

Strategic Relations, Networks of Interests, and the 1957 Civil Rights Act in the U.S. Senate

Erik Engstrom
Robert Huckfeldt
Christopher Donnelly
Matthew T. Pietryka
Jack Reilly

University of California, Davis

This paper reconsiders Senate action on the 1957 Civil Rights Act, employing a network model of legislative behavior. The Congress possessed a long history of deep divisions over issues related to civil rights for African Americans. Indeed, the 1957 Act became the first major civil rights legislation adopted by the Congress since the end of Southern Reconstruction more than 80 years earlier. Why and how a civil rights bill managed to pass the Senate provides insight regarding both the dynamics of the American party system, as well as the processes by which legislative progress can be achieved in the face of seemingly intractable polarization. We argue that the key to legislative success, as well as to the influence of individual legislators, is directly related to the centrality of particular senators within particular voting blocks, located within networks of relationships that make legislative progress possible. Hence the influence of individual members is not simply due to their ability to cast pivotal votes, but also to their strategic capacity to construct networks of support for legislative initiatives, as well as to their centrality relative to networks of interest and communication within the chamber. Our argument is based on the analysis of several crucial votes during Senate consideration of this landmark civil rights legislation.

This paper was prepared for delivery at the 2013 Political Networks Meetings, June 26-29, Indiana University, Bloomington, Indiana.

The history of democratic politics shows that parties and party systems move inexorably toward an organization of issues and issue positions that are organized along a single dimension (Poole and Rosenthal 2009). While nature abhors a vacuum, American two-party politics clearly abhors issues and issue positions that cannot be accommodated within a unidimensional framework. At the same time, candidates and parties are not based on static sets of interests, and neither do they always represent well-ordered collections of preferences. New issues are constantly being introduced with the potential to strain the boundaries of the existing spatial logic and organization of coalitions and parties (Riker 1986; 1982).

Indeed, the boundaries separating parties and party coalitions are sometimes fluid, seemingly arbitrary, and often anchored in the nearly forgotten events of the distant past. Indeed, these boundaries are frequently devoid of ideological content, located instead within networks of political interests existing among participants at particular points in time. In this context, the ideological justifications of parties and their programs are often the consequence of positions taken for very different reasons with only tangential relevance to ideological commitments. At the same time, the political maneuvering of parties and their appeals produces important events with extremely long half-lives for the structure of party politics going forward.

This paper focuses on one such event – the passage of the 1957 Civil Rights Act. While the Act has often been the target of criticism for its limited scope and lack of enforcement powers, it also marks a significant moment in the evolution of civil rights as well as in the reorganization of American party politics. Our effort relies on rich historical accounts of the Act's legislative history, as well as our own analyses of roll call votes in the Senate regarding crucial issues and bargains related to the form and basis of its support.

The 1957 Act was an indisputably crucial development in the progress of the civil rights struggle – it was, after all, the first significant civil rights bill passed since the end of Reconstruction. The law granted African-Americans the right to sue their state in federal court for perceived violations of the right to vote. It was, however, a weak measure and for those groups favoring more aggressive steps the bill was a disappointment. In particular, the final version of the bill contained a provision that defendants (e.g., local voting registrars) were entitled to trial by jury. Because southern election officials could expect a sympathetic hearing from mostly white juries, enforcement of the Act was thereby diluted. Moreover, the bill was limited in scope – it only addressed voting rights, ignoring issues related to public accommodations. Nevertheless, the passage of any bill, even a modest one, constituted a watershed event in the civil rights effort. While the substance of the legislation constitutes an important story, our own interest focuses on its implications for a similarly important process – the redefinition of the major political parties in American politics. Indeed, this redefinition of American political parties would lie at the heart of progress on the civil rights agenda.

What makes this especially intriguing is that the deck was firmly stacked against passage of *any* civil rights legislation, particularly in the Senate. To achieve cloture and end a filibuster, Senate rules at the time required the support of two-thirds of those present and voting. As long as southern senators voted together in opposing cloture they could handily defeat any civil rights legislation.¹ Indeed the filibuster had historically stood as an insurmountable obstacle to progress on civil rights. How and why a civil rights bill passed in 1957 therefore proves critical for understanding both the dynamics of the American party system and the processes by which legislative progress can be achieved in the face of seemingly intractable polarization.

¹ In addition to the eleven former states of the Confederacy, six other states had Jim Crow laws on the books (see Katznelson and Mulroy 2012).

Within this context, we address several analytic questions. To what extent can we understand the votes of individual Senators on the basis of their own ideological viewpoints and preferences regarding civil rights? To what extent can the adoption of the 1957 Civil Rights Act be understood in terms of the networks of shared interests, concerns, and strategic relationships among Senators? Finally, what were the implications of these networks for the process that led to a redefinition of the Republican and Democratic parties in American politics?

The Democrats in 1957

Perhaps the most telling characteristic of the party system in 1957 was the role played by southern leadership in the Democratic Party. Senate Majority Leader Lyndon Johnson and Speaker of the House Sam Rayburn were both Texas Democrats. Rayburn and Johnson played crucial roles in a political collaboration with President Eisenhower on many aspects of his political agenda. They were supported in this effort by many southern Democrats in the House and Senate who, due to their longevity in office, served as influential committee and subcommittee chairs. Hence the moderate, congenial politics of the 1950s depended on close collaborative relations between a moderate Republican President and southern Democratic congressional leadership which, with some important exceptions, often tilted conservative. Indeed, conservative southern Democrats frequently combined with Republicans to form a “conservative coalition” that generally supported the legislative program of Dwight Eisenhower.

At the same time, the eleven states of the confederacy continued to be dominated by the Democratic Party during this same period. In 1957, all 22 senators from the 11 confederate states were Democrats, and 99 out of the 106 members of these states’ House delegations were Democrats as well. Thus, not only did southern Democrats occupy positions of leadership, but

they could count on consistently strong support from their southern colleagues whenever shared sectional interests came into play.

In contrast, the Republicans realized a significant advantage in Senate seats throughout the rest of the country, with 46 Republicans and 27 Democrats. Hence, 12 years after the death of Franklin Roosevelt, Democratic control of the Senate depended on the southern Democratic delegation – a group of Democrats who repeatedly showed their willingness to work with a Republican President, as well as their willingness to join forces with other groups amenable to accommodating their regionally defined interests – the maintenance of a Jim Crow system of segregation and discriminatory treatment not only at the polling place but in virtually every aspect of life (Katznelson 2013; Woodward 1938). Regardless of the New Deal revolution in American party politics that had occurred 25 years earlier, the party system that existed in 1957 looked in many ways very similar to the party system that came into being at the end of Reconstruction 85 years earlier.

A new group of Democratic liberals, however, were challenging southern hegemony within the party (see for example Schickler, Pearson, and Feinstein 2010). Hubert Humphrey and Paul Douglas, liberal Democrats from Minnesota and Illinois, led the successful fight to adopt a civil rights plank to the Democratic platform at the 1948 convention, but this success came at a political price. The resulting Dixiecrat candidacy of then South Carolina Governor Strom Thurmond cost Harry Truman the electoral votes of 4 states: Mississippi, Louisiana, Alabama, and South Carolina. The remarkable event of 1948 was not that the race was close, but rather that Truman was able to come away with a victory.

In spite of these political headwinds, northern liberal Democrats continued to gain ground in the Senate with the election of Henry Jackson (WA), Frank Church (ID), Mike Mansfield

(MT), Stuart Symington (MO), and others. In addition, several southern Democratic senators were also cautiously developing moderately liberal positions on race – Estes Kefauver and Al Gore Sr. from Tennessee and Lyndon Johnson and Ralph Yarborough from Texas. In short, a liberal movement on race had been gaining ground, but with the exceptions of Tennessee and Texas, it was an entirely northern phenomenon in the U.S. Senate.

In contrast, liberal voting records on non-racial economic issues were not uncommon among southern Democratic senators. As Katznelson (2013) points out, the South included many poor whites and relatively fewer corporate interests, and hence many southern Democrats were enthusiastic supporters of the expansion of government programs and efforts benefitting the disadvantaged during the New Deal era. Indeed, they provided a crucial indispensable ingredient to its success. Senators John Sparkman and Lister Hill of Alabama stand as vivid examples of this brand of economically liberal but racially conservative politics. Throughout their careers they demonstrated liberal voting records, with ADA scores in the 1956 session that placed them in the most liberal quartile of the Senate. They were, however, racially conservative and signers of the Southern Manifesto in response to the 1954 Supreme Court decision in *Brown v. the Board of Education*.²

The Republicans in 1957

The Republican Party demonstrated its own unique brand of ideological heterogeneity, with roots tracing to the antebellum period of American history. The party, built on the earlier foundations of a Whig commitment to “internal improvements,” historically supported public

² Hill and Sparkman were certainly not the first economic liberals (or at least populists) who had difficulties reconciling their political instincts on economic issues with the reality of race in southern politics (Woodward 1938). Moreover, the south had a history of electorally successful race-baiting populists such as Senator Theodore Bilbo of Mississippi (Katznelson 2013).

works, the construction of national roads, and ultimately railroads. Hence, while the founding principles of the Republican Party embraced emancipation and southern reconstruction, it also maintained strong ties to industrial and corporate interests aligned with infrastructure improvements. Abraham Lincoln was, after all, an attorney who realized a great deal of his pre-Civil War income representing railroads.

Moreover, prior to the New Deal revolution in American politics, very few people would have identified the Democratic Party as the progressive party of government activism. While the progressive movement that swept the country in the early 20th century included some notable Democrats such as Al Smith of New York, the leaders of the national movement were primarily Republicans – George Norris of Nebraska, the Wisconsin LaFollettes, Hiram Johnson of California, and of course Theodore Roosevelt (Morris 2011). Democratic reformers often tilted toward nativism and fundamentalism, as represented in the career of William Jennings Bryan. Bryan's presidential campaigns ended up as prairie state rebellions that alienated not only the plutocrats but also the northern middle class, immigrants, and urban workers, while still accommodating the southern wing of the party.

Many progressive politicians did not reposition themselves with respect to the role of railroads and other corporate and industrial agents of change until well into the 20th century. And because progressives were split between the parties, the struggles between reformers and corporate interests played out in both parties. These intra-party struggles were transformed by the New Deal revolution – with Democrats tilting toward the working class, labor unions, and reform; and Republicans toward the middle class, business, and conservatism. Still, political homogeneity within the Republican Party was far from complete in 1957. While the solid Democratic south insured that the southern wing of the party would include liberals and

conservatives on all issues save race, the Republicans included an ideological disparate mix of liberals and conservatives as well.

Finally, while the Republican Party was the party of Eisenhower, it continued to be the party of Emancipation. African Americans were supporters of Franklin Roosevelt, but many were also supporters of Dwight Eisenhower. In both his 1952 and 1956 presidential election campaigns, Eisenhower received approximately 40 percent of the African American vote, and Richard Nixon secured roughly one-third in 1960. In spite of his generally liberal reputation, Adlai Stevenson's effort to keep the south from defecting from his presidential candidacy served to weaken partisan ties to African Americans during the 1950s (see Huckfeldt and Kohfeldt 1987). And as we will see, Senator John Kennedy failed to construct a liberal record with respect to race during this same time period. In short, the racial divide within the Democratic Party created a situation in which the party of the economically disadvantaged was neither consistently nor necessarily the party of civil rights, and hence the Republican Party was able to sustain its claim as the Party of Lincoln and Emancipation.

Presidential Ambitions and Presidential Leadership

Much of the dynamic surrounding the 1957 Voting Rights Act can be seen in the context of the run-up to the 1960 presidential elections. Two of the leading candidates for the Democratic nomination were John Kennedy and Lyndon Johnson, and they faced very different political constraints and challenges. As the influential Senate Majority Leader, Lyndon Johnson wanted to lead the Senate to vote for a Civil Rights Act in order to appeal to a wider, non-southern Democratic Party. Conversely, John Kennedy provided tempered support for the Civil Rights Act as part of an effort to make his candidacy plausible to southern Democrats. He voted

for the Act's final passage, but he also voted for the controversial Jury Amendment that was seen to weaken the Act's enforcement.

Several northern Democrats with presidential aspirations voted against the jury trial. In particular, Stuart Symington was a presidential candidate who voted against the jury trial, but needless to say, he did not win the nomination. Harry Truman's narrow presidential victory in the 1948 election was the first case in post-reconstruction America of a major party being identified with the cause of civil rights for African Americans. In contrast, the 1960 presidential election is the last in a series of three subsequent presidential elections in which the Democratic presidential candidate was equivocal on matters of race in an effort to maintain southern Democrats within the national coalition.

The strongest support for the 1957 Civil Rights Act came from Republicans. Their independence from the solid Democratic South gave them the freedom to push a Civil Rights Act that had the support of their party leader – the Republican President – and indeed they were unanimous in support of the Act on final passage. The 18 votes against the act came almost entirely from southern Democrats.³

While there was virtually unanimous support outside the southern delegation for the final passage of the Act, deep divides existed in the rest of the Senate regarding how aggressive the measure should be. Racially liberal senators, such as Douglas and Humphrey, favored aggressive legislation that struck at the heart of Jim Crow, not only in terms of voting but also in terms of public accommodations. The Act's legislative history is filled with difficult conflicts,

³ The only exception was the idiosyncratic behavior of Wayne Morse, the independently minded Senator from Oregon who was at the time a Democrat. He had been a supporter of strong civil rights legislation, but his support was compromised by the Hell's Canyon Dam issue discussed below (Caro 2002). After a contentious falling-out with racially liberal Senator Paul Douglas over the Civil Rights Act and Hell's Canyon, he voted against the jury amendment aimed at weakening the bill, and then proceeded to vote against the weakened bill at final passage.

compromises, and contested votes related to the strength of the final legislation. A particularly important vote was on the crucial “jury amendment” -- perhaps the primary vehicle for weakening the Act. Seventy-four percent of Republicans voted against the jury trial amendment, but none of the southern Democrats and only one-third of the northern Democrats voted against it. In short, it was the Republican Party that was the primary champion of ambitious civil rights legislation.

The Jury Amendment

A series of actions in the Senate narrowed the scope of the Act, restricting it to issues surrounding the vote, as well as making it more difficult to enforce, but none were more central than the jury amendment, and hence we focus on this vote as being crucial to the final form of the legislation. Under the original legislation, crafted by Attorney General Louis Brownlow’s Department of Justice and introduced in the Senate, criminal contempt cases would be tried before a judge. The ultimately successful jury amendment required that civil rights violations be addressed in jury trials, thereby ensuring that enforcement would be weakly pursued by juries of citizens more likely to embrace locally dominant views regarding race and segregation.

Indeed, the net effect is that a vote for the jury amendment was a vote for civil rights legislation lacking in anything other than symbolic significance. This does not mean that a vote for the jury amendment was necessarily motivated by racial animus. Senator Barry Goldwater, who bucked his party’s own president to vote in favor the Jury Amendment, became famous for his insistence on federalism and the preservation of state autonomy even at the cost of strong civil rights legislation.⁴ Indeed, his position in 1957 can be seen as pointing toward the future of

⁴ Prior to 1957, Goldwater became one of the first business owners in Arizona to integrate his own stores and restaurants, absent legislation requiring that he do so.

the Republican Party, and he becomes the party's presidential nominee in 1964 in the context of opposing the more aggressive 1964 Act. As we will see, competing considerations also compromised the willingness of other senators to support strong civil rights legislation.

The vote on the Jury Amendment was crucial to Johnson's strategy of securing civil rights legislation. If Johnson, as majority leader, was unable to create a toothless lion, he would also be unable to ensure the cooperation of Senator Richard Russell of Georgia, the influential dean of the Senate and a leader of the southern Democratic delegation, in allowing the legislative process to move forward. This is not to say that the southern delegation would support the Act on final passage, but Johnson's goal was to keep them from obstructing the bill's consideration with a filibuster. While Johnson needed to pass a bill, his own political ambitions were tied to the South, and hence he could not afford to pass a bill that would effectively make him a pariah within his own regional base of support (Caro 2002).

The question that naturally arises is why was Russell willing to allow even a symbolic victory on the part of civil rights liberals? Again, Johnson had presidential ambitions, and he had a longstanding relationship with Russell. The southern delegation supported Johnson, and some of them saw his candidacy as an opportunity to strengthen southern influence in national politics. Without success in producing some sort of a Civil Rights Act, many felt that his candidacy was doomed.

The dilemma facing the Senate Democrats reached beyond the presidential candidacy of Lyndon Johnson, however. The future of the Democratic Party was quite literally at stake. Beginning with the "Great Migration" of the 1920s, when the huge northward migration of African Americans began, underlying political realities began to change. By the 1950s, a Democratic presidential candidate needed to win the support of African Americans in south

Chicago in order to win Illinois' electoral votes, and this same situation was playing out in other northern states as well. At the same time, a successful Democrat needed to maintain electoral support in the Deep South, but the balancing act was becoming increasingly difficult.

This is not to say that any of the senators were primarily motivated by the future of the national Democratic Party -- their goals were necessarily more proximate. As they pursued their own interests and ambitions, however, the larger drama created a defining moment for the future of the nation's politics in the latter half of the 20th Century and beyond.

Within this context, the problem that remained for Senate Majority Leader Johnson was to keep his southern Democratic colleagues from obstructing Senate action. Russell and the southern delegation needed Johnson's assurance that he could maintain control of the legislative process -- that he could deliver on his promise to pass a weak bill. And hence Johnson needed to provide the southern delegation with sufficient non-southern votes to block a vote for cloture, and thereby limit the scope of the Act (Caro 2002).

Hell's Canyon Dam

A relatively small group of northwestern Democratic senators had been strong advocates for public power in the Pacific Northwest, and the focal point of their effort during this period was directed at the construction of a publicly owned dam in Hell's Canyon on the Snake River along the Idaho-Oregon border.⁵ At the time, the development of public power was a popular liberal cause, and the northwest Democrats had allies among other western state Democratic senators. Their efforts had been frustrated, however, by the powerful opposition of private sector interests allied with Republican members of the Senate, as well as by indifference among non-

⁵ The effort eventually failed, and a string of three smaller, privately held dams were constructed and operated by Idaho Power Company to take its place.

western Democrats. Hence they had been unable to pass authorizing legislation for the dam in either the House or the Senate.

Lyndon Johnson perceived an opportunity in their frustration. His strategic vehicle was to foster a log roll between two groups of Democratic senators – liberals from the west and northwest combined with conservatives from the south. He would secure southern votes in favor of Senate authorization for a Hell's Canyon Dam in return for western and northwestern votes that could be used to maintain a conservative version of the civil rights bill. From the standpoint of civil rights supporters such as Paul Douglas, this was a deal with the devil (see Caro 2002, chapter 38). From Johnson's standpoint of realpolitik, it was a necessary compromise and the key alliance making it possible to pass the first Civil Rights Act since the end of Reconstruction.

These constellations of interest and ideology lead to complex networks of shared interests and strategic action within the Senate. Johnson's manipulation of the process – in particular his introduction of a new political dimension into the bill's consideration – produced a bridge between otherwise divergent interests. This made it possible to pass the Civil Rights Bill in 1957 over the objections of the southern Democrats, but without a filibuster that might survive a cloture vote. While Strom Thurmond undertook the longest filibuster in the history of the Senate during final consideration of the measure, he did so without the unified support of the southern delegation, and his effort ultimately failed. Indeed, given the strategic context of his effort, it was primarily aimed at theatrics rather than being a serious effort at stopping the legislation.

Liberalism on the Eve of the 1957 Civil Rights Act

Party boundaries within the Senate at the time of the 1957 Civil Rights Act can be understood in terms of a liberal-conservative divide, so long as we remember that there were effectively three parties rather than two – Republicans, southern Democrats, and non-southern

Democrats.⁶ Table 1 regresses the Senate ADA scores on two dummy variables, whether the senator was a southern or a non-southern Democrat, with Republicans as the excluded base-line category. The estimated mean ADA scores among Republicans, southern-Democrats, and non-southern Democrats are 26, 39, and 71 respectively. The influence of the famed conservative coalition can clearly be discerned – the southern Democrats, as a group, were much closer to the Republicans than to their fellow non-southern Democrats in terms of the liberalism of their voting records.

At the same time, liberal voting records do not go very far in explaining the passage of the 1957 Act. As Table 2 shows, some surprising vote patterns appear across the three critical votes – authorizing the Hell’s Canyon Dam, Final Passage, and the Jury Trial Amendment. First, in spite of their conservative voting records, the Republicans not only voted overwhelmingly in support of the Act’s final passage, but they also voted overwhelmingly in opposition to the Jury Amendment that dramatically diluted the impact of the Act. While some of the motivation behind the Republican vote can be seen in terms of partisan support for Eisenhower and a civil rights bill that originated in his administration, it also reflected a definition of conservatism based in economic rather than social and racial issues. In the politics of the time, civil rights opponents such as Lister Hill and John Sparkman were economic liberals, while key supporters of the Act such as Senate Minority Leader Everett Dirksen – perhaps its most crucial Senate

⁶ In their own analysis of the 85th Congress, Poole and Rosenthal (1985) address a similar issue by identifying two different dimensions underlying congressional roll calls, a classic liberal-conservative dimension that correlates highly with ADA scores, as well as a second dimension related to votes on issues related to race. We would only point out that the driving force in maintaining this second dimension was effectively a “third party” of southern Democrats. In later years, many non-race issues would be accommodated within a larger constellation of issues that were previously independent of race, and this produced a significant reorganization of American party politics. In the current alignment of the parties, for example, it is quite difficult to locate an economically liberal legislator who is conservative on race – the species represented by Sparkman, Hill, and others has become largely extinct.

supporter – was a well-known conservative.⁷ Moreover, we see conservative instincts take over among Republicans with respect to the strategically important Hell’s Canyon Dam vote, where nearly 85 percent vote in opposition to a public power measure.

While the division of the Republican vote might be seen in terms of sincere preferences for economic conservatism, maintaining the role of states in a federal system, and civil rights liberalism, the Democratic vote appears more opportunistic. The non-southern Democrats voted in line with their underlying ideological preferences in supporting the Hell’s Canyon Dam and the final passage of the Civil Rights Act, but their votes on the Jury Amendment appeared more strategic. Even though they were much more liberal than the Republicans, their jury amendment vote was nearly a mirror image of the Republicans. While nearly three-fourths of the Republicans opposed the Jury Amendment, only one-third of the non-southern Democrats opposed it. Indeed if we consider the vote on the jury amendment absent the southern Democrats, liberalism measured in terms of ADA scores demonstrates a *negative* relationship with support for a vigorous civil rights bill. Everett Dirksen’s ADA score was 25, placing him in the most conservative half of the Senate, yet he opposed the Jury Amendment. John Kennedy’s ADA score was a 92, placing him in the most liberal 10 percent, yet he voted in favor of the Jury Amendment.

Were the Republicans acting strategically in their support of the civil rights? The support that they provided was relatively costless, and it provided them with some political advantages. They distanced themselves from the lynchings and racial violence that scarred Democrats during

⁷ Dirksen is famous for the reputed statement that “a billion here, a billion there, and pretty soon you’re talking about real money.” While the authenticity of that quote has been questioned, his conservative credentials are solid. For example, he supported Robert Taft over Dwight Eisenhower for the Republican presidential nomination in 1952. His ADA score in our analysis was 25, which placed him in a tie for the thirtieth most conservative senator out of the 95 member Senate.

the preceding decades, and it allowed them to maintain the support of a liberal wing within the Party that might otherwise have voted Democratic. Perhaps most important, it created a unique political triangle that kept the Democrats divided, while it placed the Republicans within a winning coalition on a frequent basis. When issues involved spending and economics, they cast their lot with southern Democratic conservatives. When civil rights and related issues were involved, they allied with northern Democratic liberals.

Votes, Interests and Networks

In the analysis that follows, we address voting blocs and their ideologically defined subgroups as the nodes within networks of actors holding interdependent, intersecting interests. In a simple straightforward world, individuals act on their own self-defined interests when casting a vote, quite independently of the interests held by others. In reality, political success in the realization of interests is a highly complex exercise that involves, negotiation, compromise, and strategic interdependence – all of which are anchored within existing levels of support for particular issues and interests, both within and beyond legislative bodies (Riker 1982, 1986). Hence Lyndon Johnson's national ambitions made it in his interests to orchestrate the passage of the 1957 Civil Rights Act, while Richard Russell's efforts to maintain the southern way of life made it in his interests to insure that the Act was as harmless as possible. In contrast Strom Thurmond's take-no-prisoner reputation meant that he would never cooperate with supporters of the Act, but northwest liberals such as Frank Church might be won over to the Southern side of the Jury Amendment debate in return for authorization of the Hell's Canyon Dam – an issue that was highly salient to Pacific Northwest constituencies. In short, while interests can be conceived in terms of individuals, the outcomes of legislative actions depend on these patterns of interdependence among actors.

Some patterns of interdependence are more-or-less permanent. In the 1957 debate over civil rights, southern Democrats could not afford to break ranks on issues affecting white political hegemony, and hence they could not afford to support aggressive civil rights legislation. And if racial liberals were to be successful in passing a strong civil rights measure in 1957, they could not afford to break ranks either. In short, while individuals certainly act on the basis of their own self-interest, the realization of this self-interest depends on the successful construction of supporting patterns of interdependence among others.

Some participants are more successful than others in the construction of these support networks. In the debate and maneuvering over the 1957 Civil Rights Act, civil rights liberals were less successful at constructing networks of supporters, and their influence declined as a consequence. In contrast, those who wished to limit the strength of the final legislation were successful both in realizing their goals and in enhancing their own influence in affecting the outcome.

Absent these support networks, something very much like the median voter theorem might be used to explain the outcome. That is, some senators' preferences lay at one end of the civil rights spectrum while others had preferences situated at the opposite end. Hence, in this one dimensional world, the influential voters would be those in the middle who control the outcome. In a more strategic, highly interdependent setting, the truly skillful actors are those able to avoid the defeat they would otherwise realize if the median voter prevailed. They do so by forming networks of support which circumvent the one-dimensional setting of the median voter's influence by increasing the complexity and interdependence of the strategic setting.

A Network Analysis of Three Votes

We hesitate to over-simplify the politics of passing the 1957 Voting Rights Act, and interested readers should refer to Caro's (2002) treatment of the events and circumstances leading to the passage of the Act. At the same time, our goal is to organize these events in a way that will produce analytic leverage. Hence we begin by focusing on three votes and the resulting division of the Senate into voting blocs. The three votes are the vote on final passage of the 1957 Civil Rights Act, the vote on the Jury Amendment, and the vote on Senate authorization of the Hell's Canyon Dam.

This produces the potential for 8 different voting blocs, based on all possible voting combinations across the three bills. Only one senator, Wayne Morse of Oregon, voted in opposition both to the Jury trial and to final passage of the Act. His votes might thus be seen as being inconsistent, supporting a stronger bill but voting against the weaker bill on final passage, and are best understood in the context of his stormy relationship with Paul Douglas during the bill's consideration (Caro 2002). Hence our initial analysis eliminates his vote, and we are thus left with six different voting blocs ranging in size from 4 to 29 Senators.⁸

We consider the votes of the Senate on these three issues in Figure 1. For purposes of graphical presentation, each of the voting blocs is separated into as many as three sub-groups, based on the conservative, moderate, or liberal ADA scores of the individual senators within each bloc.⁹ For example, both moderates and liberals belong to the bloc that votes "yes" on

⁸ Ninety-five Senators voted on all these issues. Senator Joseph McCarthy died in office before having an opportunity to vote on any of them. His replacement, William Proxmire, took the seat in time to vote on final passage only. By eliminating Proxmire's final vote, as well as the votes of Morse, we are left with 94 voting senators who are located in six voting blocks. Hence our analysis is based on the votes of 94 Senators.

⁹ The cut points for ADA scores were: 18 or less (31%), greater than 18 and less than 58 (42%), and greater than 58 (27%).

Final Passage, “yes” on the Jury Amendment, and “yes” on the Hell’s Canyon, and thus we divide the voting bloc into two separate ideological sub-groups. Each voting bloc is divided into at least two ideological sub-groups and as many as three. Each subgroup (or node) is represented with a two-digit identification number. The first digit is an identifier based on a shared voting record, and the second digit refers to the ADA-based ideology measure – 1 is conservative, 2 is moderate, and 3 is liberal.

Several features immediately stand out. First, only three of the voting blocs are homogeneously partisan, and none of the blocs are ideologically homogeneous. Voting bloc 4 consists of Republicans who take the modal Republican position on all three votes – yes on final passage, no on the jury amendment, and no on the dam. The size of the nodes represents the number of votes represented in a particular subgroup, and it thus becomes clear that the largest subgroup within the Senate consists of the conservative Republicans who support strong civil rights legislation but reject a public dam. The other homogeneously partisan blocs are 5 and 6, both of which are composed of southern Democrats. One of these blocs participates in the log roll to build the dam, but the other does not. Both groups are conservative on civil rights, voting “no” on final passage and yes on the Jury Amendment.

Finally, none of the 27 northern Democrats are located in voting blocs that are homogeneously partisan. They all support final passage of the Civil Rights Act, but they are divided on their votes both on Hell’s Canyon and on the Jury Trial Amendment. Hence neither ideology nor partisanship provide a great deal of leverage in explaining the outcome of the 1957 vote.

Within this context, one liberal subgroup (node 13) is particularly interesting, composed entirely of both northern and southern Democrats who voted yes on final passage, yes on Hell’s

Canyon, and yes on the Jury Trial Amendment. The voting pattern is easily explained for five of the twelve Democrats in this subgroup – they are liberals who represented Texas, Tennessee, and West Virginia, with state electorates that would have provided little support for aggressive civil rights legislation. Four of the liberal Democrats came from Idaho, Washington, and Montana, and we can assume that they supported the Jury Trial Amendment as part of Lyndon Johnson’s log roll. The three northeastern liberals might appear more difficult to explain, except that that they came from states (Massachusetts and Rhode Island) with African American electorates that were neither large nor strategically crucial. Moreover, one of these northeastern liberals (John Kennedy) was preparing to run for the Presidency, and southern support would prove crucial to his electoral success. At a strategic level, this node is particularly important because it demonstrates the only instance of intersecting votes and ideology between northern and southern Democrats. At the same time, it becomes clear that the voting block is held together by temporary expedience.

Figure 1 shows three clusters of groups. First, at the top of the figure, Blocs 3 and 4 are united in their positive votes on final passage and negative votes on the Jury Amendment. They are the racial liberals, and their only point of disagreement is related to the vote on the dam. Second, the two blocs (5 and 6) of southern Democrats at the bottom of the figure are united in opposition to final passage and support for the Jury Amendment. They are the racial conservatives whose only point of disagreement is whether they are willing to go along with the log roll regarding the dam. Finally, at the middle of the graph are the two blocs of moderates on civil rights. These blocs support final passage but voted in favor of the Jury Amendment, and once again they are divided in terms of their support for the dam.

The links in Figure 1 represent shared votes. A bold line (or edge) represents three shared votes, and hence the bold edges only connect subgroups within a voting bloc. (Intersecting nodes also represent three shared votes.) Nodes connected by a non-bold edge represent two shared votes. For ease of interpretation, a single shared vote is not represented within the graph.

Political influence is defined in terms of a subgroup's centrality within the graph, measured as the extent of its connections with other subgroups. (Single vote connections are included in the calculation of centrality measures.) The measure of centrality employed is "weighted betweenness," calculated for a particular node as the number of shortest paths between each other pair of nodes that pass through the node in question (Opsahl et al. 2010). Hence, in substantive terms, betweenness provides a measure of proximity between the interests of the senators within each voting bloc to the interests of senators in all the other voting blocs, where interests are defined in terms of the senators' own votes.

In the first column of centrality measures, the analysis confirms the influence and importance of the civil rights moderates who voted in favor of final passage as well as in favor of the Jury Amendment. The Senators in these voting blocs are located strategically in such a way that they can communicate in either direction – toward the conservatives or toward the liberals on civil rights. In this sense the moderates resemble the median voters who gain influence by their ability to move in either direction on an issue. But rather than focusing solely on vote switching, the centrality measures focus on the potential for communication, shared interests, and coalition construction. To the extent that a node has a higher centrality score, the individuals within the node have more opportunities for communication, bargaining, and cooperation, thereby placing them in a position of enhanced influence.

We also use the centrality measures to address the importance of the Hell's Canyon Dam vote. In one sense, Hell's Canyon is a classic example of a log roll in which adversaries form an alliance around traded votes. Our goal is to re-conceive the importance of this particular log roll in terms of its implications for centrality within the larger network. The second column of centrality measures in Figure 1 are calculated with and without taking account of the Hell's Canyon vote. The two sets of centrality measures demonstrate the way in which the log roll serves to level the playing field among the voting blocs. While the racially moderate voting blocs realize a dramatic advantage absent the Hell's Canyon vote, their margin of influence is greatly reduced when it is taken into account.

In short, the Hell's Canyon vote introduces another dimension to the structure of competition, thereby creating an advantage for those blocs located at the extremes of the single dimension defined by positions on the civil rights votes. In this way it illustrates the art of political manipulation described by Riker (1982, 1986). Lyndon Johnson and Richard Russell understood that, absent a log roll, the anti-civil rights Southern Democrats would lose control of the normal process, and hence they would be forced to employ a filibuster. They recognized, in short, that they needed to disrupt the power of the median voter within the Senate on the single dimension of civil rights by manipulating and thereby increasing the dimensions along which the vote was being cast.

The Complications of Ideology

Figure 2 repeats the analysis of Figure 1, but relationships are defined not only in terms of shared votes, but also in terms of shared ideological stances as defined by ADA scores. Hence the edges in the figure represent shared ideological positions as well as shared votes. As before, only strong links are represented graphically. And hence, while single links are not

represented graphically, they *are* included in the calculation of the weighted betweenness measures. Once again, we include the centrality measures with and without the Hell's Canyon vote.

Several features of Figure 2 stand out. First, the betweenness scores typically demonstrate enhanced levels of influence on the part of ideological moderates – consistently so among the civil rights moderates who are also ideologically moderate, nodes 12 and 22. This is partially due to our coding conventions for ideology. We are assuming that all nodes can communicate within their own ideological category – moderates with moderates, liberals with liberals, conservatives with conservatives – as well as with adjacent ideological categories. This means that the ideological moderates who are also civil rights moderates are more centrally and hence strategically positioned within networks of interest in the Senate.

It is important to emphasize that we employ moderation with respect to civil rights independently from moderation defined in terms of ideology and ADA scores. Civil rights moderates are located on both ends of the ideological continuum, from Barry Goldwater with an ADA score of 0 to John Kennedy with a score of 92 and Mike Mansfield with a score of 100. The important substantive point is that, for much of the Senate at this point in political history, liberal and conservative reputations and voting records had little relevance to Civil Rights support. Second, similar to the effects of an additional dimension being added with respect to the Hell's Canyon vote, adding an additional dimension with respect to ADA voting scores reduces the variation in betweenness scores. That is, we once again see a much flatter structure with less variance in betweenness scores. This is the consequence of replacing a single dimension -- which empowers the median voter – with a more diffuse multi-dimensional

network of communication and coalition construction that serves to level the playing field by dispersing influence more widely throughout the chamber.

A Counterfactual Exercise in Assessing Johnson's Strategy

How influential was Johnson's Hell's Canyon log roll? Four liberal Democratic senators from the northwest voted for the Jury Amendment: Church, Mansfield, Magnuson, and Jackson. None of them were running for the presidency in 1960, and hence we might expect that absent the logroll, they would have voted against the Jury Trial Amendment. By also including the previously mentioned vote by Morse against the Jury Trial amendment to the tally, the outcome switches from 52 to 43 in favor to 48 to 47 in favor. In short, a narrow 1 vote margin is enlarged to a comfortable 9 vote margin.

Figure 3 is based on this counterfactual revision to the historical record, as well as by assuming that Morse's sincere preference was actually in favor of the Civil Rights Act's final passage. The resulting network graph is a simplified rendering of Figure 1, absent the Hell's Canyon Vote, and it allows us to consider an approximately sincere rendering of the underlying support for civil rights legislation. Once again, we see civil rights moderates playing a particularly important role. Their betweenness scores suggest that they are strategically well placed to determine the outcome of a dispute over civil rights. The problem for the southern Democrats led by Richard Russell was that they would not agree to even a moderate solution.

Moreover, the one vote margin that would have passed the jury trial was too close for southern comfort. Would the liberal holdouts such as John Kennedy have been able to hold out politically if their votes had proved to be pivotal in turning back the Jury Amendment?¹⁰ Russell

¹⁰ In the analysis of actual (as compared to counterfactual) votes, Kennedy was accompanied by 11 other liberal Democrats in voting against the Jury Amendment, 7 of whom were northerners.

and the other southern Democrats were correct to worry about the outcome, and the execution of Lyndon Johnson's strategy solved the problem, if only temporarily. Even when we augment Figure 3 to include ideology linkages in Figure 4, we continue to see civil rights moderates occupying an influential role that would have produced an outcome unacceptable to southern Democrats.

Who were these influential Senators? Many of them were the individuals who would turn out to be particularly influential as the civil rights agenda progressed. Most of these individuals ultimately ended up picking sides and determining not only the future of civil rights legislation from 1964 and forward, but also the parallel reconfiguration of their respective political parties. Returning to Figure 3, node 21 includes Barry Goldwater and node 23 includes John Kennedy. In short, these civil rights "moderates" were in fact a very heterogeneous group of individuals with very different ideological inclinations who were being pulled in very different directions. Senators like Kennedy became civil rights liberals, and senators like Goldwater became civil rights conservatives.

This produced, in turn, a series of transitions within the ranks of the existing civil rights liberals and conservatives. The civil rights conservatives – all of whom were southern Democrats with varied ideological positions on issues other than race in 1957 – were mostly replaced by conservative Republicans. The civil rights liberals – who were an ideologically diverse mix of Republicans and Democrats – would be transformed as well. The biggest change is that ideological boundaries with respect to race would be brought into correspondence with

If the four northwest liberals had voted their likely sincere preferences, only 3 northern liberal Democrats would have voted the same as Kennedy. Hence, absent the log roll, Kennedy and the other "liberals" might have lacked the political cover needed to vote against the Jury Amendment, thereby putting it in danger of going down to defeat. And Johnson's calculation was that, absent the Jury Amendment, there would have been no bill due to the likelihood of a southern filibuster.

ideological boundaries with respect to non-racial issues. No longer would ADA scores fail to predict voting records with respect to civil rights. Indeed, civil rights became a defining ingredient in the very definition of what it means to be liberal and conservative.

Conclusion

The politics surrounding the adoption of the 1957 Civil Rights Act cannot easily be understood apart from the contradictions and inconsistencies that existed within the core support groups of both political parties in the aftermath of the New Deal. One might argue that the New Deal constituted an incomplete re-organization of American politics, where the primary obstacle to the completed reorganization was the role of race in American politics. In the middle of the 20th century both parties depended on core constituencies that created serious contradictions in their political appeals.

The Republicans were identified as the conservative party of business and economic expansion, while at the same time being the party of Lincoln and emancipation. The Democrats were identified as the liberal party of the working class and the disadvantaged, but the southern wing of the party threatened to nullify this advantage among African-American voters. Hence, the “liberal” party included the most conservative senators with respect to civil rights. And the “conservative” party included some of the most liberal senators with respect to civil rights. Indeed, Schickler (2013) shows that liberals in both the north and south were likely to support a more vigorous civil rights agenda, yet the Democrats were internally divided and unable to act in unison.

There was nothing inevitable about the creation of a Republican Party that was the party of civil rights as well as the party of business, industry, and welfare. Neither was it inevitable that the party of the working class and labor unions would be the party of the solid white south,

and hence a party of racial subjugation and exclusion. Both parties were constructed within the logic of an idiosyncratic historical experience. Every party system includes contradictions and strains, the contradictions in the American party system were directly related to the political obstacles associated with full incorporation of African Americans into the nation's politics.

In the post-World War Two period, after millions of African Americans had relocated to urban areas beyond the confines of the south, the stage was set for the New Deal Democratic Party to break apart. Northern Democratic candidates became increasingly dependent on the support of African Americans, as southern Democrats faced increasing challenges to the maintenance of white political control at local, state and national levels. At the same time, the Republicans were equipped to take advantage of their position as the party of Lincoln and emancipation without also adopting a stance as the party of the disadvantaged – a strategy that was difficult to reconcile with the remainder of the Party's core constituencies. We see, in the events surrounding the 1957 Civil Rights Act, a party system that had become fundamentally dysfunctional in very important ways.

The Republican Party maintained its support for civil rights, but without any serious effort to incorporate African Americans within the party. As African Americans moved to northern states and cities, the Democratic Party moved toward the mobilization of the African American constituency, and white southern Democrats inevitably made a parallel movement away from the Democratic Party. The transition occurred in stages. Beginning in the late 1940s, whites in the Deep South began to vote for Republican presidential candidates. Then, during the 1970s and beyond, political scientists began to study "dual partisanship" – southerners who identified as Democrats in state and local politics but Republicans in national politics (Hadley 1985). By the 1990s, white southern Republicans had not only been elected to state legislatures

as well as to the Congress, but they were also ascending to leadership positions within the national Republican Party – Trent Lott from Mississippi as the Senate Majority Leader, Newt Gingrich as Speaker of the House, and Haley Barbour as Chairman of the Republican National Committee. One might even argue that the South had become the backbone of the Party.

A prominent view of partisan realignments is that they are primarily a consequence of changing electorates and the more-or-less inevitable and straightforward responses of politicians who go hunting for voters where they are likely to find them (Sundquist 1983). A careful examination of the 1957 Civil Rights Act, as well as the larger history of the civil rights movement in American politics, points toward the importance of the politicians and political activists who contribute to these transformations (Jeong, Miller, and Sened, 2009). Indeed, a never ending supply of political entrepreneurs acts to impress their own visions and goals on the course of democratic politics (Riker 1986).

Poole and Rosenthal put forward an alternative view with respect to the implications of civil rights for the alignment of the parties (Poole and Rosenthal 2007, Chap. 5). They define party realignment in terms of a change in the dominant cleavage dividing the parties in Congress rather than parties in the electorate, and hence they view the civil rights era as a perturbation rather than a realignment. Their argument is that the passage of later landmark civil rights legislation – the 1964 Civil Rights Act and the 1965 Voting Rights Act – ultimately transformed the civil rights agenda from the acquisition of basic civil rights to a focus on economic redistribution. Hence, they argue, civil rights was absorbed within the dominant economics cleavage, and the end result was an economically liberal Democratic Party and an economically conservative Republican Party, thereby sustaining the dominant single dimension in American politics.

It is certainly the case that the rise of the Republican Party among southern whites has effectively eliminated liberals within the national Republican Party and conservatives within the national Democratic Party – not just with respect to civil rights issues but also with respect to economic, social, and morality politics issues as well. Indeed, we have not just seen the reinforcement of a dominant cleavage but the collapse of almost any other competing cleavage within the system. Little opportunity exists for economic liberals such as former Alabama Democratic Senators John Sparkman and Lister Hill to win Senate seats in Alabama, just as very little opportunity exists for a liberal Republican like former New York Senator Jacob Javits to win a Senate seat from New York. Hence, from this perspective, the era begins to look like unidimensional politics with a vengeance – a process that has yielded two homogeneous parties, with strong regional bases of support, generating reduced opportunities for compromise and accommodation.

The problem is that the driving force behind party support appears much more closely related to race and ethnicity rather than economic interests. No Democratic candidate for the presidency has received a majority of white votes since Lyndon Johnson in 1964. In the 2012 presidential election, approximately 41 percent of whites, 93 percent of blacks, 71 percent of Hispanics, and 73 percent of Asians voted for Obama. In contrast, 63 percent of those earning less than \$30,000 and 46 percent of those earning more than \$100,000 voted for Obama (New York Times, 2012). In short, the spread between extreme income groups was 17 percent. In contrast, the spread between whites and Asians was 32 percent, between whites and Hispanics was 30 percent, and between whites and blacks was 52 percent. Hence one might question whether the driving force behind these parties is simply or even primarily a matter of economics or economic self-interest, and whether the party system sustained by the current constellation of

groups can resist the centrifugal forces of its own inconsistencies. That is, over the long haul, should we expect that it makes sense for affluent African-Americans to continue voting for economic liberals, or for impoverished southern whites to continue voting for economic conservatives?

While the politics of the 1950s is often viewed as a bucolic period of cooperation and bipartisanship in the history of the Republic, the biases of conciliatory politics and the potential for cooperation between the parties came with their own political consequences. Cooperation between Republicans and southern Democrats, memorialized in terms of the “conservative coalition,” served to hold liberal Democrats at bay on issues unrelated to race, while Republican support for civil rights was insufficient to pass aggressive civil rights legislation. With the Democratic Party’s embrace of civil rights legislation and the birth of the Republican Party’s southern strategy, one party became more consistently liberal and the other more consistently conservative. Indeed, one might argue that, the price of progress in civil rights has thus far been the creation of a more highly polarized party system

References

- Caro, Robert A. 2002. *The Years of Lyndon Johnson: Master of the Senate*. New York: Alfred Knopf.
- Caro, Robert A. 2012. *The Years of Lyndon Johnson: The Passage of Power*. New York: Alfred Knopf.
- Hadley, Charles D. 1985. "Dual Partisan Identification in the South," *Journal of Politics* 47: 254-268.
- Huckfeldt, Robert and Carol W. Kohfeld. 1987. *Race and the Decline of Class in American Politics*. Urbana: University of Illinois Press.
- Jeong, Gyung-Ho, Gary J. Miller, and Itai Sened. 2009. "Closing the Deal: Negotiating Civil Rights Legislation." *American Political Science Review* 103 (November): 588-606.
- Katznelson, Ira. 2013. *Fear Itself: The New Deal and the Origins of Our Times*. Liveright Publishing Company: New York.
- Katznelson, Ira and Quinn Mulroy. 2012. "Was the South Pivotal? Situated Partisanship and Policy Coalitions during the New Deal and Fair Deal." *Journal of Politics* 74 (April): 604-620.
- Morris, Edmund. 2011. *Colonel Roosevelt*. New York: Random House.
- Opsahl, T., F. Agneessens, and J. Skvoretz. 2010. "Node Centrality in Weighted Networks: Generalizing Degree and Shortest Paths." *Social Networks* 32(3): 245–51.
- New York Times. 2012. Presidential Election Exit Polls.
<http://elections.nytimes.com/2012/results/president/exit-polls>
- Poole, Keith T. and Howard Rosenthal. 1985. "A Spatial Model for Legislative Roll Call Analysis." *American Journal of Political Science* 29 (May): 357-384.

- Poole, Keith T. and Howard Rosenthal. 2007. *Ideology and Congress*. Second revised edition of *Congress: A Political Economic History of Roll Call Voting*. New Brunswick, NJ: Transaction Publishers.
- Riker, William H. 1986. *The Art of Political Manipulation*. New Haven, CT: Yale University Press.
- Riker, William H. 1982. *Liberalism Against Populism: A Confrontation Between the Theory of Democracy and the Theory of Social Choice*. Prospect Heights, IL: Waveland Press.
- Schickler, Eric, Kathryn Pearson, and Brian D. Feinstein. 2010. "Congressional Parties and Civil Rights Politics from 1933 to 1972." *Journal of Politics* 72(July): 672-89.
- Schickler, Eric. 2013. "New Deal Liberalism and Racial Liberalism in the Mass Public, 1937-1968," *Perspectives on Politics* 11: 75-98.
- Sundquist, James L. 1983. *Dynamics of the Party System: Alignment and Realignment of Political Parties in the United States*. Brookings Institution Press: Washington, D.C.
- Woodward, C. Vann. 1938. *Tom Watson: Agrarian Rebel*. Oxford University Press.
- Woodward, C. Vann. 1974. *The Strange Career of Jim Crow*. Third revised edition. Oxford University Press

Table 1. ADA scores for Senators serving in the first session of the 85th Congress (1957) by Party and Region, with predicted values^a

A. Least squares regression using dummy variables.

	<u>Coefficient</u>	<u>Std. Err.</u>
Southern Democrats	13.3	6.20
Other Democrats	45.1	5.79
Constant	25.59	3.52

N = 95

R²=.40

SE of estimate=4.89

B. Predicted ADA scores for three groups.

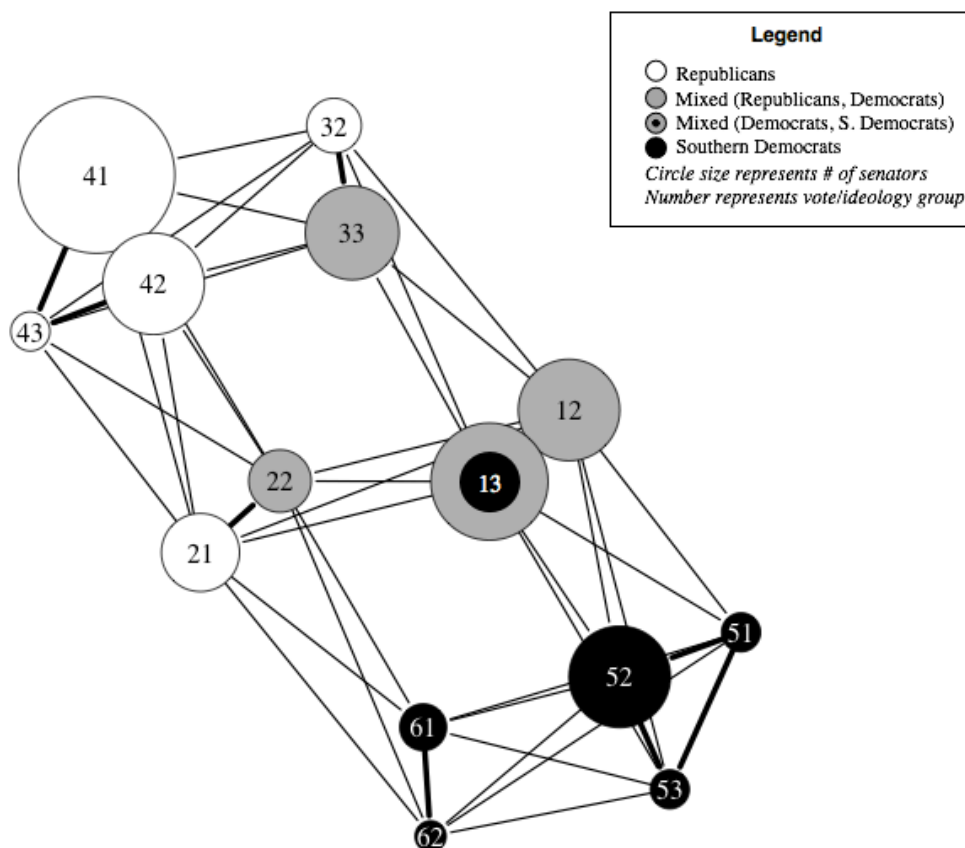
Republicans	25.6
Southern Democrats	38.9
Other Democrats	70.7

^aThese scores are based on recorded votes during the second session of the 84th Congress. For first term senators, the scores are based on the second session votes of the 85th Congress.

Table 2. Senate votes on three important measures in the passage of the 1957 Civil Rights Act.

		Non-Southern		Southern	Total
		Democrats	Republicans	Democrats	
Hell's	no	7.4%	84.8	18.2	47.4
Canyon	yes	92.6	15.2	81.8	52.6
Dam	N=	27	46	22	95
Final	no	3.7	0.0	81.8	20.0
Passage	yes	96.3	100.0	18.2	80.0
	N=	27	46	22	95
Jury	no	33.3	73.9	0.0	45.3
Amendment	yes	66.7	26.1	100.0	54.7
	N=	27	46	22	95

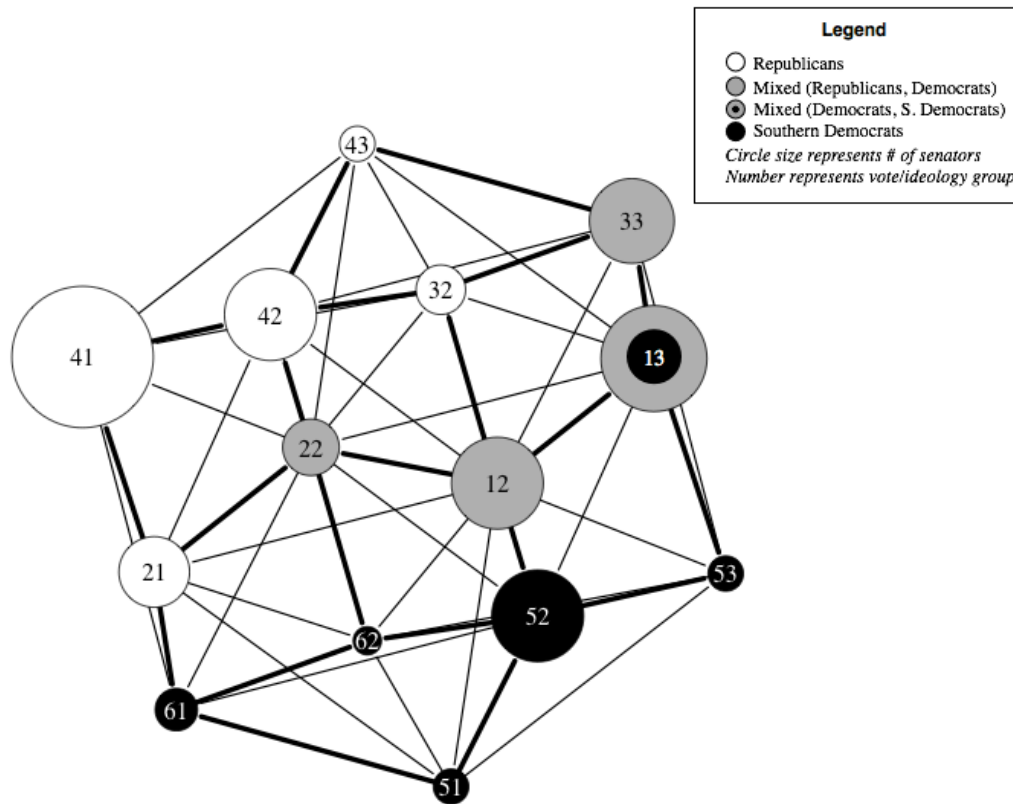
Figure 1. Ties based on votes regarding final passage, jury amendment, and Hell's Canyon Dam.



subgroup	Final			Democrats or Republicans?	Weighted Betweenness with and without the Hell's Canyon Vote:	
	Passage	Jury Trial	Hell's Canyon		with	without
12	Y	Y	Y	both	7.04	6.25
13	Y	Y	Y	Democrats (N.&S.)	7.04	6.25
21	Y	Y	N	Republicans	7.04	6.25
22	Y	Y	N	both	7.04	6.25
32	Y	N	Y	Republicans	2.55	0
33	Y	N	Y	both	2.55	0
41	Y	N	N	Republicans	1.13	0
42	Y	N	N	Republicans	1.13	0
43	Y	N	N	Republicans	1.13	0
51	N	Y	Y	S. Democrats	1.13	0
52	N	Y	Y	S. Democrats	1.13	0
53	N	Y	Y	S. Democrats	1.13	0
61	N	Y	N	S. Democrats	2.55	0
62	N	Y	N	S. Democrats	2.55	0

The first digit of the subgroup identifies one of six unique voting blocs, and the second identifies the (1) conservative, (2) moderate, and (3) liberal subgroups within the blocs based on ADA scores. The senators in each subgroup can be found in Appendix A.

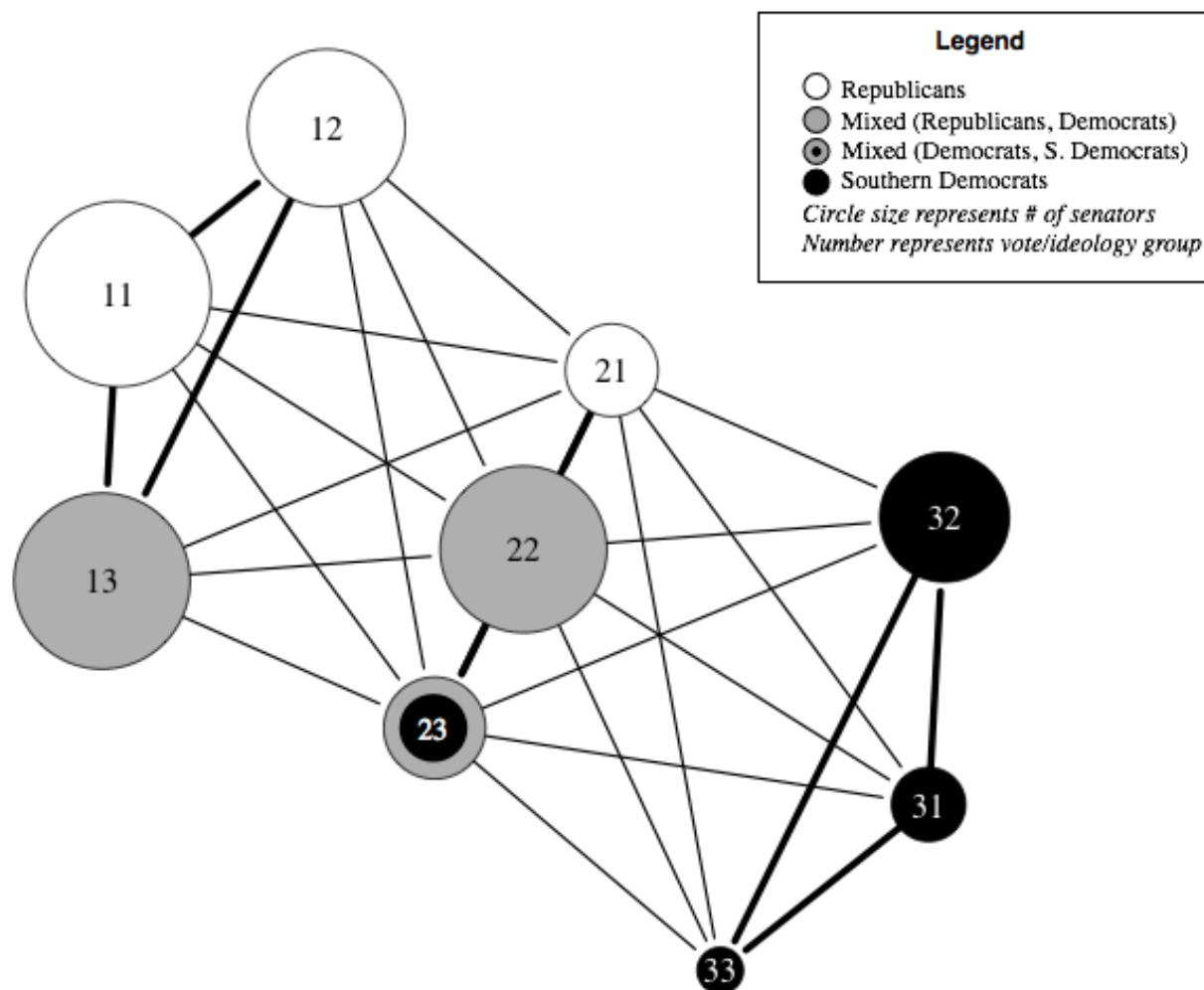
Figure 2. Ties based on votes (final passage, jury amendment, Hell's Canyon Dam) and ideology. Strong links only.



Subgroup	Final Passage	Jury Trial	Hell's Canyon	Democrats or Republicans?	Weighted Betweenness with and without the Hell's Canyon Vote:	
					with	without
12	Y	Y	Y	both	3.42	4.02
13	Y	Y	Y	Democrats (N.&S.)	.62	1.43
21	Y	Y	N	Republicans	.62	1.43
22	Y	Y	N	both	4.42	4.02
32	Y	N	Y	Republicans	.50	1.43
33	Y	N	Y	both	1.25	.60
41	Y	N	N	Republicans	.29	2.00
42	Y	N	N	Republicans	.67	1.43
43	Y	N	N	Republicans	.62	.60
51	N	Y	Y	S. Democrats	.62	.60
52	N	Y	Y	S. Democrats	.67	1.43
53	N	Y	Y	S. Democrats	1.79	2.00
61	N	Y	N	S. Democrats	.62	.60
62	N	Y	N	S. Democrats	.25	1.43

The first digit of the subgroup identifies one of six unique voting blocs, and the second identifies the (1) conservative, (2) moderate, and (3) liberal subgroups within the blocs based on ADA scores. The senators in each subgroup can be found in Appendix A.

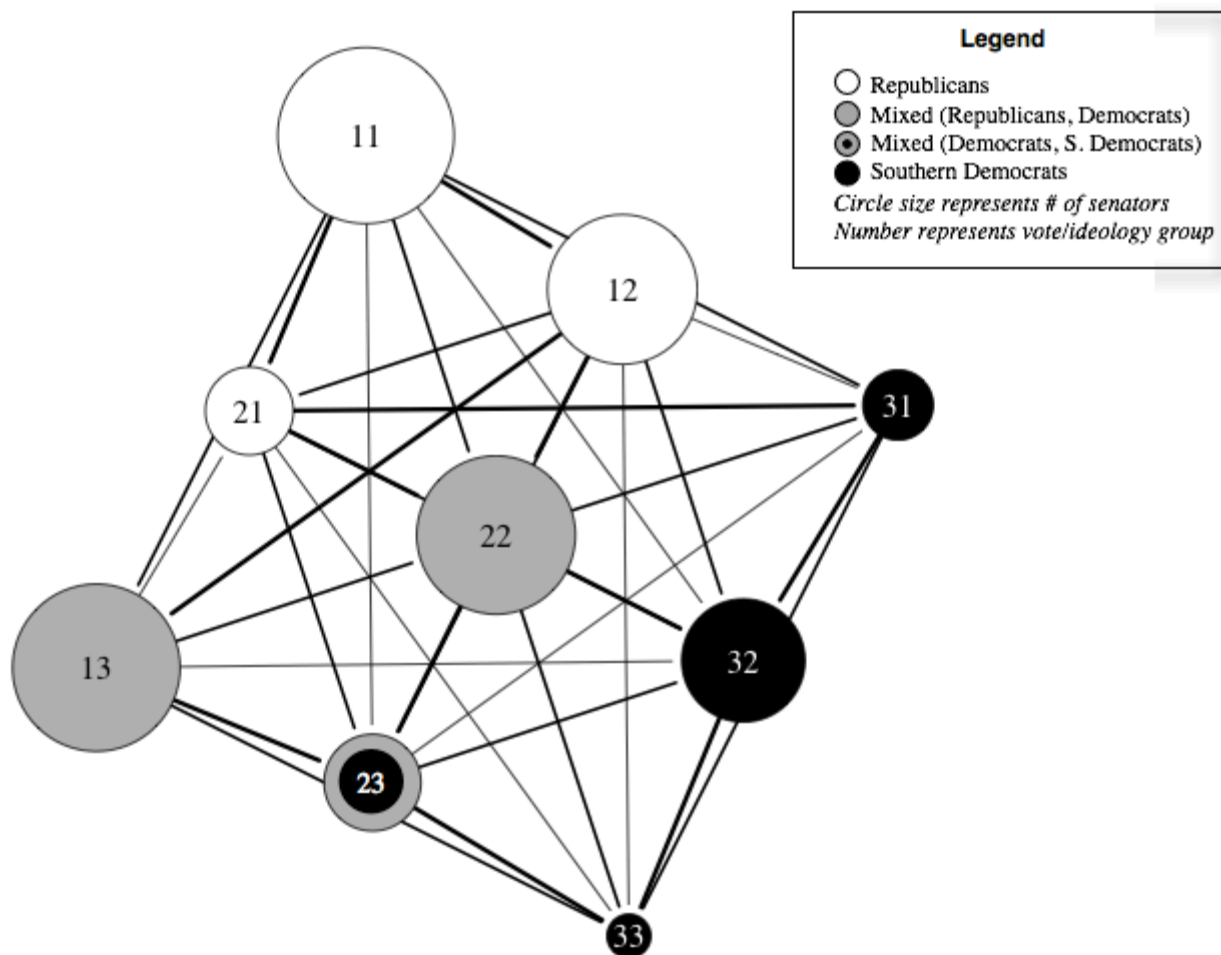
Figure 3. Ties based on counterfactual votes regarding final passage and jury amendment.



Subgroup	Final Passage	Jury Trial	Democrats or Republicans?	Weighted Betweenness
11	Y	N	Republican	0
12	Y	N	Republican	0
13	Y	N	both	0
21	Y	Y	Republican	3
22	Y	Y	both	3
23	Y	Y	Democrats (N.&S.)	3
31	N	Y	Southern Democrat	0
32	N	Y	Southern Democrat	0
33	N	Y	Southern Democrat	0

The first digit of the subgroup identifies one of three unique voting blocs, and the second identifies the (1) conservative, (2) moderate, and (3) liberal subgroups within the blocs based on ADA scores. The senators in each subgroup can be found in Appendix B.

Figure 4. Ties based on counterfactual votes regarding final passage on jury amendment, and on ideology. Strong ties only.



Subgroup	Final Passage	Jury Trial	Democrats or Republicans?	Weighted Betweenness
11	Y	N	Republican	.83
12	Y	N	Republican	1.00
13	Y	N	both	.83
21	Y	Y	Republican	1.00
22	Y	Y	both	2.67
23	Y	Y	Democrats (N.&S.)	1.00
31	N	Y	Southern Democrat	.83
32	N	Y	Southern Democrat	1.00
33	N	Y	Southern Democrat	.83

The first digit of the subgroup identifies one of three unique voting blocs, and the second identifies the (1) conservative, (2) moderate, and (3) liberal subgroups within the blocs based on ADA scores. The senators in each subgroup can be found in Appendix B.

Appendix A. Participants in voting blocks for Figures 1 and 2.

	bloc/subgroup	name	state	party
1.	12	Bible	Nevada	1
2.	12	Monroney	Oklahoma	1
3.	12	Smith	Maine	2
4.	12	Anderson	New Mexico	1
5.	12	Kerr	Oklahoma	1
6.	12	O'Mahoney	Wyoming	1
7.	12	Hayden	Arizona	1
8.	12	Chavez	New Mexico	1
9.	12	Young	North Dakota	2
10.	12	Murray	Montana	1
11.	13	Kennedy	Massachusetts	1
12.	13	Kefauver	Tennessee	3
13.	13	Church	Idaho	1
14.	13	Johnson	Texas	3
15.	13	Yarborough	Texas	3
16.	13	Green	Rhode Island	1
17.	13	Neely	West Virginia	1
18.	13	Pastore	Rhode Island	1
19.	13	Magnuson	Washington	1
20.	13	Mansfield	Montana	1
21.	13	Gore	Tennessee	3
22.	13	Jackson	Washington	1
23.	21	Goldwater	Arizona	2
24.	21	Curtis	Nebraska	2
25.	21	Mundt	South Dakota	2
26.	21	Schoeppel	Kansas	2
27.	21	Butler	Maryland	2
28.	21	Williams	Delaware	2
29.	21	Capehart	Indiana	2
30.	22	Frear	Delaware	1
31.	22	Lausche	Ohio	1
32.	22	Case	South Dakota	2
33.	22	Revercomb	West Virginia	2
34.	22	Malone	Nevada	2
35.	32	Cooper	Kentucky	2
36.	32	Wiley	Wisconsin	2
37.	32	Aiken	Vermont	2
38.	32	Thye	Minnesota	2
39.	33	Carroll	Colorado	1
40.	33	Hennings	Missouri	1

41.	33	Neuberger	Oregon	1
42.	33	Humphrey	Minnesota	1
43.	33	Douglas	Illinois	1
44.	33	Symington	Missouri	1
45.	33	Langer	North Dakota	2

46.	33	McNamara	Michigan	1
47.	33	Clark	Pennsylvania	1
48.	41	Bennett	Utah	2
49.	41	Martin	Pennsylvania	2
50.	41	Bridges	New Hampshire	2

51.	41	Flanders	Vermont	2
52.	41	Jenner	Indiana	2
53.	41	Hickenlooper	iowa	2
54.	41	Ives	New York	2
55.	41	Dworshak	Idaho	2

56.	41	Hruska	Nebraska	2
57.	41	Cotton	New Hampshire	2
58.	41	Knowland	California	2
59.	41	Allott	Colorado	2
60.	41	Bricker	Ohio	2

61.	41	Carlson	Kansas	2
62.	41	Watkins	Utah	2
63.	41	Martin	iowa	2
64.	41	Barrett	Wyoming	2
65.	42	Kuchel	California	2

66.	42	Dirksen	Illinois	2
67.	42	Payne	Maine	2
68.	42	Saltonstall	Massachusetts	2
69.	42	Purtell	Connecticut	2
70.	42	Smith	New jersey	2

71.	42	Beall	Maryland	2
72.	42	Morton	Kentucky	2
73.	42	Potter	Michigan	2
74.	42	Bush	Connecticut	2
75.	43	Case	New jersey	2

76.	43	Javits	New York	2
77.	51	Russell	Georgia	3
78.	51	McClellan	Arkansas	3
79.	52	Johnston	South Carolina	3
80.	52	Long	Louisiana	3

81.	52	Smathers	Florida	3
82.	52	Fulbright	Arkansas	3
83.	52	Stennis	Mississippi	3
84.	52	Ellender	Louisiana	3
85.	52	Ervin	North Carolina	3

86.	52	Scott	North Carolina	3
87.	52	Talmadge	Georgia	3
88.	52	Eastland	Mississippi	3
89.	53	Sparkman	Alabama	3
90.	53	Hill	Alabama	3

91.	61	Robertson	Virginia	3
92.	61	Thurmond	South Carolina	3
93.	61	Byrd	Virginia	3
94.	62	Holland	Florida	3
95.	missing	Morse	Oregon	1

Party codes: 1=Democrat, 2=Republican, 3=Southern Democrats

Appendix B. Participants in voting blocks for Figures 3 and 4.

	bloc/subgroup	name	state	party
1.	11	Hruska	Nebraska	2
2.	11	Hickenlooper	iowa	2
3.	11	Dworshak	Idaho	2
4.	11	Jenner	Indiana	2
5.	11	Allott	Colorado	2
6.	11	Flanders	Vermont	2
7.	11	Bridges	New Hampshire	2
8.	11	Knowland	California	2
9.	11	Martin	Pennsylvania	2
10.	11	Ives	New York	2
11.	11	Carlson	Kansas	2
12.	11	Cotton	New Hampshire	2
13.	11	Barrett	Wyoming	2
14.	11	Martin	iowa	2
15.	11	Bennett	Utah	2
16.	11	Bricker	Ohio	2
17.	11	Watkins	Utah	2
18.	12	Aiken	Vermont	2
19.	12	Saltonstall	Massachusetts	2
20.	12	Bush	Connecticut	2
21.	12	Morton	Kentucky	2
22.	12	Kuchel	California	2
23.	12	Beall	Maryland	2
24.	12	Potter	Michigan	2
25.	12	Thye	Minnesota	2
26.	12	Cooper	Kentucky	2
27.	12	Wiley	Wisconsin	2
28.	12	Payne	Maine	2
29.	12	Dirksen	Illinois	2
30.	12	Smith	New jersey	2
31.	12	Purtell	Connecticut	2
32.	13	Case	New jersey	2
33.	13	Carroll	Colorado	1
34.	13	McNamara	Michigan	1
35.	13	Humphrey	Minnesota	1
36.	13	Douglas	Illinois	1
37.	13	Magnuson	Washington	1
38.	13	Mansfield	Montana	1
39.	13	Neuberger	Oregon	1
40.	13	Javits	New York	2
41.	13	Symington	Missouri	1
42.	13	Clark	Pennsylvania	1

43.	13	Jackson	Washington	1
44.	13	Langer	North Dakota	2
45.	13	Church	Idaho	1

46.	13	Morse	Oregon	1
47.	13	Hennings	Missouri	1
48.	21	Schoepfel	Kansas	2
49.	21	Williams	Delaware	2
50.	21	Mundt	South Dakota	2

51.	21	Goldwater	Arizona	2
52.	21	Curtis	Nebraska	2
53.	21	Capehart	Indiana	2
54.	21	Butler	Maryland	2
55.	22	Anderson	New Mexico	1

56.	22	Frear	Delaware	1
57.	22	Young	North Dakota	2
58.	22	Lausche	Ohio	1
59.	22	O'Mahoney	Wyoming	1
60.	22	Murray	Montana	1

61.	22	Revercomb	West Virginia	2
62.	22	Hayden	Arizona	1
63.	22	Bible	Nevada	1
64.	22	Chavez	New Mexico	1
65.	22	Case	South Dakota	2

66.	22	Monroney	Oklahoma	1
67.	22	Kerr	Oklahoma	1
68.	22	Malone	Nevada	2
69.	22	Smith	Maine	2
70.	23	Green	Rhode Island	1

71.	23	Johnson	Texas	3
72.	23	Gore	Tennessee	3
73.	23	Yarborough	Texas	3
74.	23	Kefauver	Tennessee	3
75.	23	Neely	West Virginia	1

76.	23	Kennedy	Massachusetts	1
77.	23	Pastore	Rhode Island	1
78.	31	Thurmond	South Carolina	3
79.	31	McClellan	Arkansas	3
80.	31	Russell	Georgia	3

81.	31	Robertson	Virginia	3
82.	31	Byrd	Virginia	3
83.	32	Johnston	South Carolina	3
84.	32	Eastland	Mississippi	3
85.	32	Long	Louisiana	3

86.	32	Talmadge	Georgia	3
87.	32	Stennis	Mississippi	3

88.	32	Holland	Florida	3
89.	32	Scott	North Carolina	3
90.	32	Ervin	North Carolina	3

91.	32	Fulbright	Arkansas	3
92.	32	Smathers	Florida	3
93.	32	Ellender	Louisiana	3
94.	33	Sparkman	Alabama	3
95.	33	Hill	Alabama	3

Party codes: 1=Democrat, 2=Republican, 3=Southern Democrats