the southerners would not capitulate. As Long declared, “We will fight right on to the bitter end. We feel that our people expect us to fight it to the utmost of our ability with all the power at our command.”¹⁰¹

On June 1, 1964, after sixty days of debate, the Democratic leadership announced their intention to produce a cloture petition. On June 10, with the necessary sixty-seven votes to impose the “gag-rule,” the Senate voted for cloture for the first time during a civil rights debate. Although a handful of the Southern Caucus’s hardline members rallied to attach perfecting amendments to the legislation before it came to a vote, there was no further organized effort to further delay or alter the bill. Despite their best efforts, the southerners’ strategies, both organizational and rhetorical, that had successfully sustained Jim Crow for decades were no longer sufficient to hold back the liberal tide. The organizational strength and numerical might of civil rights advocates and their legislative allies now surpassed the power of the southerners’ intraparty organization.

According to Sen. Hubert Humphrey (D-MN), whose energetic leadership on the floor had helped to ensure the measure’s success, there was “no longer a battle of heart for [the southerners]. They simply have to die in the trenches; that’s [*sic*] what they were sent here for. They’re old and they haven’t any recruits. They know it [and] they have to be destroyed.”¹⁰² At long last, on June 17, 1964, the Senate passed the bipartisan civil rights bill, 76-18.¹⁰³

¹⁰⁰ Fulbright to W.R. Pruet, May 26, 1964, UARML, Fulbright Papers, Series 39, Box 12, Folder 1.

¹⁰¹ Finley, *Delaying the Dream*, 272.

¹⁰² Theodore H. White, *The Making of a President 1964* (New York: Antheneum Publishers, 1965), 213.

¹⁰³ *Congressional Record*, 88th Congress, 2nd Sess., 1964, 110, 14239.

Figure 5.2: Southern Caucus, 1963-1964

State	Participating Senators	
Alabama	J. Lister Hill	John J. Sparkman
Arkansas	John L. McClellan	J. William Fulbright
Florida	Spessard L. Holland	George A. Smathers
Georgia	Richard B. Russell	Herman E. Talmadge
Louisiana	Allen J. Ellender	Russell B. Long
Mississippi	James O. Eastland	John C. Stennis
North Carolina	Sam Ervin	Benjamin E. Jordan
South Carolina	Olin D. Johnston	Strom Thurmond
Texas	John Tower	
Virginia	Harry F. Byrd	A. Willis Robertson

Source: “Meeting of Southern Senators” (Southern Caucus attendance records), 1963-1964, UGASC, Russell Papers, Series I, Subgroup C, Box 18, Folder 14.

4. Conclusion

This chapter has traced the evolution of the Southern Caucus’ and Southern Delegations’ organizational strategy in the decade following the Supreme Court’s verdict in *Brown v. Board of Education*. As we have seen, southern organization shifted from a concern over free-riding on the preservation of Jim Crow to a concern over coordinating members’ activity to achieve a unified — if, for some, second-best — strategy. Fearing that the proliferation of legislative proposals aimed at advancing civil rights spelled the end of Jim Crow, and increasingly convinced that obstruction by individual committee chairs and filibustering senators would not be sufficient to hold back the liberal advance, southern members looked to their intraparty organization to coordinate their defense of the racial status quo. Specifically, southern lawmakers used their organization to coordinate a strategy of compromise, in which members agreed to accept very modest civil rights legislation in a collective effort to stave off more dramatic reform. At the time, the key electoral danger for southerners was to appear weak in their opposition to civil rights. Southern lawmakers used the Southern Caucus and Southern Delegations to coordinate public relations campaigns highlighting each members’ steadfast opposition to Jim Crow — and to ostracize any southern legislator who publicly likened compromise to surrender.

Recall our motivating question in this case: *how* did southern members of Congress secure and sustain their pivotal role in national policymaking over the span of three decades?

The empirical account confirms that at some times and on some race-related issues, southern lawmakers shared a common preference, as scholars argue was generally — if not uniformly — true for southern legislators. However, the evidence also demonstrates that at other times and on other race-related issues, southern lawmakers held divergent beliefs. In both circumstances, intraparty organization helped southern members of Congress to structure and coordinate their political activities, engineer the appearance of southern solidarity, and fortify their efforts to sustain the South's repressive racial order.

What can a focus on intraparty organization contribute to our understanding of the civil rights movement more broadly? The history of the struggle for civil rights has been told in many ways, from accounts that highlight the entrepreneurial and far-sighted efforts of a small group of extraordinary leaders, to those that emphasize the many brave acts committed by ordinary citizens. And yet, it is difficult to reflect on the history of the movement and not remark on both the duration of the struggle and the intensity of the opposition it aroused. Over a three-decade period, civil rights advocates were forced to work tirelessly and at great cost to achieve incremental gains. Only with the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965 did the movement, which had begun in the depths of the Great Depression, triumph.

Both the duration and the intensity of federal opposition to the civil rights movement were the result of deliberate and coordinated political maneuvering by a determined set of congressional actors. Far from the inevitable consequence of ingrained and widely shared southern attitudes, congressional opposition to meaningful racial integration was carefully orchestrated by southern intraparty organization. Recognizing that collective action represented their only path to success, southern senators and representatives relied on organization to minimize their ideological differences and to maximize the efficacy of their obstruction. The success of their project can best be measured in the decades-long struggle to secure equal rights under law for all Americans.

Chapter 6. Making the Moderates Matter, 1994-2010

We determined that we were going to have to chart our own course... If you're going to cross the Democratic Party and stay a Democrat, you're marginalizing yourself. We accepted that and started talking about, "How do we build a movement?"

— Rep. Glen Browder, January 21, 2005¹

Thus far, I have relied on historical cases to illustrate the theory of intraparty organization outlined in Chapter 1. But no account of intraparty organization would be complete without considering its role in contemporary American politics. Accordingly, this chapter explores a modern case of intra-party organization — the Blue Dog Coalition.

The Blue Dog Coalition was established by centrist House Democrats in the months following the 1994 midterm elections.² After forty years in the minority, the Republicans' strong electoral showing swept the party into power in both the House and Senate.³ Eager to serve as a broker with the new Republican majority and to reign in the "liberal excesses" of the Democratic coalition, the Blue Dog's founding members sought to "form a voting bloc...that could not be ignored by either political party."⁴ The centrist lawmakers understood that, with their slim majority, "the Republicans were going to have to work with somebody on the Democratic side," and that, as a result, it might be possible to moderate certain Republican policy proposals. Likewise, they recognized that "the Democrats...might win a few things or they could stop the Republicans if they could hold all the Democrats, so they [too] had to work with us."⁵ But, working with the Republicans and crossing the Democratic leadership carried substantial risk. As moderate lawmakers were quick to acknowledge: "There is definitely pressure from party leaders, and repercussions when a party member does not cooperate with the caucus as a whole."⁶

¹ Geni Certain, "A Blue Dog Knows the Way: How the Blue Dog Democrats Shaped the 1996 Federal Budget as Portrayed in the Alabama Press," (Jacksonville: Jacksonville State University, 2005), 3.

² Member interview with author, September 2011.

³ Eliza Newlin Carney, "Don't Count Us Out," *National Journal*, 27:17 (1995), 1022.

⁴ "The Blue Dog Coalition," Congressional Research Service (2011), 1.

⁵ Browder as quoted in Certain, "A Blue Dog Knows the Way," 4.

⁶ Member interview with author, August 2011.

In this regard, moderate and conservative Democrats faced a version of the collective action problem identified in Chapter 1. Although every prospective Blue Dog might desire moderated policy, working with the Republican opposition or challenging their Democratic party leaders to get it risked punishment. And, because more moderate policy — like the legislative goals of the progressive Insurgents and Southern Democrats — could not be made excludable, centrist Democrats had a strong incentive to free-ride so as to avoid retribution from party leaders. In other words, as we have seen throughout this dissertation, unity was necessary for moderate and conservative Democrats to achieve their desired ends, but it was difficult to secure precisely because individuals could benefit from the moderated policy outcome without incurring risk to secure it.

The central claim of this chapter is that, as for progressive Insurgents and Southern Democrats, intraparty organization was an effective solution to this collective action problem. Intraparty organization helped moderate and conservative Democrats to overcome the incentive to free-ride on the provision of centrist policy. By offsetting the expected burden of party punishment for those members who agreed to buck the party, and by coordinating negotiations with leaders of both parties, the Blue Dog Coalition could hope to realize its members' shared policy objectives. Indeed, as moderate members had long recognized, "there have always been factions in parties, but it is very difficult for these factions to be internally cohesive. Individual members are easily picked off... So what can an individual or faction do to counteract this influence? If you are an individual, nothing. If you can form a group, you can hold the number of votes the party needs."⁷

Moreover, as was true for their Insurgent predecessors, intraparty organization positioned moderate Democrats as a credible partner in negotiations with Republican leaders. As we shall see, while the Republicans held a majority in the House, the votes of Blue Dog lawmakers offered the GOP leadership a measure of insurance against the possibility of Republican defection. When the Democrats regained control of the House in 2006, the Blue Dogs' leverage was again contingent on the credibility of their claim to work with the Republican opposition.

The Blue Dogs adopted a variety of organizational strategies to promote participation and deter defection within their own ranks. To secure members' cooperation, the Coalition offered both electoral and institutional incentives. Aware that moderate lawmakers often struggled to convince constituents that they were indeed centrists, the organization worked to establish the Blue Dog label as a brand and to associate it with support for centrist policies. Cultivating a distinct centrist brand, also facilitated members' efforts to distinguish themselves from their more liberal Democratic colleagues. Coalition members benefited further from the organization's fundraising activities. Within the halls of Congress, the organization sought to advance members' power interests, pressing party leaders to appoint members to prestigious committees and providing members access to party power brokers. To discourage individuals from defecting or free-riding on the efforts of their colleagues, benefits were conditioned on a member's active and continued participation. Failure to attend group meetings, pay dues, or abide by the

⁷ Member interview with author, August 2011.

organization's policy positions and confidentiality rules would result in the suspension of some or all of the electoral and institutional benefits the Coalition provided. As the number of applicants to the organization increased, the threat of punishment, and in certain cases expulsion, grew more credible.

The organizational resources necessary to offset the cost of party punishment and to effectively bind members to a common plan of action were not developed overnight. Rather, the organization matured over the course of several congresses, as the Coalition amassed sufficient influence to furnish selective incentives for members in good standing and gained the credibility to impose binding mechanisms on its membership.

In crafting the Coalition's organizational strategies, the bloc's founding members sought to avoid the mistakes of previous efforts to mobilize centrist Democrats. Indeed, prior to their involvement with the Blue Dogs, many of the Coalition's founding members had participated in two informal, entrepreneurial organizations: the Conservative Democratic Forum (CDF) and the Fair Rules and Openness Group (FROG). As I document in the following section, the failure of the CDF and FROG to achieve lasting influence prompted the Coalition's founding members to adopt more formal, bureaucratized procedures early on in the organization's development.

The remainder of this chapter offers a window into the workings of the Blue Dog Coalition, an organization that has played a pivotal role in some of the most important and contentious policy debates of the last two decades. In the following section, I describe the partisan dynamics that incentivized moderate and conservative Democrats to organize, albeit sporadically, in the 1970s and 1980s. Specifically, I detail the origins of the CDF and FROG, and the factors that contributed to each organization's decline. Next, I examine the development of the Blue Dog Coalition in the 1990s and chronicle the group's activities as part of the Democratic minority in the House. Here, I focus on the group's efforts to work with Republican and Democratic leaders in both Congress and the White House. The final empirical section analyzes the Coalition's activities as part of a reconstituted Democratic majority, focusing on the Blue Dogs' role in the battle to pass health care reform legislation. I discuss the different facets of the group's organization — both electoral and procedural — that allowed these moderate Democrats to “put the brakes” on President Barack Obama's health care initiative and to help shape the content of the legislation ultimately enacted into law.⁸ The last section concludes.

In contrast to prior chapters, which drew on archival sources of evidence, the empirical account here relies on personal interviews conducted with past and present Blue Dog Democrats, members of their staff, and staffers for the Democratic and Republican leadership, as well as public data on Blue Dog fundraising and campaign expenditures. As in previous chapters, I incorporate supplementary news coverage and secondary source material. A detailed description of my interview process is provided in Appendix B.

⁸ Blue Dog leader Mike Ross (D-AR), as quoted in Jordan Fabian, “Leading Blue Dog: covering uninsured not top priority of health reform,” *The Hill*, August 20, 2009, <http://thehill.com/blogs/blog-briefing-room/news/legislation/55551-leading-blue-dog-covering-uninsured-not-top-priority-of-health-reform>.

1. The Moderates' Dilemma

The Blue Dog Coalition's swift adoption of sophisticated organizational strategies was, in part, the product of earlier experiences mobilizing moderate Democrats in the House. Blocked from meaningful influence over the legislative process by liberal members of the Democratic Caucus, moderate lawmakers turned to informal, entrepreneurial organization — forming the CDF and, later, FROG — to assert themselves in chamber policymaking. Although these efforts proved successful in achieving short-term gains, neither the CDF nor FROG developed the formal institutional arrangements necessary to ensure their longevity. In crafting a new intraparty organization, the early Blue Dog lawmakers — many of whom were former CDF and FROG members — eschewed the informal arrangements characterizing their prior experiences, and turned, instead, to more formal modes of organization to promote members' collective action.

Like the Republican Insurgency, the roots of Blue Dog organization can be traced to a resurgence in the power of the House speaker and a return to the restrictive rules that had characterized the lower chamber in the early twentieth century. “As northern liberals came to constitute a greater proportion of the [Democratic] caucus, they resented the conservative southern committee barons” who had, for decades, stymied liberal policy initiatives.⁹ Seeking to “unstack the deck,” the party's liberal members pushed through a series of reforms in the late 1970s and early 1980s that increased the power of their progressive majority party leadership. First, they returned the power to appoint and remove committee members, including members of the House Rules Committee, to the Democratic leadership.¹⁰ In so doing, the liberal reformers hoped to “make the committee chairmen responsive to the Caucus.”¹¹

Second, with the House Rules Committee once again an “arm of the leadership,” the reformers worked to consolidate control of the agenda in the speakership through the use of restrictive rules to limit floor amendments.¹² Not only did these special rules provide cover for lawmakers to vote for liberal policies when public opinion was more conservative, they also prevented the Republican minority from introducing amendments that might induce more moderate and conservative Democrats to bolt the party. By the 1980s, Speakers Tip O'Neill (D-MA) and Jim Wright (D-TX) routinely used restrictive rules to structure the amendment process “to favor [liberal] majority-party outcomes.”¹³ Indeed, O'Neill later acknowledged that these

⁹ Schickler, *Disjointed Pluralism*, 231. The causes of the party's move to the left are complex. Nevertheless, scholars typically identify the post-Watergate election of 1974, the process of southern realignment, and the creation of majority-minority districts as primary reasons for the shift.

¹⁰ Rohde, *Parties and Leaders*, 11.

¹¹ Michael J. Malbin, “New Democratic Procedures Affect Distribution of Power,” *National Journal* 6 (1974), 1883.

¹² Schickler, *Disjointed Pluralism*, 231.

¹³ Davidson, “The Emergence of the Postreform Congress,” 21.

changes meant “that for many years, we paid no attention to one group in the Caucus, the conservatives...we felt that there was no need for them.”¹⁴

Just as the reformers had empowered their liberal leadership, they also worked to reduce the power and autonomy of the party’s conservative southern committee chairs. Ending the “virtually automatic” reliance on seniority in selecting committee leaders, the reformers adopted a new method of assigning committee leadership posts by secret ballot.¹⁵ In this way, the Democratic Caucus purged their committee roster of three recalcitrant southern chairmen.¹⁶

Predictably, these changes outraged conservative Democrats. Consistently pressured by the Speaker and Democratic whip to toe the party line, conservative party members had little power to challenge their liberal colleagues. In the past, “party leaders had left openings for members to balance their voting records” with the preferences of their constituencies, but with these new reforms in place, conservative lawmakers found themselves “strong-armed” into supporting liberal policy initiatives that were out of step with their districts.¹⁷ By allowing conservative Democrats only “token amendments” and by “trying to create a structure which forced members who wanted to play a role to do so [only] under leadership auspices,” the Democrats made it difficult for conservative lawmakers to identify valuable credit-claiming opportunities.¹⁸ Moreover, with congressional Democrats promoting a liberal agenda, the party’s national reputation waned in conservative-leaning districts. With a liberal party brand, moderate and conservative Democratic lawmakers had to spend more time and energy defending their seats against Republican challengers emboldened by their party’s “southern strategy.”¹⁹

Squeezed from both sides, moderate and conservative Democrats turned to organization, establishing the Conservative Democratic Forum (CDF) in November 1980. According to Rep. Charles Stenholm (D-TX), a founding member of the CDF, the organization’s aims were twofold: first, “to obtain better committee posts,” and second, “to advance a more moderate outlook for the House Democrats, focusing primarily on budget and fiscal matters and generally

¹⁴ Karl Gerard Brandt, *Ronald Reagan and the House Democrats: Gridlock, Partisanship and the Fiscal Crisis* (Columbia, MO: University of Missouri Press, 2009), 94.

¹⁵ Schickler, *Disjointed Pluralism*, 231. See also Rohde, *Parties and Leaders*, 20-28.

¹⁶ To further decentralize committee power, the reformers fortified the jurisdictional claims of subcommittee members and restricted the chair’s control over staff and internal committee appointments.

¹⁷ Schickler, *Disjointed Pluralism*, 241.

¹⁸ John M. Barry, *The Ambition and the Power* (New York: Viking, 1989), 300.

¹⁹ Jack Bass and Walter De Vries, *The Transformation of Southern Politics: Social Change and Political Consequence* (Athens, GA: University of Georgia Press, 1995), 29.

eschewing social issues.”²⁰ Having lost thirty-three seats in the 1980 election, the Democratic leadership recognized that “every vote would be important if they wanted to counter [Republican] initiatives.”²¹ Indeed, were the Republican minority to vote as a bloc, slightly more than half of the Forum’s members would have guaranteed the conservatives a majority on the House floor. To dissuade Democratic conservatives from joining the Republican opposition, O’Neill tried to accommodate the CDF’s committee requests. The Speaker expanded the House Steering and Policy Committee to include three Forum members and appointed others to the Budget, Appropriations, and Energy and Commerce committees.²²

Appealing to centrists’ power interests — specifically their desire to secure more favorable committee assignments — and prioritizing fiscal policy over divisive social issues helped the CDF to attract a sizable membership of so-called “Boll Weevils.”²³ Indeed, one year after its founding, the group boasted forty-seven members — enough to form a winning coalition with the Republican minority if the Democratic majority proved unwilling to compromise.²⁴ (See Figure 6.1 for CDF membership by state delegation.)

In contrast to later centrist organizations in the House, the CDF lacked a formal leadership structure and operated primarily as a forum for members to “discuss issues facing the House and to educate themselves about the issues.” To this end, the CDF routinely invited “outsiders” — lawmakers representing opposing viewpoints — to debate policy proposals and field questions. While the CDF’s self-described “laissez-faire” style appealed to members who resented the aggressive leadership of the Democratic establishment, the bloc struggled to maintain unity over the course of lengthy policy debates.²⁵

The 1981 budget fight illustrates both the CDF’s institutional strengths and organizational limitations. A majority in the Senate for the first time in a generation, Republican lawmakers quickly approved a budget resolution reflecting the goals President Ronald Reagan articulated in

²⁰ According to one member, “One of the primary goals was to go to the leadership and to work for more positions on committees. Our representation on key committees was very, very low... Now that was one of our first successes.” Susan Webb Hammond, “Congressional Caucuses and Party Leaders in the House of Representatives,” *Political Science Quarterly* 106 (1991), 287. See also Richard L. Lyons, “Conservative House Democrats Seeking Larger Role in Party,” *The Washington Post*, November 20, 1980, 3.

²¹ Rohde, *Parties and Leaders*, 47.

²² Rohde, *Parties and Leaders*, 47-49.

²³ Schickler, *Disjointed Pluralism*, 271. According to Stenholm, the conservative Democrats adopted the “Boll Weevil” moniker because, like the insect which wreaked havoc on the southern cotton crop and forced farmers to diversify in ways that improved their fortunes over the longterm, so too would centrist Democrats force their party to abandon singularly liberal policies and instead diversify to the benefit of the organization and country as a whole. See Stenholm as quoted in Karl Gerard Brandt, *Deficit Politics and Democratic Unity: The Saga of Tip O’Neill, Jim Wright, and the Conservative Democrats in the House of Representatives During the Reagan Era* (Ph. D. Diss., Louisiana State University, 2003), 4.

²⁴ The Democratic majority held 244 seats, the Republican minority 191.

²⁵ Brandt, *Deficit Politics and Democratic Unity*, 7.

his inaugural address.²⁶ As expected, more sustained resistance to Reagan's plan came from the Democratic-led House. Although willing to work towards the President's goals, the House Budget Committee struggled to identify programs they agreed should be cut. After many months of debate, the Democratic leadership offered Reagan a compromise proposal that gave the President many, but not all, of the reductions he had requested.²⁷ Unbeknownst to the Democratic leadership, however, three members of the CDF were working with their Republican colleagues on the Budget Committee to draft a proposal that delivered all of the cuts the President desired.²⁸

When the Democratic leadership learned of the CDF members' budget proposal, they were determined that the alternate measure would not reach the floor. To ensure that only the official budget would come to a vote, the leadership directed the Rules Committee to issue a rule precluding a vote on any substitute legislation. However, a cross-party coalition of CDF members and Republican lawmakers reversed the Rules Committee's special order on the floor, 217-210, allowing their alternative budget to come to a vote.²⁹ Although the CDF succeeded in bringing their legislation to the floor, the bloc split over the procedural vote to overturn the leadership's rule.³⁰ While twenty-seven CDF members joined the Republicans, the remaining twenty group members chose to vote with the Democratic leadership, despite urging from the CDF's senior members that unanimity would "improve our bargaining position in future."³¹ Despite the fracture within CDF ranks, the House ultimately approved the group's alternative budget legislation, 232 to 193.³²

Although they no longer controlled the posts of institutional authority that had so advantaged their southern forefathers, the 1981 budget fight makes clear that moderate and conservative Democrats were still in a position to help shape congressional policy. Indeed, the CDF provided the party's disaffected centrist lawmakers with a forum to coordinate their efforts and message. Collaborating in committee and possessing sufficient votes to form a winning coalition with the Republican minority gave the conservative lawmakers outsized influence over congressional proceedings.

²⁶ Because Reagan chose to submit his budget proposal under the reconciliation procedure outlined in the 1974 Congressional Budget and Impoundment Act, Senate Democrats could not filibuster the measure. A simple Republican majority would be sufficient to secure the legislation's passage.

²⁷ Lance T. Leloup, *Parties, Rules and the Evolution of Congressional Budgeting* (Columbus: The Ohio State University Press, 2005), 65.

²⁸ David A. Stockman, *The Triumph of Politics: How the Reagan Revolution Failed* (New York: Harper & Row Publishers, 1986), 51-52.

²⁹ *Congressional Record*, 97th Congress, 1st. Sess., 1981, 127, 14078-14079.

³⁰ *Congressional Record*, 97th Congress, 1st. Sess., 1981, 127, 14681-14682.

³¹ Stenholm as quoted in Brandt, *Deficit Politics and Democratic Unity*, 243.

³² *Congressional Record*, 97th Congress, 1st. Sess., 1981, 127, 14793-14795.

However, the CDF's leverage would prove short lived. In the ensuing years, the group's capacity to control its membership — and thus, maintain a pivotal status — diminished. As Rohde argues, “after the 1982 and 1984 elections...CDF members became more loyal to the party or left the group entirely. It is likely that they no longer felt the electoral threat that led them to join in the first place.”³³ Even at the apex of the CDF's influence over chamber policymaking, its leaders struggled to maintain discipline within their ranks. Indeed, approximately 40 percent of CDF members defected in the key procedural vote over the 1981 budget.³⁴ Lacking the organizational resources to cultivate members' long-term participation and with large conservative losses in the 1982 midterm election, the CDF was “no longer able or willing to act as a quasi-third party.”³⁵ Indeed, “the arrival of the class of 1982 provided the shift in votes the Democratic party needed to gain control,” and “with most new moderate southerners supporting the party” the CDF withered away.³⁶

A decade later, moderate and conservative Democrats would turn again to organization to challenge their party leadership. Frustrated by the Speaker's continued use of amending restrictions to prevent House centrists from attaching moderate amendments to bills, seventeen conservative party members — among them, several former CDF members— formed the Fair Rules and Openness Group (FROG) in April 1994.³⁷ As one FROG member explained, conservative lawmakers had come to resent “not being allowed to offer serious policy alternatives on the floor.” They understood that “the only way to put them [the leadership] on notice is to have a formal group to put them in motion.”³⁸

³³ Rohde, *Parties and Leaders*, 47.

³⁴ *Congressional Record*, 97th Congress, 1st. Sess., 1981, 127, 14793-14795.

³⁵ Brandt, *Deficit Politics and Democratic Unity*, 243.

³⁶ Rohde, *Parties and Leaders*, 60.

³⁷ Schickler, *Disjointed Pluralism*, 237.

³⁸ Binder, *Minority Rights*, 166.

Figure 6.1: Members of the Conservative Democratic Forum by state delegation, 1981

Alabama	Tom Bevill Ronnie G. Flippo Bill Nichols Richard C. Shelby	Arkansas	Beryl F. Anthony	Arizona	Robert L. Stump
Florida	William V. Chappel Earl D. Hutto Andy P. Ireland Daniel A. Mica Bill Nelson	Georgia	Doug Barnard Billy Lee Evans Bo Ginn Charles Hatcher Ed Jenkins	Kentucky	Carol Hubbard
Louisiana	John B. Breaux Jerry Huckaby Buddy Roemer Billy Tauzin	Maryland	Beverly B. Byron	Mississippi	David R. Bowen G.V. Montgomery
Nevada	James D. Santini	New York	Samuel S. Stratton	North Carolina	Ike Andrews L.H. Fountain Bill Hefner Walter B. Jones Stephen L. Neal Charles Rose Charles Whitley
Oklahoma	Glenn English Dave McCurdy Wes Watkins	South Carolina	Ken Holland	Tennessee	Ed Jones
Texas	Phil Gramm Ralph M. Hall Sam B. Hall Kent Hance Jack Hightower Marvin Leath Charles Stenholm Richard C. White	Virginia	Dan Daniel		

Source: Irwin B. Arieff, "Appeals from House Leadership, White House: Conservative Southerners are Enjoying Their Wooing as Key to Tax Bill Success," *Congressional Quarterly Weekly Report*, June 13, 1981, 1023-1026.

Adopting an informal organizational structure similar to the CDF, FROG positioned itself as a “rump rules committee.” As Binder argues, by “institutionalizing an avenue for procedural challenges, FROG put the Democratic leadership on notice that it would oppose any special rule failing to make in order amendments supported by FROG.”³⁹ Although the group did not seek to promote Republican proposals, FROG members routinely voted with the GOP to revoke amending restrictions when the majority leadership closed the floor to centrist amendments. Over the spring and summer of 1994, the group overruled the Democratic leadership on six special rules votes.⁴⁰ After one such vote, FROG member Rep. Mike Parker (D-MS) warned, “We are going to flex our muscles in the coming Congress. What we want, we will get passed.”⁴¹

Like the CDF, FROG’s influence was fleeting. The 1994 midterm elections brought the Republicans into the majority, and with the Democratic leadership no longer in control of parliamentary procedure, the group disbanded. Although the Republican takeover would present new challenges for moderate and conservative lawmakers, FROG lacked the fundamental organizational mechanisms “to fight another day.”⁴² Without mechanisms for collective decision-making, the group struggled to agree upon a new objective. While some members believed that “an organized, centrist voice still had a place in Congress,” others argued that in the minority, moderate and conservative Democrats would have little influence, and that their energies would be better directed independently.⁴³

Moreover, because FROG operated as “a wonky, insider group,” invisible to the public, it never achieved the national recognition that could ease the organization’s transition from one policy or procedural objective to the next.⁴⁴ Members rarely claimed credit for their participation in the group and did not advertise FROG’s role in reversing the Democratic leadership’s amending restrictions, perhaps because procedural outcomes were thought to be of little interest to voters. Instead, individual lawmakers only claimed credit for the substantive amendments that FROG empowered them to introduce.

As we shall see, crafting a durable intraparty organization would require a formal institutional scaffolding. To achieve sustained influence both within the Democratic Caucus and across the party aisle, moderate Democrats would need to invest in a more bureaucratized organization designed to maintain group discipline, identify new policy priorities, and establish a national reputation that would reap electoral dividends for its members.

³⁹ Binder, *Minority Rights*, 166-167.

⁴⁰ Schickler, *Disjointed Pluralism*, 237.

⁴¹ “Frog’s House? Dole’s Senate?” *The Baltimore Sun*, November 5, 1994.

⁴² Member interview with author, August 2011.

⁴³ Staffer interview with author, September 2011.

⁴⁴ Member interview with author, August 2011.

2. Making the Most of a “Minority Role”

After nearly half a century in the minority, the 1994 midterm elections swept the GOP to power in both the House and Senate. Gaining fifty-one formerly Democratic House seats, the party’s 230-205 majority marked the largest net partisan swing since 1948. For moderate and conservative Democrats, the Republicans’ midterm success and the popularity of the party’s conservative Speaker, Newt Gingrich (R-GA), confirmed their conviction that the Democratic party had grown too liberal for many voters.⁴⁵ For the Democratic Party to win back a disaffected public and regain majority control, the lawmakers believed “the Caucus would have to move back toward the center.”⁴⁶ To shift Democratic priorities toward the “middle of the partisan spectrum,” they recognized that the loose entrepreneurial structure that had characterized both the CDF and FROG would be insufficient.⁴⁷ As a result, the Blue Dog Coalition would adopt formal institutional rules and procedures to encourage group cohesion and deter members’ free-riding and defection, including a formal leadership structure, whipping system, recruitment program, and political action committee.

While the founding members of the Blue Dog Coalition would begin to mobilize in earnest after the Republican takeover, the seeds of organization were actually planted in the months preceding the election. In September and October 1994, “in groups of three, four, five, six, seven — it was a fluid thing,” conservative Democrats met to discuss “way[s] to band their numbers together, to be effective in their own caucus” (see Figure 6.2).⁴⁸ According to a retired member who attended these initial meetings, “this early group was heir to or off-shoot of the old Boll Weevils during the Reagan years...most were former [Conservative Democratic] Forum members. They wanted a forum, a group of people they could talk to, that would bring together people in the center.”⁴⁹ In these early, closed-door meetings, the lawmakers debated how best to push the Democratic leadership to promote more “middle of the road” policies in the upcoming congressional session.⁵⁰ Early discussions focused on how the group would take formal positions on legislation, and in particular, the concern that the personal views of individual members might be reported to the media as the Coalition’s official position. Throughout these discussions, the lawmakers “anticipated that we would be working against a Democratic majority. We didn’t know that the Republicans would takeover.”⁵¹

⁴⁵ Certain, “A Blue Dog Knows the Way,” 3.

⁴⁶ Staffer interview with author, September 2011.

⁴⁷ Member interview with author, August 2011.

⁴⁸ Member interview with author, November 2011.

⁴⁹ Member interview with author, August 2011.

⁵⁰ Member interview with author, August 2011.

⁵¹ As quoted in Certain, “A Blue Dog Knows the Way,” 3.

Figure 6.2: Blue Dog Coalition Membership, 1993-1994

Blue Dog Member	State		
Gary Condit	CA	Charles Stenholm	TX
L.F. Payne	VA	John Tanner	TN
Collin Peterson	MN	Billy Tauzin	LA

Source: Blue Dog Coalition Membership Rolls, 103rd - 111th Congress

Laying the Foundation

With the Republican's electoral sweep, the organizational calculus for moderate and conservative Democrats changed. No longer was the group's primary aim to maximize its leverage within the Democratic Caucus. Now, "given that the Republican majority in the House was a relatively slim one," the lawmakers recognized that if they "form[ed] a voting bloc representing the middle of the partisan spectrum...[they] could not be ignored by either political party."⁵² According to one of the early Blue Dog leaders, the Republican takeover "put us in a very good position...It worked out perfectly for us because the Republicans were in the majority, but not enough that they could run roughshod. They had to have some Democratic votes."⁵³ In this new legislative landscape, "the moderates saw an opportunity to mediate the extremes of both parties and enact what they frequently would label 'common sense' legislation."⁵⁴ As a long-time staffer observed: "Being a minority in a minority is difficult on its face, especially when the margin of moderates on either side is so small. But the Blue Dogs didn't come to tilt at windmills. They were smart enough to form a group so that they could maximize their individual influence."⁵⁵

To create a cohesive voting bloc, the founding members of the Coalition incorporated many of the same organizational strategies pioneered by the House Insurgency and Southern Caucus. Eschewing the ad-hoc organizational arrangements used by the CDF and FROG, the Coalition adopted a formal leadership structure much like that of the Insurgency. Reflecting the Blue Dog's geographic reach beyond the South, the group elected Rep. Gary Condit (D-CA) to serve as the Coalition's co-chair for administration and Rep. Collin Peterson (D-MN) to serve as

⁵² "The Blue Dog Coalition," Congressional Research Service (2011), 1.

⁵³ Browder as quoted in Certain, "A Blue Dog Knows the Way," 3-4.

⁵⁴ Certain, "A Blue Dog Knows the Way," 5.

⁵⁵ Staffer interview with author, November 2011.

co-chair for policy development.⁵⁶ In addition to requiring the election of all group officers, the Coalition stipulated that a two-thirds majority vote would be necessary to make substantive policy decisions and established a rudimentary whipping system to “keep members on the same page.”⁵⁷ And, like the Southern Democrats, the Coalition sought to provide members with selective incentives, including access to congressional power brokers, promotion to more powerful committees, far-reaching electoral support during campaigns, aid in constituent services, and opportunities to legitimately claim credit for pursuing centrist policy.

In contrast to the early progressive and southern organizations, however, the Coalition made recruitment a priority from the outset. Knowing that their leverage hinged on controlling enough votes to grant the Republican opposition a majority, the Coalition’s founding members were quick to outline a system that would expand their ranks in future congresses, while still preserving cohesion. Unlike the Insurgents and Southern Democrats, “they would not limit the group’s membership to those who were formally invited to join.”⁵⁸ According to the Blue Dog’s founding documents: “any Democratic member who represents the center of the political spectrum and [is] dedicated to the[se] principles [is] eligible and encouraged to petition the Coalition for membership.”⁵⁹ To balance this “open door policy” with the practicalities of collective action, however, the Coalition’s organizers “agreed that the group would initially limit its membership to 20 to 25.”⁶⁰

Two months after the Republican takeover, on February 14, 1995, the Blue Dog Coalition went public. With all twenty-three members wearing lapel pins depicting a blue hound dog surrounded by the title “Blue Dog Conservative Democrat,” the representatives announced the formation of their Coalition at a press conference (see Figure 6.3).⁶¹ Referencing the Republican majority’s Contract with America, Coalition members declared themselves in “favor [of] cutting spending first, rather than a borrow and spend, tax and spend, [and] even tax-cut and spend strategy.” Condit was quick to caution: “We are not about changing parties; this is not the first step in a conspiracy to register as Republicans. There is a group of us who believe in these

⁵⁶ Rep. John N. Deal (D-GA) was initially selected to serve in Peterson’s position. However, in April 1995, Deal left the Blue Dogs and joined the Republican Party. Peterson was then elected as his replacement.

⁵⁷ Staffer interview with author, September 2011.

⁵⁸ Staffer interview with author, September 2011.

⁵⁹ Blue Dog Coalition By-Laws, Article 1, Section 1.

⁶⁰ “The Blue Dog Coalition,” Congressional Research Service (2011), 1. The Coalition would engage in more proactive recruitment efforts in later congresses, providing campaign assistance to “Blue Pup” candidates — moderate Democrats the organization had previously vetted — and offering them membership with the group on their election to the House. In 2006, the Blue Dogs gave a total of \$70,000 to help nine Democratic candidates win seats in Congress, eight in formerly Republican districts. All nine candidates joined the Blue Dog Coalition upon winning election. In addition to expanding the group’s ranks, these new members provided half of the sixteen seats the Democrats needed to control the chamber. See Josh Israel and Aaron Mehta, “Blue Dogs Fill Their Bowls with Cash,” *The Center for Public Integrity*, July 22, 2009,

⁶¹ Jackie Calmin, “Conservative Blue Dog Democrats in the House Believe Their Bark is ‘Useful’ and ‘Influential,’” *The Wall Street Journal*, March 28, 1995, 28.

issues, and we ought to be a legitimate voice in the Democratic Caucus.”⁶² Asked by reporters about the Blue Dog name, the lawmakers explained that, in contrast to “yellow-dog Democrats, a dying breed of southern Democrat that would vote for a yellow dog over a Republican,” the Blue Dogs’ “sense of smell is more discriminating.”⁶³ Condit and Peterson closed the news conference with a warning to the leaders of the both parties: “You can’t take us for granted... sometimes, we bite.”⁶⁴

In the weeks following the press conference, the Blue Dogs worked to formulate a moderate alternative to the Republican leadership’s deficit-shrinking welfare reform legislation. The measure — which topped the Republican’s agenda — eliminated the nation’s food stamp program, the federal school lunch initiative, and the main entitlement program for families with dependent children. The measure replaced these programs with large bloc grants to states to assist the needy as desired locally. Although Coalition members generally agreed with House Republicans that federal welfare programs needed to be “fiscally leaner,” they believed that the GOP’s proposal “trimmed the fat too drastically.”⁶⁵ As an alternative, the Blue Dogs proposed “more judicious cuts,” including time limits on welfare benefits, even for those who searched but failed to find jobs.⁶⁶ However, the Coalition’s proposal retained Aid to Families with Dependent Children, the primary entitlement program available to individuals meeting the criteria set by federal and state laws.⁶⁷

Figure 6.3: Blue Dog Coalition Membership, 1994-1996

⁶² Jerry Gray, “Congressional Roundup: Democrats; A Rebellious 23 Back G.O.P. Pledge,” February 15, 1995, *The New York Times*, A14.

⁶³ The Blue Dog Political Action Committee would later claim that one reason the group adopted the Blue Dog label was because in such a liberal Democratic Party, Coalition members felt that centrist values were “being choked blue.” See Blue Dog Political Action Committee, “About the Blue Dog Coalition,” <http://bluedogdems.ngpvanhost.com/content/about> (last accessed: March 31, 2014).

⁶⁴ Jackie Calmin, “Conservative Blue Dog Democrats in the House Believe Their Bark is ‘Useful’ and ‘Influential,’” *The Wall Street Journal*, March 28, 1995, 28.

⁶⁵ Member interview with author, August 2011.

⁶⁶ Member interview with author, August 2011.

⁶⁷ Robert Pear, “Democrats See Virtue in Shift To the Right On Welfare,” *The New York Times*, March 17, 1995, 18.

Blue Dog Member	State		
Bill Brewster	OK	Bill Lipinski	IL
Glen Browder	AL	David Minge	MN
Gary Condit	CA	Bill Orton	UT
Bud Cramer	AL	Mike Parker	MS
Pat Danner	MO	L.F. Payne	VA
Nathan Deal	GA	Owen Pickett	VA
Pete Geren	TX	Collin Peterson	MN
Ralph Hall	TX	Charles Stenholm	TX
Jimmy Hayes	LA	John Tanner	TN
Blanche Lambert	AZ	Billy Tauzin	LA
Greg Laughlin	TX	Gene Taylor	MS

Source: Blue Dog Coalition Membership Rolls, 103rd - 111th Congress

The Blue Dogs' alternative resolution proved popular with House Democrats and President Bill Clinton, who invited Coalition members to the White House to discuss the matter on several occasions. Although an alliance with the president was not an explicit goal of the Coalition, the Blue Dogs found much to like in Clinton's "Third Way." Likewise, facing a Republican Congress, the White House believed Blue Dog support essential to accomplishing the president's legislative agenda. Hopeful that the Coalition's language "could become the basis for compromise," both Clinton and Minority Leader Richard Gephardt (D-MO) endorsed the legislation as the official Democratic proposal.⁶⁸ In the House, Gephardt used the Blue Dogs' centrist language to court moderate Republicans who viewed their own party's hard-line measure with trepidation. Indeed, as one Republican moderate confided, "I cannot imagine anything more mean spirited than taking food away from hungry children."⁶⁹

To counter Gephardt's efforts to forge a cross-party coalition in favor of more modest reform, Gingrich permitted Republican lawmakers to attach several "softening amendments" — including a seven hundred million dollar program to fund childcare for working parents.⁷⁰ With

⁶⁸ Robert Pear, "Democrats See Virtue in Shift To the Right On Welfare," *The New York Times*, March 17, 1995, 18.

⁶⁹ Carl Husle and Sean Loughlin, "GOP Senators are Preaching Forgiveness," *Times-Daily*, March 13, 1995, 1.

⁷⁰ Elizabeth Shogren, "Republicans to Seek to Soften Welfare Bill," *Los Angeles Times*, March 20 1995, 1.

these changes, the Republican leadership held on to their majority coalition, defeating the Blue Dogs' alternative legislation, 228-205.⁷¹ Despite their loss, Coalition members were satisfied that they had “solidified... a position as an important player in the congressional legislative process.”⁷² Indeed, “as experienced, knowledgeable senior representatives, Coalition members commanded the respect, although perhaps not [always] the support, of leaders and colleagues.”⁷³

As the Blue Dogs wrangled with Speaker Gingrich and the Democratic leadership over welfare reform and the size of the federal budget, the bloc's first organizational priority was to secure greater representation on House “power committees.”⁷⁴ To do so, the lawmakers would need to win majority support from the Democratic Steering and Policy Committee, the group responsible for assigning committee seats. According to one of the Coalition's staffers at the time, “early on, [the] Blue Dogs started working on getting their members on exclusive committees to expand their influence...[but] it took time for them to successfully band together to get members on those exclusive committees...because there were always a lot of Blue Dogs applying to get on the same committee, and so they would split potential blocs of support with too many candidates.”⁷⁵

To address this coordination problem, the Coalition required that any Blue Dog seeking membership on a popular standing committee — particularly Appropriations, Ways and Means, Rules, and Energy and Commerce — receive the endorsement of the entire group. “Figuring out who would be the coalition's nominee [for each committee] was a fractious process, but members would meet again and again until everyone agreed. By doing this, they ensured that everyone at the end of it still felt like part of the group, that they benefited from it.”⁷⁶ Imposing “a strict rule of confidentiality, so that no one had to worry about anything that was said in confidence reaching the wrong ears,” the Coalition nominated members who they believed would have the best chance of winning support within the Democratic Steering and Policy Committee, and who possessed the requisite substantive expertise to advance a centrist agenda if seated on the committee.⁷⁷ Over time, the Blue Dogs would also work to win representation on the Steering and Policy Committee itself. Indeed, within a few years of their founding, the Coalition had positioned several members on the committee; between 1999 and 2013, the Blue Dogs have had as many as eight members on the Committee and as few as three.⁷⁸

⁷¹ *Congressional Record*, 104th Congress, 1st Sess., 1995, 141, 3634-3695

⁷² “The Blue Dog Coalition,” Congressional Research Service (2011), 3.

⁷³ Susan Webb Hammond, *Congressional Caucuses in National Policy Making* (Baltimore: Johns Hopkins University Press, 1998), 219.

⁷⁴ Staffer interview with author, October 2011.

⁷⁵ Staffer interview with author, November 2011.

⁷⁶ Staffer interview with author, October 2011.

⁷⁷ Staffer interview with author, November 2011.

⁷⁸ Membership of the Democratic Steering and Policy Committee, *Congressional Record* * (private report)

Just as the CDF had done, by promoting members to more exclusive and important standing committees, the Blue Dogs provided a selective incentive for participation that also furthered the group's longer term policy goals. Indeed, without the coordinated support of the Coalition, no individual Blue Dog possessed enough political clout within the Democratic Caucus or within the Democratic Steering and Policy Committee to secure a seat on the chamber's most powerful standing committees. With the Coalition's support, however, any individual nominee would benefit from the guaranteed votes of eleven percent of the party caucus.⁷⁹ At the same time, by promoting Blue Dog lawmakers "up the committee food chain," the Coalition as a whole benefited from expanded access to the traditional levers of chamber influence.⁸⁰

Organization for the "Long Haul"

Over the next several congresses, the Blue Dogs worked to refine their organization further, developing the group's practices and norms into a set of written by-laws. The by-laws outlined the Coalition's application process for prospective members, listed membership dues and staffing requirements, specified the duties of coalition officers and the procedure by which individuals would be selected for leadership positions, and prescribed rules for meeting attendance and record-keeping. As an early member of the Coalition recalled: "Creating the organizational rules was not easy — writing by-laws took a very long time because every little thing had to be discussed and agreed upon." In drafting the by-laws, the Blue Dogs "were committed to ensuring that everyone was represented by the group, believing this would minimize problems."⁸¹ According to one of the staffers charged with organizing the drafting sessions: "A lot of thought and discussion went into the by-laws, and they were truly drafted by all members."⁸²

As part of this process, the Coalition formalized the organization's existing whip system. The new by-laws stipulated that the whip would be "responsible for recording meeting attendance, polling membership on items up for recorded vote before the Coalition, and maintaining accurate records of votes taken by the Coalition."⁸³ In contrast to the other Blue Dog officers, the whip would be appointed by the organization's leadership, rather than elected by the membership. This decision was made to insulate the office from any internal political

⁷⁹ With twenty-four Blue Dog members, the Coalition constituted roughly 11% of the 205-person Democratic minority in the 103rd Congress. As the Coalition further expanded its ranks, the group would come to represent approximately 20% of the party caucus.

⁸⁰ Staffer interview with author, August 2011.

⁸¹ Member interview with author, September 2011.

⁸² Staffer interview with author, November 2011.

⁸³ Blue Dog Coalition By-Laws, Article 2, Section 5.

pressures that might impede the whip's determined pursuit of the Coalition's collective interests.⁸⁴

Cognizant that "information is currency in Washington," the Blue Dogs formalized the whip's organizational authority to better leverage their vote counts when negotiating with party leaders. In the modern Congress, "the party whip [in the House] is aided by regional whips, so members of the party from a particular region report to the regional whip who then reports to the leadership whip." However, to maximize their bargaining position with party leaders, the Blue Dogs agreed they would not report to their regional whips. Instead, as a staffer explained, Coalition members reported only to their group whip, "and it is the Blue Dog whip and the Blue Dog leadership who then decide how to share that [voting] information with the Democratic leaders." Indeed, "the Blue Dog whip is very willing to withhold the whip count from party leaders if the Blue Dogs think it is to their advantage."⁸⁵ By controlling party leaders' access to Coalition vote counts, the Blue Dogs gained an important source of leverage and a potential bargaining chip in intra-caucus dealmaking, provided they could deliver on their promised votes.

Formalizing the Coalition's norms and procedures furthered three important organizational objectives. First, written by-laws allowed members to institutionalize their presence in a rapidly evolving political environment. Recognizing that "it takes a lot of work to stay cohesive as a group over the years," the lawmakers hoped that entrenching the bloc's procedures and practices would sustain the organization in future congresses.⁸⁶ And, as a staffer noted, "To be effective, the Blue Dogs had to continuously keep tabs on legislation as it progressed from one year to the next, to stay closely attuned to the slate of bills under consideration each session, and to pay attention to potential openings for Blue Dog legislation."⁸⁷ Creating a formal leadership system charged with these responsibilities facilitated the Coalition's efforts to play an active role in policymaking from one legislative session to the next, an endeavor in which neither the CDF nor FROG had succeeded.

Second, adopting increasingly formal organizational mechanisms helped to prevent members from exploiting the Coalition for purely personal gain. As one staffer recalled: "The Blue Dogs were faced with the problem of individual members going directly to House leaders, negotiating their own interests, alienating potentially cooperative leaders, and giving up information intended for bargaining as a group." Indeed, "the real thing to prevent was a member using the Coalition to hold out on the party leaders to get their own individual concession. This is something the Blue Dog leaders tried to avoid at all costs, because pleasing a minority is acceptable sometimes, but not when it is only a single person."⁸⁸ Similarly, certain

⁸⁴ Staffer interview with author, October 2011; Staffer interview with author, August 2011.

⁸⁵ Staffer interview with author, August 2011.

⁸⁶ Staffer interview with author, September 2011.

⁸⁷ Staffer interview with author, October 2011.

⁸⁸ Staffer interview with author, October 2011.

lawmakers tended to “miss a lot of meetings or failed to participate in other ways — appearing like they were there just for the brand...which bred ill will.”⁸⁹

Creating more stringent obligations — requiring members to support the organization financially, restricting members’ voting autonomy, implementing a strict attendance policy, and enforcing confidentiality in group discussions — made membership more burdensome.⁹⁰ By substantially increasing the costs to participation, the Blue Dogs hoped to discourage those individuals keen on free-riding on the organization’s policy benefits and selective incentives from seeking membership.⁹¹ In this way, only the lawmakers who believed the price of membership to be worth the policy gain would petition to join the Coalition.⁹²

Third, instituting procedures for policy development and collective position-taking helped the Coalition to mediate internal fights over policy. Although “the group is chiefly concerned with fiscal policy,” members often sought to direct the Coalition’s energies to other policy domains.⁹³ As one Blue Dog member observed: “There is often pressure from within the group to take on new issues, likely because a lot of people hold similar positions on issues not having to do with fiscal policy, even if those are not shared uniformly across the Coalition.” Indeed, “the Blue Dogs constantly argue over whether we should take on taxes as a new issue: proponents say, ‘The Blue Dogs are in favor of small government,’ but opponents say, ‘No, being a Blue Dog is about deficit reduction.’”⁹⁴ To ensure group cohesion, the organization instituted a two-thirds vote of the Coalition’s active membership to adopt an official position or pursue a new policy aim.⁹⁵

Working with Party Leaders

While in the minority, the Blue Dogs cultivated a relatively amicable relationship with their Democratic leadership, particularly House Minority Leader Gephardt, who included a rotating cast of Coalition members in weekly leadership meetings, “recognizing that they had a place in the caucus.”⁹⁶ In contrast to their progressive and southern predecessors, Coalition members regularly worked with Democratic leaders to further shared policy objectives. For example, in 1997, the organization joined with Gephardt to promote campaign finance reform.

⁸⁹ Member interview with author, November 2011.

⁹⁰ Blue Dog members must pay \$1,000 dollars to the Coalition each election cycle and contribute to the salaries of Blue Dog staff. Blue Dog Coalition By-Laws, Article 1, Section 2 and Article 7, Sections 1-2.

⁹¹ Blue Dog Coalition By-Laws, Article 1, Section 2.

⁹² Member interview with author, August 2011.

⁹³ Staffer interview with author, August 2011.

⁹⁴ Member interview with author, September 2011.

⁹⁵ Blue Dog Coalition By-Laws, Article 5, Section 1.

⁹⁶ Staffer interview with author, November 2011.

Working together, the Minority Leader and two Blue Dog members, Stenholm and Rep. Scott Baesler (D-KY), drafted a measure that would set stronger limits on the money individuals could receive from their national political party and certain nonprofit organizations.

When the Blue Dogs learned that the measure had been referred to the Committee on House Oversight — which had no intention of reviewing it — the Coalition worked with Democratic leaders to produce a discharge petition. While Gephardt rallied the Democratic Caucus, Coalition members lobbied moderate Republicans. Six months after the legislation had been referred to the Committee, the Blue Dogs had collected nearly enough signatures to discharge the legislation. With the support of twelve moderate Republicans and all of the Democratic coalition, they would have the necessary votes to release the measure and “effectively take control of the debate.” This was an outcome the GOP leadership “deemed intolerable.”⁹⁷

Retreating in the face of a bipartisan rebellion, Gingrich instructed the Committee to report the legislation to the floor. With the vote scheduled, the Democratic leadership thanked Blue Dog lawmakers “for all the work that they have done” to ensure that “campaign finance reform has survived the best attempts of the Republican leadership to drive a stake through its heart.”⁹⁸ Although the House passed the Bipartisan Campaign Reform Act of 1998, Senate Republicans “ran out the clock” so that the measure did not reach a final vote. It would take four more years of concerted effort by Blue Dog lawmakers for the Bipartisan Campaign Reform Act — better known for its two Senate sponsors, Sen. John McCain (R-AZ) and Sen. Russ Feingold (D-WI) — to be signed into law.

In later congresses, as the Republican majority in the House narrowed, the Democratic leadership exerted greater pressure on Coalition members to “toe the line.” According to a senior staffer: “pressure from party leaders can be acute, particularly for freshmen members who are less comfortable standing up to leadership.”⁹⁹ On occasions where the leadership is pressing for a party line vote, “the more senior members work hard to shield sophomore and freshmen members from this kind of pressure...they even do so physically on the floor.”¹⁰⁰ As the staffer recounted:

In 2006, for instance, the Blue Dogs started surrounding the freshmen members on the floor with the senior members, literally flanking the younger members with the old guard. Though the coalition always sat together, by creating a ring of practiced nay-sayers, the party leaders had to actually push through the senior members to get to the freshmen which was difficult, and by the time they got

⁹⁷ Helen Dewar and Juliet Eilperin, “Campaign Bill Gains in House,” *Washington Post*, April 23 1998, 1.

⁹⁸ *Congressional Record*, 105th Congress, 2nd Sess., 1998, 144, 3725.

⁹⁹ Staffer interview with author, September 2011.

¹⁰⁰ Staffer interview with author, August 2011.

through, the freshmen were able to gather themselves and stick to the caucus line.¹⁰¹

Physically insulating members on the floor proved to be a successful strategy. According to staffers for the Democratic whip, “only friendlies go back there. No junior whip will go back there. [Rep. John] Tanner [(D-TN)] will growl at them.”¹⁰²

Building a Brand

Just as the Blue Dogs used organizational mechanisms to further their policy objectives and to insulate their membership from party pressure, the Coalition sought organizational solutions to their electoral challenges. Federal redistricting and more open primary elections meant that “many Blue Dog members found themselves in increasingly partisan districts that are closely divided.”¹⁰³ To maintain their seats in marginal districts, moderate lawmakers would need to win the support of both Republican and Democratic voters. They would also require far more financial support to retain their seats than members hailing from reliably liberal or conservative constituencies. Like the progressive Insurgents and Southern Democrats, the Blue Dogs devised a collective response to these two problems, forging a shared brand and developing a coordinated fundraising program to defend against electoral incursions.

To appeal to voters from both parties, Coalition members sought to distinguish themselves from more liberal members of the Democratic party. As one Blue Dog lawmaker explained: “With increasingly partisan districts that are closely divided, we needed to distance ourselves from the liberal label. Membership in the Blue Dogs meant access to a more conservative label.”¹⁰⁴ Indeed, members were quick to use the Blue Dog label as a “brand name with voters to distinguish themselves as conservative, centrist Democrats.”¹⁰⁵ To be sure, staffers acknowledged, “your average voter is unlikely to have heard of the Blue Dogs, but savvy voters know, so while you don’t typically see the Blue Dog name used in basic campaign materials, when members are on the stump they take care to use the Blue Dog brand, and in their press releases as well. This is also the case for one-on-one talks with constituents, as members will try

¹⁰¹ Staffer interview with author, August 2011.

¹⁰² Staffer interview with author, December 2011.

¹⁰³ Member interview with author, September 2011.

¹⁰⁴ Staffer interview with author, August 2011.

¹⁰⁵ Member interview with author, October 2011. Despite these advantages, Blue Dog lawmakers were quick to identify the electoral downsides to membership in the Coalition. “Anytime you become identified as a Blue Dog member, or as a member of a congressional organization, you immediately make enemies. Anytime you commit to a group and make that your identity, you lose flexibility. You can’t as easily shift your persona or perceived positions because people will know and associate you with the positions of your group — and if that group changes in stark or significant ways from where it used to be, that can be really damaging. This is probably why the Blue Dogs keep such a narrow issue focus — to keep the brand safe for everyone and to limit the chance that someone will sometime in the future, find that the brand is out of touch with who they need to be. And the same label that helps win non-traditional votes can really hurt you among your liberal Democratic constituency. To the activist left, being a Blue Dog means you are essentially a Democrat in name only.”

to use the name to make it clear to the voter that they are fiscally conservative and fit the district on similar issues.”¹⁰⁶

Given the substantial expense of defending moderate seats, the Blue Dog brand proved especially valuable because it tended to “yield endorsements and financial contributions.”¹⁰⁷ “Being a Blue Dog often means you could get endorsements from groups who would rarely endorse a Democrat, like the National Rifle Association. The label also allows you to attract political support in fundraising. The Blue Dogs raise money from business and trade associations, groups that are not overly fond of Democrats.”¹⁰⁸ Indeed, as one of the first congressional organizations to establish a political action committee, “the Blue Dogs built an extensive fundraising network across the country, working with organizations that are not generally Democrat friendly, like the Chamber of Commerce, National Association of Manufacturers, and the National Federation of Independent Businesses.”¹⁰⁹ Moreover, “there is a lot of shared fundraising among members of the Blue Dog Coalition. When a member is going to hold a fundraising dinner, he or she will invite four or five other members to come to the event, as the more names on the invitation the more people will be willing to give.”¹¹⁰

This fundraising advantage has proved crucial to Blue Dog members. In the past two decades, moderate Democrats and their opponents have spent twice as many dollars on their campaigns as their counterparts in liberal and conservative districts. Even veteran moderates outspend their colleagues by more than 20 percent in reliably red and blue districts.¹¹¹ With this “centrist premium,” Blue Dog lawmakers depend on aid from the Democratic Caucus and the financial assistance of the Coalition to, as one member put it, “break even in our tough races.”¹¹² Moreover, amassing an independent source of revenue offers Blue Dog lawmakers more freedom to stake positions that run counter to strict party regularity. As one member explained: “When you take party money, there are strings. Certainly, they want you to win, but you have to take your medicine and sometimes that can kill you at home.”¹¹³

In addition to branding and financial benefits, “membership in the Blue Dogs means access to mentoring when it comes to constituent service.” Indeed, “the Coalition offers a support structure for staff, training them about how to run efficient offices uniquely suited for the

¹⁰⁶ Staffer interview with author, September 2011.

¹⁰⁷ Member interview with author, September 2011.

¹⁰⁸ Member interview with author, September 2011.

¹⁰⁹ Staffer interview with author, November 2011.

¹¹⁰ Staffer interview with author, August 2011.

¹¹¹ Anne Kim, “The ‘Centrist Premium:’ The High Price of Moderation,” (Washington, D.C.: Progressive Policy Institute, 2011) 2-3.

¹¹² Member interview with author, November 2011.

¹¹³ Member interview with author, August 2011.

needs of marginal districts, and members across Blue Dog offices share language, press material, and information.”¹¹⁴

Ready for Action

The Blue Dogs’ relationship with Democratic leaders in the House changed with party’s success in the 2006 midterm election. Gaining more than thirty seats in the House, the Democratic Caucus seized control of the lower chamber and Senate. Besting their Republican opponents in moderate districts across the country, the Blue Dog Coalition expanded to thirty-five members at the beginning of the 109th Congress. Now, like their Insurgent predecessors, the Coalition held a pivotal bloc of votes in the Democratic majority. Intent on leveraging their pivotal status, the Blue Dogs pressed newly elected House Speaker Nancy Pelosi for policy concessions in exchange for the Coalition’s votes. Facing a polarized Congress with few prospective Republican allies, the Democratic leadership had little choice but to bargain with the Coalition, to accommodate the moderate lawmakers on some issues and enforce their partisan allegiance on others.

In the following section, I analyze this changed dynamic by examining the Blue Dogs’ role in the battle to pass health care reform legislation. As we shall see, many of the practices and procedures the Coalition had developed over the years to sustain the group’s cohesion would be brought to bear in the Blue Dogs’ negotiations with Democratic leaders in Congress and the White House over the scope and content of the proposed Affordable Care Act.

3. Reigning in Health Care Reform

Swept into office with Democratic majorities in both chambers of Congress, President Barack Obama named reform of the nation’s ailing health care system a top domestic priority. Outlining his legislative agenda before a joint session of Congress, the President declared: “Let there be no doubt: health care reform cannot wait...another year.”¹¹⁵ In his address, Obama reiterated the two components of reform he had called for during his presidential campaign — first, creating a nationwide insurance pool to ensure access to affordable coverage for all Americans and second, expanding Medicaid to include individuals who could not afford to purchase coverage themselves. Determined to press forward early in his term, Obama directed congressional leaders to draft a measure that would implement these two core reforms.

Obama’s legislative strategy — and in particular, the President’s desire to involve congressional actors early in the reform process — reflected a determined effort to avoid the

¹¹⁴ Staffer interview with author, September 2011.

¹¹⁵ Barack Obama, “Remarks of President Barack Obama — As Prepared for Delivery, Address to Joint Session of Congress,” February 24, 2009 http://www.whitehouse.gov/the_press_office/Remarks-of-President-Barack-Obama-Address-to-Joint-Session-of-Congress.

mistakes of the Clinton Administration's failed 1994 health care initiative.¹¹⁶ Rather than craft the legislative details of the bill in the White House and then attempt to sell the result to Congress as Clinton had done, Obama and his advisors set out to "get legislators to buy-in early," to "give them ownership of the reform process."¹¹⁷ Although the White House would maintain a "relatively hands off approach at the early stages," the Administration quickly recognized that "no plan — no matter how elegantly designed or executed — [could] succeed unless [they could] convince Blue Dogs and other moderate Democrats and Republicans to adopt an open mind."¹¹⁸ To pass their reform legislation, the President and congressional leaders would need to secure 218 votes. The Blue Dogs controlled fifty-four of the 258 Democratic votes in the House.¹¹⁹ (See Figure 6.4 for Blue Dog membership in the 111th Congress.)

In March 2009, the House's newly elected Speaker, Nancy Pelosi (D-CA), directed the leaders of the three House committees with jurisdiction over health care — Education and Labor, Energy and Commerce, and Ways and Means — to work together to develop a single bill to present to their committees. In "harmonizing their drafting efforts," the Democratic leadership hoped to avoid the committee "turf wars" that had hampered Clinton's reform effort.¹²⁰

¹¹⁶ Paul Starr, *Remedy and Reaction: The Peculiar American Struggle Over Health Care Reform* (New Haven: Yale University Press), 207.

¹¹⁷ Staffer interview with author, October 2011.

¹¹⁸ Health Policy Team Memorandum to President-elect Barack Obama, December 10, 2008.

¹¹⁹ In fact, many in the Obama Administration believed that centrist Democrats were to blame for Clinton's failed health care initiative fifteen years before. Intent on framing his health care plan as "business-friendly," Clinton solicited the support of the business community — and in particular, the endorsement of the Chamber of Commerce and Business Roundtable. However, after the President succeeded in privately securing the support of the Chamber of Commerce, a substitute bill surfaced in the House — drafted by two future Blue Dog lawmakers, Rep. Jim Cooper (D-TN) and John Breaux (D-LA). Believing the centrist bill to be more favorable to the business community than the Clinton proposal, the Business Roundtable publicly endorsed the rival Cooper-Breaux measure and the Chamber followed shortly thereafter. Having lost the support of the business community to the centrist alternative, Clinton faced an uphill, and ultimately unsuccessful, battle to convince members of Congress that the Administration's proposal represented a "compromise, a third way." See Hilary Stout and Rick Wartzman, "Shaky Start: Why Clinton's Effort to Woo Big Business to Health Plan Failed — Lobbying Couldn't Overcome Executives' Fears of Rising Regulation — Pivotal Vote by Roundtable," *Wall Street Journal*, February 11, 1994, 1; David Rogers, "Business Delivers Another Blow to Health Plan — Chamber of Commerce Calls Mandates Unacceptable; Clinton Allies Lash Out," *Wall Street Journal*, February 4, 1994, 3.

¹²⁰ John Cannan, "A Legislative History of the Affordable Care Act: How Legislative Procedure Shapes Legislative History," *Law Library Journal* 105 (2013), 137.

Figure 6.4: Blue Dog Membership by state delegation 2009-2010

Alabama	Bobby Bright	Arizona	Gabrielle Giffords Harry Mitchell	Arkansas	Marion Berry Mike Ross
California	Joe Baca Dennis Cardoza Jim Costa Adam Schiff Mike Thompson Jane Harman Loretta Sanchez	Colorado	Betsy Markey John Salazar	Florida	Allen Boyd
Georgia	John Barrow Sanford Bishop Jim Marshall David Scott	Idaho	Walt Minnick	Indiana	Joe Donnelly Brad Ellsworth Baron Hill
Iowa	Leonard Boswell	Kansas	Dennis Moore	Kentucky	Ben Chandler
Louisiana	Charlie Melancon	Maine	Mike Michaud	Maryland	Frank Kratovil
Minnesota	Collin Peterson	Mississippi	Travis Childers Gene Taylor	New York	Mike Arcuri Scott Murphy
North Carolina	Mike McIntyre Heath Shuler	North Dakota	Stephanie Herseth-Sandlin Earl Pomeroy	Ohio	Zach Space Charlie Wilson
Oklahoma	Dan Boren	Oregon	Kurt Schrader	Pennsylvania	Jason Altmire Chris Carney Kathy Dahlkemper Tim Holden Patrick Murphy
Tennessee	Jim Cooper Lincoln Davis Bart Gordon John Tanner	Texas	Henry Cueller	Utah	Jim Matheson
Virginia	Glen Nye				

Source: Blue Dog Coalition Membership Rolls, 103rd - 111th Congress

In a series of closed-door meetings in March, April and May, the committee chairman worked with the party's moderate House Majority Leader Steny Hoyer (D-MD) to draft the legislation. According to former Sen. Tom Daschle, the director of the new White House Office of Health Reform, the decision to include Hoyer, rather than House Speaker Nancy Pelosi (D-CA) was made with an eye towards Democratic moderates. "Steny had more centrist views than Nancy on many issues...and he was the House leader moderate Democrats viewed as most sympathetic to their concerns."¹²¹ Even before the public release of the Democrats' health care proposal, it was clear to House leaders that there would be limited Republican support for the measure; to pass health care reform, the Democrats would need to hold the right and left flanks of their party together. Reflecting the Blue Dogs' pivotal status, the House leadership sought "buy in" from Coalition members from the very start.¹²²

Despite the leadership's early effort to placate the party's moderate wing, Blue Dog members expressed frustration that House leaders and the committee chairmen were excluding them from participating in the drafting process. Surely, the members argued, they had a right to help craft legislation they would soon be asked to support. Furthermore, the Blue Dogs charged, the closed-door drafting sessions effectively prevented members from working with lawmakers across the aisle. Without bipartisanship at this early stage, Coalition members worried that even the Republican Party's moderate representatives would refuse to cooperate later on.

Well aware that their votes were crucial to the legislation's passage, the Blue Dogs set out to press House leaders to adopt a more open process. On May 11, the Coalition went public with a letter to the Speaker, chiding Pelosi for the House committees' "secrecy" and praising the "collaborative approach being taken by our Senate colleagues." Signed by forty-five Blue Dog lawmakers, the letter urged the three committee chairs — Rep. George Miller (D-CA) on Education and Labor, Rep. Henry Waxman (D-CA) on Energy and Commerce, and Rep. Charles Rangel (D-NY) on Ways and Means — to make a "good faith" effort to involve centrist Democrats in the drafting process.¹²³

The Coalition pushed the matter further after several months of what one Blue Dog member characterized as "only more of the same."¹²⁴ On July 9, just as the committee leaders were preparing to make the draft public, the Blue Dogs issued a second letter voicing their "strong reservations about the process and direction of the draft tri-committee health care reform proposal."¹²⁵ The Coalition wrote:

¹²¹ Tom Daschle and David Nather, *Getting it Done: How Obama and Congress Finally Broke the Stalemate to Make Way for Health Care Reform* (New York: St. Martin's Press, 2010), 151.

¹²² Robert Pear, "Team Effort in the House to Overhaul Health Care," *New York Times*, March 18, 2009, 12.

¹²³ Robert Pear, "45 Centrist Democrats Protest Secrecy of Health Care Talks," *New York Times*, May 12, 2009, 1.

¹²⁴ Member interview with author, September 2011.

¹²⁵ Blue Dog Coalition to Speaker Nancy Pelosi and Majority Leader Steny Hoyer, July 9, 2009.

We share President Obama's deep commitment to passing comprehensive, deficit-neutral health care reform that lowers costs for American families and businesses... We also believe that the process by which we get there is critically important... From where we are today, significant progress on the draft tri-committee health care reform proposal needs to be made in order to address [our] concerns. We cannot support a final product that fails to do so.¹²⁶

The letter, signed by forty of the group's fifty-four members, outlined the Coalition's three main concerns. Specifically, they asserted that the legislation was not deficit neutral, it paid only limited attention to reforming the nation's health care delivery system, and it lacked adequate protections for small businesses and rural communities. That evening, the Coalition's whip Rep. Heath Shuler (D-NC), and chairman, Rep. Mike Ross (D-AK), reiterated the group's concerns to Pelosi, Hoyer and the committee chairmen. They repeated their warning that the majority of Blue Dogs would vote against the legislation unless it was "substantially revised."¹²⁷ The Coalition communicated a similar message to the White House, informing the president at a White House meeting, "We've got serious concerns with the bill...we [can] not support the current bill."¹²⁸

Although the May and July letters did not include the signature of every Blue Dog member, both had enough signatures to ensure the defeat of the president's health care initiative. A strong majority of Coalition members supported the letter-writing campaign, however about a dozen lawmakers opted to leave their names off the letters. According to staffers, these members either strongly supported far-reaching reform or were from districts where the president's health care initiative enjoyed broad public support.¹²⁹ Anxious to avoid putting individual members at risk for taking a position on the issue "before the dust had settled and we could know who it would be bad for," and possessing sufficient votes to pose a credible threat to the Democratic leadership, the Coalition's officers were content to "give the more liberal members enough rope to keep themselves safe."¹³⁰

When the Democratic leadership learned that "if that many Democrats were truly prepared to vote against the bill, it would not pass the House," they agreed to postpone the measure's scheduled rollout.¹³¹ In a press conference the following day, on July 10, Hoyer acknowledged the Coalition's concerns, admitting: "There's still some additional work that needs

¹²⁶ Blue Dog Coalition to Speaker Nancy Pelosi and Majority Leader Steny Hoyer, July 9, 2009.

¹²⁷ Member interview with author, November 2011.

¹²⁸ Ross as quoted in Steven T. Dennis and Tory Newmyer, "Blue Dogs' Objections Could Delay Release of the Health Care Bill," July 9, 2009, *Roll Call* <http://www.rollcall.com/news/-36657-1.html>.

¹²⁹ Staffer interview with author, October 2011.

¹³⁰ Staffer interview with author, August 2011.

¹³¹ Daschle and Nather, *Getting it Done*, 153.

to be done.”¹³² Meeting with the Blue Dog leadership the next morning, the committee chairmen worked to reach a deal with the lawmakers. According to Ross, the Coalition was primarily concerned that the measure’s existing “public-option” plan, which was based on Medicare reimbursement rates, would disproportionately harm rural communities. “We cannot accept a public option based on Medicare rates. We are losing doctors [in rural districts]. We could give people a real shiny insurance card, but that’s not going to matter if they don’t have access.”¹³³

As Coalition members had agreed in a conference the night before, Ross informed the leadership that regional disparities in Medicare would have to be fixed for the Blue Dogs to accept the public option.¹³⁴ Although a bloc of the Coalition’s conservative members also wished to tighten the legislation’s language on abortion as a covered medical procedure, the Blue Dogs agreed not to pursue the matter as a group.¹³⁵ With a committed and equally large faction of members favoring women’s reproductive rights, the Coalition’s leadership understood that negotiating over abortion coverage would split their membership and undermine the organization’s capacity to control the necessary votes to be pivotal.¹³⁶ As Blue Dog Rep. Stephanie Herseth-Sandlin (D-ND) reminded her colleagues: “We have to be pragmatic and forge some deal that moves us in a positive direction.”¹³⁷ So long as the Blue Dogs could respect the results of the organization’s voting procedures and maintain unity, the Coalition could continue to hold the upper hand in negotiations with party leaders.

Well aware that the measure would not pass without at least twenty of the Coalition’s votes, the three committee chairmen agreed to rewrite the measure. Instead of relying on existing Medicare rates as the basis for the public option, they inserted a provision that would establish state commissions to set reimbursement rates for hospitals. Under the new plan, patients at any hospital would pay the same rate for treatment, regardless of their insurance plan, and the state commission would ensure that local hospitals remained open by negotiating “reasonable rates” with rural providers. Explaining the change to the press, the chairmen said: “It’s what the Blue Dogs want, so we’ll give them what they want.”¹³⁸

¹³² Steven T. Dennis and Tory Newmyer, “Blue Dogs’ Objections Could Delay Release of the Health Care Bill,” *Roll Call*, July 9, 2009, <http://www.rollcall.com/news/-36657-1.html>.

¹³³ Steven T. Dennis and Tory Newmyer, “Blue Dogs’ Objections Could Delay Release of the Health Care Bill,” *Roll Call*, July 9, 2009, <http://www.rollcall.com/news/-36657-1.html>.

¹³⁴ Steven T. Dennis and Tory Newmyer, “Blue Dogs’ Objections Could Delay Release of the Health Care Bill,” *Roll Call*, July 9, 2009, <http://www.rollcall.com/news/-36657-1.html>.

¹³⁵ Specifically, the lawmakers wanted to eliminate a provision of the legislation that authorized the use of federal tax subsidies to help citizens purchase private insurance plans that would include coverage for abortions.

¹³⁶ Staffer interview with author, October 2011.

¹³⁷ Carl Hulse, “Conservative Democrats Expect to Make a Deal,” *New York Times*, September 2, 2009, 15.

¹³⁸ Steven T. Dennis and Tory Newmyer, “Blue Dogs’ Objections Could Delay Release of the Health Care Bill,” *Roll Call*, July 9, 2009, <http://www.rollcall.com/news/-36657-1.html>.

With the Blue Dogs' tentative support secured, the three chairmen introduced their proposal on the House floor on July 14, 2009.¹³⁹ Officially titled America's Affordable Healthcare Choices Act of 2009, the measure was, as planned, referred to the committees whose chairman had drafted the legislation. Both the Ways and Means and Education and Labor committees had large liberal majorities and were expected to approve the health care bill with limited amendment. However, winning support in the Energy and Commerce committee would prove much more challenging. On the first day of markup, seven of the eight Blue Dogs on the Energy and Commerce committee read the same opening statement in a show of solidarity.¹⁴⁰ Although pleased with the leadership's concession on Medicare, the Coalition members warned:

We cannot fix these problems by simply pouring more money into a broken system. We must find every penny of savings...be more aggressive in implementing innovative delivery reforms to bend the cost curve...[and] provide assistance for families and small businesses without bankrupting the federal government.¹⁴¹

In private discussions with Waxman, the Blue Dogs were more direct — complaining that the “bill went too far in expanding the federal government, particularly with the public option, and didn't do enough to cut costs.”¹⁴² Unless the committee worked to address these concerns, the Blue Dogs threatened to join with Republicans to defeat the legislation, as moderate and conservative Democrats had done on the same committee in 1994.¹⁴³ However, Waxman doubted that the Coalition intended to vote for any House bill. The chairmen believed “the Blue Dogs simply wanted to wait for the Senate bill, which they expected to be more moderate, and bypass the House entirely...the[y] didn't want to vote for politically controversial proposals, such as the public option, that they believed would not be in the final bill anyway.”¹⁴⁴ Nevertheless, with enough votes to keep the legislation buried in committee, Waxman had little choice but to strike a deal with the Coalition.

Anxious to push the legislation through the House, the President met with Waxman and members of the Blue Dog Coalition at the White House on July 21, to try to broker a compromise. According to Ross, Obama acknowledged the Coalition's concern that such an ambitious initiative would be difficult to sell in conservative and rural districts, and pledged to

¹³⁹ The House measure contained most of provisions outlined in the earlier draft as well as some additional features, including a provision imposing a surcharge on citizens in the highest tax bracket to help pay for the expansion in coverage.

¹⁴⁰ In addition to Ross, the Blue Dog members (out of eight on the committee) who read the common statement are: Rep. John Barrow (D-GA), Bart Gordon (D-TN), Baron Hill (D-IN), Jim Matheson (D-UT), Charlie Melancon, and Zack Space (D-OH).

¹⁴¹ Brian Beutler, “The Mark-Up, 7-16-2009,” *Talking Points Memo*, July 16, 2009, <http://talkingpointsmemo.com/dc/the-mark-up-07-16-2009>.

¹⁴² Daschle and Nather, *Getting it Done*, 189.

¹⁴³ Starr, *Remedy and Reaction*, 208-209.

¹⁴⁴ Daschle and Nather, *Getting it Done*, 189-190.

work with the Blue Dogs to draft a measure “everyone could live with.”¹⁴⁵ Over the next several days, Coalition leaders met with members of the Obama Administration and the House leadership. According to Daschle, who attended many of the meetings, “by the end of the week, they seemed to be closing in on an agreement that might include a public option.” But, the “talks nearly collapsed [when] Waxman, frustrated at the seemingly never-ending talks with the Blue Dogs, threatened to bypass his own committee and take the bill straight to the House floor.”¹⁴⁶ In response, Ross and Shuler warned that if Waxman were to circumvent committee negotiations, the entire Blue Dog bloc would retaliate by voting against the legislation on the floor. There is no hard evidence that the Coalition held an internal vote authorizing the Blue Dog leadership to pledge such a reprisal. However, the House leadership had no information — other than that provided by the Blue Dog officers — to determine whether the group’s threat was credible or merely a bluff. Leveraging the group’s hierarchical leadership structure, confidentiality procedures, and control of whip counts, the Blue Dogs compelled Pelosi to bring Waxman back to the negotiating table.¹⁴⁷

After another week of sustained discussion, Ross and Waxman finally struck a deal. The eight Blue Dogs on the committee would accept the public-option provision, but as previously negotiated, payments would not be based on Medicare rates. Waxman also agreed to weaken the provision requiring small businesses to provide health coverage, increasing the annual payroll threshold for exempt companies from \$250,000 to \$500,000. In practical terms, most small businesses would now not have to worry about the coverage requirement. Finally, the chairman agreed to trim the subsidies — “affordability credits” — provided to households to help offset the cost of purchasing insurance.¹⁴⁸ In return, the Blue Dogs would help prevent Republican committee members from attaching unwanted amendments and ensure that the legislation was reported to the floor. Crucially, the Coalition’s leadership refrained from committing the group to support the legislation in the final floor vote, reserving that bargaining chip for later.¹⁴⁹

Although the Blue Dogs were satisfied by the outcome, the Energy and Commerce committee’s liberal members were not. Concerned that their weeks of negotiation were all for naught, the Blue Dogs on the committee entreated their progressive colleagues to “recognize how important it is to get half a loaf.”¹⁵⁰ Unmoved, the liberal lawmakers continued to protest

¹⁴⁵ David Von Drehle, “Why the Blue Dogs are Slowing Health-Care Reform,” *Time Magazine*, July 24, 2009, <http://www.time.com/time/nation/article/0,8599,1912343,00.html>.

¹⁴⁶ Daschle and Nather, *Getting it Done*, 190-191.

¹⁴⁷ Naftali Bendavid, “Blue Dog Democrats Hold Health-Care Overhaul at Bay,” *Wall Street Journal*, July 27, 2009, <http://online.wsj.com/news/articles/SB124865363472782519>.

¹⁴⁸ “Key Amendments to America’s Affordable Health Choices Act, H.R. 3200,” House Democratic Leadership and Energy and Commerce Committee, August 5, 2009, http://www.fsahq.org/wp-content/uploads/2012/12/energy_amendments.pdf.

¹⁴⁹ Staffer interview with author, September 2011; Daschle and Nather, *Getting it Done*, 211-212.

¹⁵⁰ Carl Hulse, “Conservative Democrats Expect to Make a Deal,” *New York Times*, September 2, 2009, 15.

until Waxman called their bluff, reminding them that the “committee would not have been able to approve anything without the Blue Dogs.”¹⁵¹ Pleased with their accord, the Blue Dogs delivered the necessary votes to refer the bill to the House floor, 31-28.¹⁵²

Buoyed by their success, the Blue Dogs pressed the House leadership for another concession. Although the health care measure had been reported to the floor by the three committees, the Coalition’s leadership convinced Hoyer and Pelosi to prevent the Rules Committee from scheduling the legislation for a floor vote for several months. Speaking to the press after the House leaders announced the delay, Ross explained the terms of the deal:

We were able to reach an agreement that ensures that every member of Congress will have the entire month of August and the first week of September to read the bill and to visit with their constituents about it...Somewhere along the way, people started imposing this artificial deadline. The American people are ready for us to slow down and... read what we are voting on.¹⁵³

According to the Coalition’s leadership, “the deal was absolutely contingent on not having a vote before the August recess, as Pelosi had hoped to do.”¹⁵⁴

Having secured additional time to review the legislation, the Blue Dogs considered their next move. For some members, the revised health care measure “felt better.” Rep. Jason Altmire (D-PA), for one, had been a strong critic of previous health care reform proposals but told reporters: “I can’t speak for anyone else, but I do feel like my concerns have been heard.”¹⁵⁵ Other Coalition members privately worried that the legislation was still too liberal to sell to their conservative constituencies. According to one Blue Dog, “the members that were skeptical of the public option going into the recess are still skeptical given the heated sentiments aired by

¹⁵¹ Daschle and Nather, *Getting it Done*, 192.

¹⁵² *Congressional Record*, 111th Congress, 1st. Sess., 2009, 155, 961. Five Democrats voted against referral, three of whom were Blue Dog members. According to staffer interviews, Ross negotiated with individual Blue Dog members to ensure that the Coalition delivered the pivotal votes to Waxman. The Coalition leadership selected from the group of eight Blue Dogs on the committee the three lawmakers who would have the hardest time “selling their vote back home.” These individuals were then free to vote against the legislation. Staffer interview with author, October 2011.

¹⁵³ Lois Romano, “A Blue Dog With Time and Clout on His Side,” *Washington Post*, July 30, 2009, <http://www.washingtonpost.com/wp-dyn/content/story/2009/07/30/ST2009073000569.html?sid=ST2009073000569>.

¹⁵⁴ Lois Romano, “Voices of Power: Transcript, Mike Ross on Healthcare Reform,” *Washington Post*, July 30, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/07/30/AR2009073000566.html?sid=ST2009073000569>.

¹⁵⁵ Michael O’Brian, “Blue Dog says Dem losses would strengthen centrists’ policy positions,” *The Hill*, November 3, 2009.

¹⁵⁶ Carl Hulse, “Conservative Democrats Expect to Make a Deal,” *New York Times*, September 2, 2009, 15.

conservative voters.”¹⁵⁶ Acknowledging this possibility, Ross admitted: “I’m always concerned about our conservative Democrats from marginal districts...we need to keep them here.”¹⁵⁷

Using “more marginal Blue Dog members as barometers to assess the potential for disagreement within the group,” the Coalition whip realized the Blue Dogs might not be able to deliver the twenty-odd votes necessary to pass the legislation on the floor.¹⁵⁸ Knowing that the group’s influence hinged on “holding the number of votes necessary for passage that the party didn’t have,” Ross and Shuler worked to “cobble together enough members to keep their bargaining chip with House leaders.”¹⁵⁹ At the same time, the leaders tried to accommodate members who believed that voting for the measure would “kill me in my district.”¹⁶⁰ To maintain the appearance of a cohesive moderate front as they gathered the twenty-odd votes to keep their compromise legislation on the table, Ross and Shuler depended on the Coalition’s strict confidentiality rules. Without such procedures, the moderate organization would “have little hope of making their voice heard or to be a relevant actor in the bargaining process.”¹⁶¹

When the House reconvened in September, the Democratic leadership found themselves faced with a new Democratic mutiny. This time, Rep. Bart Stupak (D-MI) — a moderate Democrat, though not a Blue Dog — held up passage of the bill over concern that the measure might lead to the use of public funding for abortion procedures. Joined by a score of conservative Democrats, including those Blue Dog lawmakers who had pushed the Coalition to pursue the issue while the measure was in committee, Stupak demanded that House leaders accept an amendment that would bar any private plan that covered abortion from inclusion in the insurance exchanges required by the proposed law.¹⁶² Unwilling to prevent Coalition members opposed to abortion from joining Stupak to extract such a meaningful concession, the Blue Dog leaders informed Pelosi that unless a vote were held on the amendment, the group would not be able to deliver the votes to pass the health care legislation.¹⁶³ The House leadership had little choice but to allow the Stupak amendment to come to a vote; with roughly half the Blue Dog Coalition voting in support, the amendment passed, 240-194.¹⁶⁴ Finally, on November 7, nearly

¹⁵⁷ Lois Romano, “Voices of Power: Transcript, Mike Ross on Healthcare Reform,” *Washington Post*, July 30, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/07/30/AR2009073000566.html?sid=ST2009073000569>.

¹⁵⁸ Staffer interview with author, November 2011.

¹⁵⁹ Staffer interview with author, October 2011.

¹⁶⁰ Staffer interview with author, October 2011.

¹⁶¹ Staffer interview with author, September 2011.

¹⁶² Jay Newton-Small, “Health Care Clincher: The Importance of Being Stupak,” *Time Magazine*, March 21, 2010, <http://content.time.com/time/politics/article/0,8599,1973963,00.html>.

¹⁶³ Staffer interview with author, October 2011.

¹⁶⁴ *Congressional Record*, 111th Congress, 1st. Sess., 2009, 155, 12962-12963.

a year after the House had begun work drafting the legislation, the House could now vote on the health care reform measure. With twenty-eight Blue Dog votes — fifteen of whom had also backed the Stupak amendment — the Democratic leadership succeeded in winning passage, 220-215.¹⁶⁵

But, Pelosi and Hoyer's work was not done. The House would have to reach a deal between the version of the health care legislation it had just passed and the measure approved by the Senate. To do so, the Democratic leadership would need to renegotiate with the Blue Dog Coalition to secure the necessary votes for passage. Convincing enough centrist lawmakers to support the reconciliation health care bill would not be easy, as the Senate legislation had grown in size and complexity. Many Coalition members worried that the measure had become "too big, too complex...too easy to distort." Moreover, after the Senate's long and at times ugly debate, many lawmakers believed they "couldn't vote for it because the process [was] just too tainted."¹⁶⁶

The organization divided, the Coalition's leadership decided to hold an internal two-thirds vote to determine whether enough of the group wished to take an official, binding position either in favor of or against the legislation. Cleanly split, Blue Dog members could muster neither a supermajority in support of the measure nor one against it. Lacking instruction from the group's membership, Coalition's leadership determined that the organization could not by its own by-laws negotiate further with House leaders. Knowing that many members of the Coalition would join the Democratic Caucus in voting for the measure's passage, the group agreed to free their members to "go their separate way" and vote as they believed their principles and constituencies dictated.¹⁶⁷

All told, thirty Blue Dog lawmakers — including four members who had opposed the original House health care bill — agreed to support the reconciliation legislation, giving Pelosi the 218 votes needed to win passage (see Figure 6.5). The remaining twenty-four Blue Dogs, along with a dozen other Democrats, joined the Republican minority and voted against the bill (see Figure 6.6). Thus, on March 21, 2010, the House approved the Senate reform proposal — the Affordable Care Act — 219-212, and the agreed-upon reconciliation package — the Health Care and Education Reconciliation Act — 220-211.¹⁶⁸ Two days later, the President signed the acts into law, constituting the most significant regulatory overhaul of the nation's health care system since the passage of Medicare and Medicaid in 1965.

Figure 6.5: Blue Dogs who voted for the Affordable Care Act and Health Care and Education Reconciliation Act

¹⁶⁵ *Congressional Record*, 111th Congress, 1st. Sess., 2009, 155, 12967-12968.

¹⁶⁶ Ross as quoted in Daschle and Nather, *Getting it Done*, 248.

¹⁶⁷ Staffer interview with author, November 2011.

¹⁶⁸ *Congressional Record*, 111th Congress, 2nd Sess., 2010, 156, 2153 and 2169.

Blue Dog Member	State		
Joe Baca	CA	Baron Hill	IN
Sanford Bishop	GA	Betsy Markey	CO
Leonard Boswell	IA	Mike Michaud	ME
Allen Boyd	FL	Harry Mitchell	AZ
Dennis Cardoza	CA	Dennis Moore	KS
Chris Carney	PA	Patrick Murphy	PA
Jim Cooper	TN	Scott Murphy	NY
Jim Costa	CA	Earl Pomeroy	ND
Henry Cueller	TX	John Salazar	CO
Kathy Dahlkemper	PA	Loretta Sanchez	CA
Joe Donnelley	IN	Adam Schiff	CA
Brad Ellsworth	IN	David Scott	GA
Gabrielle Giffords	AZ	Kurt Schrader	OR
Bart Gordon	TN	Mike Thompson	CA
Jane Harmon	CA	Charlie Wilson	OH

Source: *Congressional Record*, 111th Congress, 2nd Sess., 2010, 156, 2153, 2169.

Figure 6.6: Blue Dogs who voted for the Affordable Care Act and Health Care and Education Reconciliation Act

Blue Dog Member		State	
Jason Altmire	PA	Jim Marshall	GA
Michael Arcuri	NY	Jim Matheson	UT
John Barrow	GA	Mike McIntyre	NC
Marion Berry	AR	Charlie Melancon	LA
Dan Boren	OK	Walt Minnick	ID
Bobby Bright	AL	Glenn Nye	VA
Ben Chandler	KY	Collin Peterson	MN
Travis Childers	MS	Mike Ross	AR
Lincoln Davis	TN	Heath Shuler	NC
Stephanie Herseth-Sandlin	SD	Zack Space	OH
Tim Holdon	PA	John Tanner	TN
Frank Kratovil	MD	Gene Taylor	MS

Source: *Congressional Record*, 111th Congress, 2nd Sess., 2010, 156, 2153, 2169.

4. Conclusion

Although the Blue Dogs emerged as a pivotal player in the debate over what would become the Affordable Care Act, the organization's political fortunes have since dwindled. The 2010 midterm elections swept a disproportionate number of moderate and conservative Democrats out of office, with only 25 of the 54 members of the Coalition winning reelection. The conservative wave that returned Republicans to power in the House has dramatically curtailed the Blue Dogs' influence over policymaking. With congressional parties increasingly polarized — even more so than under Gingrich — the Coalition has had difficulty finding common ground with Republican leaders and is largely bereft of moderate partners across the party aisle. Although Blue Dog lawmakers have repeatedly expressed their willingness to negotiate with the Republican Party, specifically on issues pertaining to the budget and spending, their solicitations have yet to be reciprocated.

Despite the Blue Dogs' diminished power today, the Coalition's success in shaping the content of the Affordable Care Act stands as testament to the power of intraparty organization. Where the CDF and FROG had exercised only fleeting influence over chamber proceedings, the Blue Dogs capitalized on an array of institutional mechanisms — including a hierarchical leadership structure, confidentiality procedures, and control of whip counts — to maintain the group's pivotal status.

In spite of the many changes in American politics and society over the past century, the imperatives driving lawmakers to organize collectively remain much the same. Like the Insurgent Republicans and Southern Democrats, the founding members of the Blue Dog Coalition recognized that atomistic and uncoordinated action would not be sufficient to wrest control of the agenda from party leaders' hands. Centrist Democrats turned instead to intraparty organization to resolve a version of the collective action and coordination problems that we have explored throughout this dissertation. By offsetting the expected burden of party punishment for those members who agreed to buck the party, and by coordinating negotiations with leaders of both parties, intraparty organization helped moderate and conservative Democrats to overcome the incentive to free-ride on the provision of centrist policy.

Chapter 7. Understanding Intraparty Organization

This dissertation has aimed to supply a simple and synthetic theory, along with supporting evidence, to help explain the development and value of organized intraparty blocs. Specifically, I have argued that these intraparty organizations are key to transforming lawmakers' potentially pivotal votes into the policy outcomes they most desire — particularly when those outcomes are at odds with the wishes of party leaders. In this concluding chapter, I first revisit the main elements of my argument and briefly summarize the findings presented in the dissertation's empirical chapters. I then offer three analytic reasons to study legislative politics with an eye to intraparty dynamics. I close with thoughts on the broader implications of this theory of intraparty organization for contemporary congressional parties and their more restive factions.

1. Theory and Evidence: A Summary

Throughout this dissertation, I have argued that lawmakers rely on intraparty organization to resolve several serious collective action and coordination problems that otherwise make it difficult to successfully challenge party leaders for control of policy outcomes.

Let us revisit a simplified version of the minimum wage example explored in Chapter 1. Here, lawmakers must decide between two policy alternatives (illustrated in Figure 7.1). Policy *A* is offered by party leaders (*P*) and Policy *B* by the legislator at the floor median (*M*). Even though majority party members in the shaded zone — the area between the policy cut-point and the median — may share a common interest in pulling policy towards the center, each lawmaker has, as we have seen, the incentive to free-ride. That is, each lawmaker may be able to maximize her personal gain by cooperating with party leaders while also enjoying the benefits of Policy *B*, provided that at least one of her colleagues in the shaded zone votes with the opposing party.

Figure 7.1: Collective Inaction at the Median

Two factors motivate this free-riding. First, because the cut-point between the leadership's preferred policy and the median's preferred policy does not cleanly divide the median voter from the next member to her right, the lawmaker at the median can not be sure that her vote will be pivotal. With the possibility that there are sufficient votes to procure Policy *B* without her own, the median has a strong incentive to let her colleagues "do the work of defection."

The second crucial feature of the legislative process that facilitates this collective action problem is the fact that moderated policy closely resembles a "public good." As long as lawmakers to the right of the cut-point vote cannot be prevented from enjoying Policy *B* once it has been provided, they will have little incentive to contribute to its provision. Even when lawmakers do decide to work in unison, they must still identify and agree to follow a common plan of action to achieve their shared goal. Dissident legislators must resolve these collective action and coordination problems if they are to wrest control of the policy process from the hands of party leaders.

I contend that intraparty organizations work to ameliorate division and disorder among party dissidents in three important ways. First, intraparty organizations provide participating legislators with selective incentives to reward their investment in collective action. Second, to diminish the incentive for legislators to free-ride on one another's efforts to secure more favorable policy, intraparty organizations can convert the public good lawmakers collectively desire into an excludable accomplishment. Third, intraparty organizations offer participating legislators a forum to debate and ultimately reach agreement on the substance of the policies they desire and the strategies they will use to pursue them. In this regard, coordination and organization are not the sole purview of majority leaders intent on implementing their party's legislative agenda. Rather they are equally integral to rank and file party members laboring to achieve their own particular policy aims.

This notwithstanding, forming and sustaining intraparty organizations requires that lawmakers sacrifice some measure of individual autonomy in pursuit of their collective ends. Given the substantial costs of institutionalizing an apparatus to coordinate legislative activity, I have argued that members will initially opt for less costly alternatives before turning to more formal modes of organization. This calculus is reinforced by institutional differences between the House and Senate. In the upper chamber, where individual lawmakers possess greater resources to influence chamber decision-making, examples of intraparty organization have tended to be more infrequent and entrepreneurial. In the House, by contrast, intraparty organizations have been more common and bureaucratized, as formal procedures and disciplinary tools regularly prove necessary to secure a pivotal role in lower-chamber decision-making.

Evidence from the case studies presented in prior chapters provides strong support for this view of intraparty organization. Recall that in Chapter 2, in the face of a seemingly intractable status quo, Republican Insurgents were able to devise an intraparty organization powerful enough to overcome the Speaker's vast political machine and revise House rules. The

Insurgent reformers gradually developed selective incentives to encourage consistent participation and punitive mechanisms to discourage free-riding. In binding members to a common plan of action, the Insurgents were able to secure cross-party cooperation and thus presided over a coalition sufficient to break the Speaker's hold on House rules.

Chapter 3 examined the development of the Insurgency's partner organization in the Senate. Galvanized by the failure of independent action to bring about satisfactory revision of tariff rates, the Senate Insurgents turned to intraparty organization as well. Although it would take time for the dissident senators to develop incentives to counter members' tendencies to free-ride, they eventually learned to leverage the power of intraparty organization to secure their much-desired railroad rate reforms.

Moving forward several decades, Chapters 4 and 5 documented Southern Democrats' reliance on intraparty organization to maintain regional unity and to forestall the advance of civil rights in the wake of the New Deal. Armed with intraparty organizations in both the House and Senate, southern lawmakers were empowered to counter their individual incentives to free-ride on the defense of Jim Crow. By offering selective incentives exclusively to those who contributed their fair share to preserving the South's repressive racial order, and by policing the defense of Jim Crow as an excludable accomplishment, the region's conservatives were generally able to secure the cooperation of their more ambivalent colleagues. The southerners would later use their intraparty organizations to coordinate strategies of compromise, in which members agreed to accept modest civil rights measures as part of their collective effort to prevent more sweeping reforms.

Lastly, Chapter 6 explored the dynamics of intraparty organization in a contemporary setting. Faced with a collective action problem much like the Insurgent Republicans and Southern Democrats, moderate and conservative Democrats established the Blue Dog Coalition to ensure the provision of centrist policy in the modern Congress. Relying on selective incentives and punitive mechanisms to counter free-riding and the threat of party punishment, the Blue Dog Coalition was able to reign in their party leaders' ambitious health care initiative and to help shape the content of the legislation ultimately enacted into law by the Democratic Congress.

Taken together, these chapters provide strong evidence for the claim that intraparty organizations play an important role in structuring the behavior of members of Congress and shaping the substance of the policies they pursue. They also offer a much revised account of critical legislative battles, including turn-of-the-century economic struggles, midcentury battles over civil rights legislation, and more recent — but no less rancorous — debates over national health care policy.

2. Valuing Intraparty Politics

Beyond their historical import, intraparty organizations offer scholars a valuable — yet largely ignored — lens through which to view legislative politics. Perhaps of greatest significance, a focus on intraparty politics and organization can help us to better understand the

balance of power between party leaders and their rank-and-file membership. Indeed, analyzing intraparty organization allows us to advance the debate over the power of “parties versus pivots” by incorporating a dynamic dimension. By focusing on the need for strategic action among potentially pivotal members of Congress, we can more accurately predict when congressional pivots will be able to fully exercise their authority over party leaders and when, by contrast, party leaders will be able to fully control their rank and file.

Likewise, intraparty organizations may be a critical means of securing responsiveness in both congressional *and* partisan institutions. Intraparty organizations give voice to discrete ideological and regional factions within the national electorate. In so doing, they serve a similar, but potentially deeper, representative function as the parties they constitute. Because the constituencies they represent are less diffuse than the patchwork of groups that compose party coalitions, intraparty organizations are better positioned to translate the goals of these constituencies into legislative action. By institutionalizing grassroots movements within the confines of existing party structures, these organizations add representational flexibility to the country’s rigid two-party framework.

Finally, intraparty organizations — like the congressional parties they constitute — reveal themselves to be both persistent catalysts for political development and forces for institutional stasis. At once capable of driving legislative change and preventing it, this dissertation suggests that organized intraparty blocs merit inclusion as a variable when assessing discrete episodes of institutional development in Congress.

3. Implications for Contemporary Congressional Parties

What are the implications of this theory of intraparty organization for congressional parties today? Let us first consider the effects of the now decades-long trend towards greater congressional polarization and second, the recent solidification of restive and increasingly organized factions of lawmakers at the extremes of their party caucuses.

It is common today for observers of legislative politics to mourn the decline of congressional comity and bipartisan compromise and to lament the ascension of “vehemently adversarial” political parties in Congress.¹ While previous generations of leaders in Congress and the White House were ostensibly able to put aside their ideological differences to enact “middle of the road” national policies, in recent years lawmakers have found little common ground.

In an era of sustained congressional stalemate, intraparty organization may present a means to bridge the seemingly intractable partisan divide. The creation of lasting cross-party coalitions requires more than willpower and comity; as we have seen, institutional investment is also necessary, if not always sufficient. In this regard, if lawmakers truly wish to achieve

¹ Thomas E. Mann and Norman J. Ornstein, *It’s Even Worse Than It Looks: How the American Constitutional System Collided With the New Politics of Extremism* (New York: Basic Books, 2012), 13.

bipartisan compromise, they would do well to attend to intraparty organization. On the Democratic side, the relative and sustained success of the Blue Dog Coalition has made clear that an organized group of centrist lawmakers can reign in the policy ambitions of their more partisan leadership, making the resulting policy more palatable — at least in theory — to the opposing party. On the Republican side, the handful of moderate lawmakers who remain will continue to be marginalized by their leadership unless they can find a way to organize their ranks and partner with likeminded members of the opposing party. Moderate Republicans in the Senate have in recent years shown that, on occasion, an organized group of centrist lawmakers can extract meaningful policy concessions from leaders and legislators at both parties' extremes.

If centrist lawmakers have had a difficult time over the past decade, Republican extremists appear ascendant. A startling consequence of asymmetric polarization, the Republican coalition has, over the past decade, experienced an organized conservative resurgence. Indeed, the Tea Party Caucus has emerged as a key player in congressional politics in recent years — waging bitter ideological battles in Republican primary elections and, at times, dictating legislative strategy over the objections of the party establishment.

Although this dissertation has emphasized the organizational innovations of lawmakers located near the floor median, the benefits of intraparty organization are not limited to these members. A detailed study of the organizational tactics of lawmakers located at the extremes of their party coalitions is beyond the scope of this project. Nevertheless, I suggest that the theory developed here can help us to understand the influence of groups like the conservative Tea Party Caucus and the midcentury liberal Democratic Study Group. Like their moderate counterparts, members of the Tea Party Caucus and Democratic Study Group developed recognizable organizations — complete with identifiable leadership and coordinating apparatuses. Perhaps further research will reveal similar efforts to offer selective incentives to members, including access to party leaders and electoral assistance.

Lacking a credible threat of exit from their respective party coalitions, it is likely that the organizational dynamics of the Tea Party and Democratic Study Group differ in important ways from the groups explored here. Indeed, intraparty organizations formed by lawmakers at their parties' extremes may be more entrepreneurial than those formed by centrist members. Without the need to hold members to difficult cross-party votes, it may be the case that lawmakers find it unnecessary to invest in the binding mechanisms that characterize more bureaucratized organizations. On the other hand, these more extreme organizations nonetheless engage in hard-bargaining with party leaders and may see more formal procedures and binding mechanisms as necessary to insulate themselves from party discipline. These potential differences notwithstanding, there is little reason to believe that the challenges of coordinating activity across multiple members would not be salient.

Bibliography

- Ackerman, Bruce and Jennifer Nou. "Canonizing the Civil Rights Revolution: The People and the Poll Tax," *Northwestern University Law Review* 103 (2009), 63-148.
- Aldrich, John and David Rohde. "The Transition to Republican Rule in the House: Implications for Theories of Congressional Politics," *Political Science Quarterly* 112 (1997), 541-67.
- Anderson, Donald F. *William Howard Taft* (London: Cornell University Press, 1968), 103.
- Bach, Stanley. "Filibusters and Cloture in the Senate," Congressional Research Service (2001), 1-23.
- Bach, Stanley. "The Legislative Process on the House Floor: An Introduction," Congressional Research Service (2001), 1-14.
- Barber, Henry E. "The Association of Southern Women for the Prevention of Lynching," *Phylon* (1960), 378-389.
- Barry, John M. *The Ambition and the Power* (New York: Viking, 1989).
- Bass, Jack and Walter De Vries. *The Transformation of Southern Politics: Social Change and Political Consequence* (Athens, GA: University of Georgia Press, 1995).
- Bensel, Richard F. *The Political Economy of American Industrialization, 1877-1900* (New York: Cambridge University Press, 2000).
- Bensel, Richard F. *Passion and Preferences: William Jennings Bryan and the 1896 Democratic National Convention* (New York: Cambridge University Press, 2008).
- Berk, Gerald. "Constituting Corporations and Markets: Railroads in Gilded Age Politics," *Studies in American Political Development* 4 (1990), 130-168
- Binder, Sarah A. *Minority Rights, Majority Rule: Partisanship and the Development of Congress* (New York: Cambridge University Press, 1997).
- Binder, Sarah A. and Steven S. Smith. *Politics or Principle: Filibustering in the United States Senate* (Washington, D.C.: The Brookings Institute, 1997).
- Bolles, Blair. *Tyrant from Illinois: Uncle Joe Cannon's Experiment with Personal Power* (New York: Norton & Company, 1951).
- Bolling, Richard. *House Out of Order* (New York: Dutton, 1966).

- Bowers, Claude G. *Beveridge and The Progressive Era* (Boston: Houghton Mifflin, 1932).
- Brady, David W. and Charles S. Bullock, III. "Is There a Conservative Coalition in the House?" *The Journal of Politics* 42 (1980), 549-559.
- Brady, David and David Epstein. "Intraparty Preferences, Heterogeneity, and the Origins of the Modern Congress: Progressive Reformers in the House and Senate, 1890-1920," *Journal of Law, Economics & Organization* 13 (1997), 26-49.
- Brady, David W. and Craig Volden. *Revolving Gridlock* (Boulder: Westview, 1998).
- Brandt, Karl Gerard. *Ronald Reagan and the House Democrats: Gridlock, Partisanship and the Fiscal Crisis* (Columbia, MO: University of Missouri Press, 2009).
- Brandt, Karl Gerard. *Deficit Politics and Democratic Unity: The Saga of Tip O'Neill, Jim Wright, and the Conservative Democrats in the House of Representatives During the Reagan Era* (Ph.D. Diss., Louisiana State University, 2003).
- Brewer, William M. "The Poll Tax and Poll Taxers," *Journal of Negro History* 29 (1944), 260-299.
- Burdette, Franklin L. *Filibustering in the Senate* (Princeton, NJ: Princeton University Press, 1940).
- Butt, Archibald W. *Taft and Roosevelt: The Intimate Letters of Archie Butt, Military Aide* (New York: Doubleday, Doran & Co., 1930).
- Cannan, John. "A Legislative History of the Affordable Care Act: How Legislative Procedure Shapes Legislative History," *Law Library Journal* 105 (2013), 131-173.
- Caro, Robert A. *Master of the Senate: The Lyndon Johnson Years* (New York: Vintage Books, 2002).
- Caro, Robert A. *The Passage of Power: The Lyndon Johnson Years* (New York: Vintage Books, 2012).
- Caughey, Devin M. *Congress, Public Opinion, and Representation in the One-Party South, 1930s-1960s*. (Ph.D. Diss., University of California, Berkeley, 2012).
- Ceaser, James W. "Political Parties —Declining, Stabilizing, or Resurging?" in *The New American Political System* eds. Anthony King (Washington, DC: AEI Press, 1990).
- Geni Certain. "A Blue Dog Knows the Way: How the Blue Dog Democrats Shaped the 1996 Federal Budget as Portrayed in the Alabama Press," (Jacksonville: Jacksonville State University, 2005).

- Collie, Melissa P. and David W. Brady. "The Decline of Partisan Voting Coalitions in the House of Representatives," in *Congress Reconsidered* eds, Lawrence C. Dodd and Bruce Oppenheimer (Washington, D.C.: CQ Press, 1985).
- Connally, Tom. *My Name is Tom Connally* (New York: Thomas Y. Crowell Company, 1954).
- Cooper, Joseph, David W. Brady, and Patricia A. Hurley. "The Electoral Basis of Party Voting: Patterns and Trends in the U.S. House of Representatives, 1887-1969," in *The Impact of the Electoral Process* eds. Louis Maisel and Joseph Cooper (Beverly Hills: Sage Publications, 1979).
- Cooper, Joseph and David W. Brady. "Institutional Context and Leadership Style: The House from Cannon to Rayburn," *American Political Science Review* 75 (1981), 411-425.
- Cox, Gary W. and Mathew D. McCubbins. *Legislative Leviathan: Party Government in the House* (New York: Cambridge University Press, 1993).
- Cox, Gary W. and Mathew D. McCubbins. *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives* (New York: Cambridge University Press, 2005).
- Cox, Gary W. and Eric Magar. "How Much is Majority Status in the U.S. Congress Worth?" *American Political Science Review* 93 (1999), 299-309.
- Daschle, Tom and David Nather. *Getting it Done: How Obama and Congress Finally Broke the Stalemate to Make Way for Health Care Reform* (New York: St. Martin's Press, 2010).
- Davidson, Roger H. "Subcommittee Government: New Channels for Policy Making," in *The New Congress* eds. Thomas Mann and Norman J. Ornstein (Washington, D.C.: American Enterprise Institute, 1981).
- Roger H. Davidson. *The Postreform Congress* (New York: St. Martin's Press, 1992).
- Davies, Gareth and Martha Derthick. "Race and Social Welfare Policy: The Social Security Act of 1935," *Political Science Quarterly* 112 (1997), 217-235.
- Detzer, David W. "Businessmen, Reformers and Tariff Revision: The Payne Aldrich Tariff of 1909," in *Business and Government in America Since 1870* ed. Robert T. Himmelberg. (New York: Garland Publishing, 1994).
- DeWitt, Larry. "The Decision to Exclude Agricultural and Domestic Workers from the 1935 Social Security Act," *Social Security Bulletin* 70 (2010), 49-68.
- Dixit, Avinash K. *Lawlessness and Economics: Alternative Modes of Governance* (Princeton: Princeton University Press, 2004).

- Dixon, Frank Haigh. "The Mann-Elkins Act, Amending the Act to Regulate Commerce," *The Quarterly Journal of Economics* 24 (1910), 593-633.
- Dodd, Lawrence C. and Bruce I. Oppenheimer. *Congress Reconsidered* (New York: Praeger, 1977).
- Douglas, Paul H. *In the Fullness of Time: The Memoirs of Paul H. Douglas* (New York: Harcourt Brace Javonovich, 1971).
- Dunlavy, Collen. "Political Structure, State Policy, and Industrial Change: Early Railroad Policy in the United States and Prussia," in *Structuring Politics*, eds. Sven Steinmo and Kathleen Thelen (New York: Cambridge University Press, 1992).
- Eisenhower, Dwight D. *The White House Years: Waging Peace, 1956-1961* (Garden City, NY: Doubleday, 1965).
- Ewing, Cortez A.M. *Primary Elections in the South: A Study in Uniparty Politics* (Norman: University of Oklahoma Press, 1953).
- Farhang, Sean and Ira Katznelson. "The Southern Imposition: Congress and Labor in the New Deal and Fair Deal," *Studies in American Political Development* 19 (2005), 1-30.
- Finley, Keith M. *Delaying the Dream: Southern Senators and the Fight Against Civil Rights*. (Baton Rouge: Louisiana State University Press, 2008), 138-190.
- Fisk, George M. "The Payne-Aldrich Tariff." *Political Science Quarterly* 25 (1910), 35-68.
- Fite, Gilbert. *Richard B. Russell Jr., Senator From Georgia* (Chapel Hill: University of North Carolina Press, 1991).
- Gallup, George H. *The Gallup Poll: Public Opinion, 1935-1971* Vol. 2 (New York: Random House, 1972).
- George, Alexander L. and Andrew Bennett, *Case Studies and Theory Development in the Social Sciences* (Cambridge: The MIT Press, 2005).
- Hammond, Susan Webb. "Congressional Caucuses and Party Leaders in the House of Representatives," *Political Science Quarterly* 106 (1991), 277-294.
- Hammond, Susan Webb. *Congressional Caucuses in National Policy Making* (Baltimore: Johns Hopkins University Press, 1998).
- Harbeson, Robert W. "Railroads and Regulation, 1877-1916: Conspiracy or Public Interest?" in *Growth of the Regulatory State, 1900-1917*, ed. Robert F. Himmelberg (New York: Garland Publishing, 1994).

- Hechler, Kenneth W. *Insurgency: Personalities and Politics of the Taft Era* (New York: Russell & Russell Inc., 1964).
- Hofstadter, Richard. "From Calhoun to the Dixiecrats," *Social Research* 16 (1949), 144-145.
- Holt, James. *Congressional Insurgents and the Party System, 1909-1916* (Cambridge: Harvard University Press, 1967).
- Ickes, Harold L. *The Secret Diary of Harold L. Ickes* (New York: Simon and Schuster, 1954).
- Jackson, John E. and John W. Kingdon. "Ideology, Interest Group Scores, and Legislative Votes," *American Journal of Political Science* 36 (1992), 805-823.
- James, Scott C. *Presidents, Parties and the State* (New York: Cambridge University Press, 2000).
- Jenkins, Jeffrey A. and Nathan W. Monroe. "Buying Negative Agenda Control in the U.S. House," *American Journal of Political Science* 56 (2012), 897-912.
- Jones, Charles O. "Joseph G. Cannon and Howard W. Smith: An Essay on the Limits of Leadership in the House of Representatives," *Journal of Politics* 30 (1968), 617-46.
- Katznelson, Ira. *Fear Itself: The New Deal and the Origins of Our Time* (New York: Liveright Publishing Corporation, 2013).
- Katznelson, Ira. *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-Century America* (New York: W.W. Norton & Company, 2005).
- Katznelson, Ira, Kim Geiger, and Daniel Kryder, "Limiting Liberalism: The Southern Veto in Congress, 1933-1950," *Political Science Quarterly* 108 (1993), 283-306.
- Katznelson, Ira and Quinn Mulroy. "Was the South Pivotal? Situated Partisanship and Policy Coalitions during the New Deal and Fair Deal," *Journal of Politics* 74 (2012), 604-620.
- Key, V.O. *Southern Politics in State and Nation* (New York: Knopf, 1949).
- Kim, Anne "The 'Centrist Premium': The High Price of Moderation," (Washington, D.C.: Progressive Policy Institute, 2011).
- King, Desmond S. and Rogers M. Smith, "Racial Orders in American Political Development," *American Political Science Review* 99 (2005), 75-92.
- Klarman, Michael J. *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (New York: Oxford University Press, 2004).

- Koenig, Louis William. *Bryan: A Political Biography of William Jennings Bryan* (New York: Putnum, 1971).
- Krehbiel, Keith. *Information and Legislative Organization* (Ann Arbor: University of Michigan Press, 1991).
- Krehbiel, Keith. "Where's the Party?" *British Journal of Political Science* 23 (1993), 235-266.
- Krehbiel, Keith. *Pivotal Politics: A Theory of U.S. Lawmaking* (Chicago: University of Chicago Press, 1998).
- Krehbiel, Keith and Alan Wiseman. "Joseph G. Cannon: Majoritarian from Illinois," *Legislative Studies Quarterly* 26 (2001), 357-389.
- La Follette, Robert M. *A Personal Narrative of Political Experiences: La Follette's Autobiography* (Madison: University of Wisconsin Press, 1963).
- Lawrence, Eric D., Forrest Maltzman, and Paul J. Wahlbeck. "The Politics of Speaker Cannon's Committee Assignments," *American Journal of Political Science* 45 (2001), 551-562.
- Leloup, Lance T. *Parties, Rules and the Evolution of Congressional Budgeting* (Columbus: The Ohio State University Press, 2005).
- Lewis, David Levering. "The Appeal of the New Deal," *Reviews in American History* 12 (1984), 554-556.
- Lieberman, Robert C. *Shifting the Color Line: Race and the American Welfare State* (Cambridge: Harvard University Press, 1998).
- Manley, John F. "The Conservative Coalition in Congress," *American Behavioral Scientist* 17 (1973), 223-247.
- Mann, Robert. *The Walls of Jericho: Lyndon Johnson, Hubert Humphrey, Richard Russell and the Struggle for Civil Rights* (Harcourt Brace & Co., 1996).
- Mayhew, David R. *Congress: The Electoral Connection* (New Haven: Yale University Press, 1974).
- McAdam, Doug. *Political Process and the Development of Black Insurgency, 1930-1970* (Chicago: University of Chicago Press, 1982).
- McCarty, Nolan, Keith T. Poole, and Howard Rosenthal. *Polarized America: The Dance of Ideology and Unequal Riches* (Cambridge: The MIT Press, 2008).

- Mickey, Robert W. "The Beginning of the End for Authoritarian Rule in America: *Smith v. Allwright* and the Abolition of the White Primary in the Deep South, 1944-1948," *Studies in American Political Development* 22 (2008), 143-182.
- Mowry, George. *Theodore Roosevelt and the Progressive Movement* (Madison: University of Wisconsin, 1938).
- Olson, Mancur. *The Logic of Collective Action: Public Goods and Theory* (Cambridge: Harvard University Press, 1965).
- Orren, Karen and Stephen Skowronek. *The Search for American Political Development* (New York: Cambridge University Press, 2004).
- Ostrom, Elinor. *Governing the Commons: The Evolution of Institutions for Collective Action* (New York: Cambridge University Press, 1990).
- Patterson, James T. "A Conservative Coalition Forms in Congress, 1933-1939," *The Journal of American History* 52 (1966), 757-772.
- Pepper, Claude D. *Eyewitness to a Century* (New York: Harcourt Brace, 1987).
- Perman, Michael. *A Pursuit of Unity: A Political History of the American South* (Greenville: University of North Carolina Press, 2010).
- Polsby, Nelson W. "The Institutionalization of the U.S. House of Representatives," *American Political Science Review* 62 (1968), 144-168.
- Quadagno, Jill. "From Old-Age Assistance to Supplemental Security Income: The Political Economy of Relief in the South, 1935-1972," in *The Politics of Social Policy in the United States* eds. Margaret Weir, Ann Shola Orloff, and Theda Skocpol (Princeton: Princeton University Press, 1994).
- Rae, Nicol C. *Southern Democrats* (New York: Oxford University Press, 1994).
- Robinson, James A. *The House Rules Committee* (Indianapolis: Bobbs-Merrill, 1963).
- Rodriguez, Daniel B. and Barry R. Weingast. "The Positive Political Theory of Legislative History: New Perspectives on the Act and Its Interpretation," *University of Pennsylvania Law Review* 151 (2003), 1464-1465.
- Rohde, David. *Parties and Leaders in the Postreform House* (Chicago: University of Chicago Press, 1991).
- Sanders, Elizabeth. *Roots of Reform: Farmers, Workers, and the American State 1877-1917* (Chicago: University of Chicago Press, 1999).

- Schickler, Eric and Andrew Rich. "Controlling the Floor: Parties as Procedural Coalitions in the House," *American Journal of Political Science* 41 (1997), 1340-1375.
- Schickler, Eric. *Disjointed Pluralism: Institutional Innovation and the Development of the U.S. Congress* (Princeton: Princeton University Press, 2001).
- Schickler, Eric. "Institutional Development of Congress," in *The Legislative Branch* eds. Paul J. Quirk and Sarah A. Binder (New York: Oxford University Press, 2005).
- Schiller, Wendy. *Partners and Rivals: Representation in U.S. Senate Delegations* (Princeton: Princeton University Press, 2000).
- Schneider, Judy. "Minority Rights and Senate Procedures," Congressional Research Service (2005), 1-9.
- Sheingate, Adam "Creativity and Constraint in the U.S. House of Representatives" in *Explaining Institutional Change: Ambiguity, Agency and Power*, eds. James Mahoney and Kathleen Thelen (New York: Cambridge University Press, 2010).
- Scott, Anne Firor. "A Progressive Wind from the South," *Journal of Southern History* 29 (1963), 53-70.
- Skocpol, Theda. *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge, MA: Belknap Press, 1992).
- Skowronek, Stephen. *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920* (New York: Cambridge University Press, 1982).
- Skowronek, Stephen. *The Politics Presidents Make* (Cambridge: Belknap Press of Harvard University Press, 1993).
- Springer, Melanie J. "Defining 'the South' (Is Not a Straightforward Matter)," working paper available from <http://www.sppc2011.org/Papers/Springer.pdf>.
- Starr, Paul. *Remedy and Reaction: The Peculiar American Struggle Over Health Care Reform* (New Haven: Yale University Press).
- Stockman, David A. *The Triumph of Politics: How the Reagan Revolution Failed* (New York: Harper & Row Publishers, 1986).
- Strom, Claire. "James J. Hill: Empire Builder as Farmer," *Minnesota History Magazine* 54 (1995), 242-253.
- Taylor, Andrew J. "Size, Power, and Electoral Systems: Exogenous Determinants of Legislative Procedural Choice," *Legislative Studies Quarterly* 31 (2006), 323-345.

- Thelen, David P. *Robert M. La Follette and the Insurgent Spirit* (New York: Little and Brown Co., 1976).
- Unger, Nancy C. *Fighting Bob La Follette: The Righteous Reform* (Chapel Hill: University of North Carolina Press, 2000).
- Waite, Charles V. *Price Daniel: Texas Attorney General, Governor, and Senator* (Ph.D. Diss., Texas Tech University, 1998).
- Wattenberg, Martin P. *The Decline of American Political Parties, 1952-1996*, 5th Ed. (Cambridge: Harvard University Press, 1998).
- Wawro, Gregory and Eric Schickler. *Filibuster: Obstructionism and Lawmaking in the U.S. Senate* (Princeton: Princeton University Press, 2006).
- Whalen, Charles and Barbara Whalen. *The Longest Debate: A Legislative History of the 1964 Civil Rights Act* (Cabin John, MD: Seven Locks Press, 1985).
- White, Richard. *Railroaded: The Transcontinentals and the Making of Modern America* (New York: W.W. Norton and Co., 2011).
- White, Theodore H. *The Making of a President 1964* (New York: Antheneum Publishers, 1965).
- White, William S. *Citadel: The Story of the U.S. Senate* (New York: Harper & Bros., 1957).
- Willis, H. Parker. "The Tariff of 1909," *The Journal of Political Economy* 17 (1909), 589-619.
- Wilson, Woodrow. *Congressional Government* (Boston: Houghton Mifflin, 1885).
- Wolfensberger, Donald R. "The Motion to Recommit in the House: The Creation, Evisceration, and Restoration of a Minority Right," in *Party, Process, and Political Change*, eds. David Brady and Mathew D. McCubbins (Stanford: Stanford University Press, 2007).
- Zelizer, Julian E. "The Forgotten Legacy of the New Deal: Fiscal Conservatism and the Roosevelt Administration, 1933-1938," *Presidential Studies Quarterly* 30 (2000), 331-358.

Appendix A

Listed below are the archival collections consulted for each empirical chapter of this dissertation.

Chapter 2: Procedural Revolt and the House Insurgency, 1908-1910

Bentley Historical Library, University of Michigan. Ann Arbor, MI.

Charles Townsend Papers

Library of Congress, Manuscript Division. Washington, D.C.

Robert La Follette Papers

Victor Murdock Papers

William Howard Taft Papers

William Allen White Papers

New York Public Library, Rare Books and Manuscript Division. New York, NY.

James Schoolcraft Sherman Papers

Special Collections Library, University of Washington. Seattle, WA.

Miles Poindexter Papers

Wisconsin Historical Society. Madison, WI.

John Mandt Nelson Papers

Chapter 3: Senate Insurgents' Quest for Economic Reform, 1909-1910

Library of Congress, Manuscript Division. Washington, D.C.

Albert J. Beveridge Papers

Robert La Follette Papers

La Follette Family Papers

William Howard Taft Papers

William Allen White Papers

Kansas State Historical Society. Topeka, KS.

Joseph L. Bristow Papers

Special Collections Library, University of Washington. Seattle, WA.

Miles Poindexter Papers

Wisconsin Historical Society. Madison, WI.

John Mandt Nelson Papers

Chapter 4: Securing Southern Solidarity, 1937-1956

Library of Congress, Manuscript Division. Washington, D.C.

Tom Connally Papers

Mississippi State University Special Collections. Starkville, MS.

John C. Stennis Papers

University of Arkansas Mullins Library. Fayetteville, AK.

J. William Fulbright Papers

University of Georgia Special Collections. Athens, GA.

Richard B. Russell Papers

University of Southern Mississippi McCain Library. Hattiesburg, MS.

Theodore Bilbo Papers

William Colmer Papers

University of Virginia Small Library. Charlottesville, VA.

Harry F. Byrd Papers

Howard W. Smith Papers

Chapter 5: Decline of Southern Influence, 1957-1964

Mississippi State University Special Collections. Starkville, MS.

John C. Stennis Papers

University of Arkansas Mullins Library. Fayetteville, AK.

J. William Fulbright Papers

University of Georgia Special Collections. Athens, GA.

Richard B. Russell Papers

University of Southern Mississippi McCain Library. Hattiesburg, MS.

William Colmer Papers

University of Virginia Small Library. Charlottesville, VA.

Harry F. Byrd Papers

Howard W. Smith Papers

Appendix B

I conducted a total of 25 semi-structured interviews with members of the U.S. Congress and relevant staff persons, most of whom were members of (or staffers affiliated with) the Blue Dog Coalition. I also interviewed several legislative staffers working for members of the Republican and Democratic leadership. In keeping with the University of California's Protocol for Human Subjects, the records of these interviews have been kept in full confidence and I have excised all identifiers for quoted material.