

Lyndon B. Johnson in the Senate

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The rollercoaster ride of Lyndon Johnson's presidency, moving from a perceived unfortunate fill-in to civil rights hero to ultimately warmonger, often overshadows his time in the Senate where his bold personality sealed his fate as one of the most remarkable statesmen in Senate history. However, even as a senator, LBJ's legacy does not escape controversy. The praise of his admirers is not sufficient to drown out the criticism of his adversaries, most prominently contemporary liberal Democratic senators who believed that Johnson's authority sterilized the Senate.<sup>1</sup> Although in retrospect it may seem reasonable to dismiss their criticism as politically motivated, historians have posited similar arguments. By doing so, they have legitimized this claim of Johnson diminishing the Senate and have spawned a contested claim beseeching historical analysis. For example, in Harvard historian Doris Kearns's psychoanalysis of Johnson's personality and its impact on the Senate, she writes, "Nevertheless, we must conclude that while Johnson's leadership- his avoidance of issues and his fear of confrontation- may have increased his power over the senate, it lessened the influence of the Senate on the country."<sup>2</sup> Although I concede that a desire to reach consensus characterized Johnson's leadership and dampened dramatic public debate, I disagree that this style "lessened the influence of the Senate on the country." Instead, his particular style of backroom dealings generated productive change, especially considering the limitations of popular opinion and a divided Democratic party during the post-war era.

Before analyzing Johnson's impact, it is prudent to contextualize the matter by describing his style in managing the Senate that provoked Kearns's critique. This technique, referred to as the "Johnson System," constituted a network of senators who regularly offered Johnson their

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<sup>1</sup> Rowland Evans and Robert Novak, *Lyndon B. Johnson: The Exercise of Power* (New York: The New American Library Inc., 1966), 141-146.

<sup>2</sup> Doris Kearns, "Lyndon Johnson's Political Personality," *Political Science Quarterly* 19 (Autumn 1976): 396.

vote and information on other senators' affairs. He earned their fealty through a system of patronage, which included granting choice committee assignments and office space, prodding along the passage of bills valued by senators' constituencies, and paying social niceties to senators' family members.<sup>3</sup>

To complement his patronage, Johnson cornered senators for one-on-one persuasive conversations and convinced his peers to assent to his demands. His persuasive strategy, nicknamed the "Johnson Treatment" as a testament to its unique forcefulness, combined the threatening presence of Johnson's immense stature with appeals to emotion, logic, or whatever was most persuasive to the individual senator.<sup>4</sup> Senator O'Brien remembers Johnson pleading with his subject and framing his argument as a personal request while simultaneously putting his arm around the targeted senator to exhaust him with physical closeness.<sup>5</sup> This strategy would later become so renown that *the New York Times* even referred to "the famous Johnson Treatment," to characterize LBJ's relations with Russia as President. The author playfully described the Treatment's charms by writing that, "They [the Russians] are being winked at, waved to, flirted with."<sup>6</sup> In the Senate, Johnson knew when an individual needed the "Treatment" through his extensive intelligence system of staff members and senators who kept him informed on how each senator planned to vote.<sup>7</sup> Ultimately, the system allowed Johnson to flush out deals in backrooms to orchestrate a bill's passage or dismissal before the bill debuted on the floor. If Johnson deemed the bill ready to leave committee, he usually passed it with

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<sup>3</sup> Evans and Novak, *Lyndon B. Johnson: The Exercise of Power*, 101-103.

<sup>4</sup> Robert Dallek, *Lyndon B. Johnson: Portrait of a President* (Oxford: Oxford University Press, 2004), 87-90.

<sup>5</sup> Lawrence O'Brien, interview by Michael Gillette, New York, February 11, 1986, transcript Interview VI, LBJ Library, Internet Copy, 2.

<sup>6</sup> Mark Frankel, "Soviet Gets the Johnson Treatment," *The New York Times*, 9 October 1966, E3.

<sup>7</sup> Robert Dallek, *Lyndon B. Johnson: Portrait of a President*, 90.

unanimous consent and minimal floor debate.<sup>8</sup> According to Kearns, this system robbed the Senate of its valuable role as, “the most important forum for the expression of opposition,” and rendered it incapable of “stimulating national debate.”<sup>9</sup> My challenge to Kearns lies not in the fact that the Johnson System reduced public debate, which I readily admit was one of its side-effects, but I plan to problematize her bold leap from diminished public debate to a lessening of the Senate’s influence on the nation. Instead, Johnson instigated productive change in the confines of his situation, which I will demonstrate through two landmark examples: the censure of McCarthy and the 1957 Voting Rights Act.<sup>10</sup>

Kearns’s criticism of the Johnson System rests on its tendency to silent debate, but the McCarthy censure demonstrates that during this period, a lack of fiery debate was constructive for the country. By 1954, Johnson was minority leader and had established his system of senatorial control, although perhaps not to the degree that his future majority leader position would allow. Johnson realized that the Senate needed to censure McCarthy, who, according to Senator Clements, Johnson perceived as a “menace” to the country.<sup>11</sup> However, Johnson also predicted that a poorly managed censure vote would become a party-line vote, wherein the Republicans rally around McCarthy and, in doing so, legitimize McCarthy’s conspiracy theories about the former President Truman. This situation would trap the country into a quagmire of polarized debates that would prevent bipartisan dealings and productive legislative processes.<sup>12</sup> Lady Bird Johnson remembered her husband’s concerned prescience about the censure in an

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<sup>8</sup> Evans and Novak, *Lyndon B. Johnson: The Exercise of Power*, 114.

<sup>9</sup> Kearns, “Lyndon Johnson’s Political Personality,” 396.

<sup>10</sup> These cases have been highlighted as two of his greatest successes by most of the secondary sources, and perhaps most emphatically by Branyan and Lee’s “Lyndon B. Johnson and the Art of the Possible.”

<sup>11</sup> Earle Clements, interview by Michael Gillette, Washington D.C., October 24, 1974, transcript Interview I, LBJ Library, Internet Copy, 7.

<sup>12</sup> Evans and Novak, *Lyndon B. Johnson: The Exercise of Power*, 81.

interview many years later. She explained that Johnson wanted a “bloodless” censure because, “...he thought we had to get rid of this man, but without making a sideshow if it.”<sup>13</sup>

To avert this potential “sideshow,” Johnson maneuvered behind closed doors to create the ideal situation for an uncontentious censure. He infused the committee for investigating McCarthy with legitimacy by picking committee members with no previous history of reproaching McCarthy. He ensured that the committee’s proceedings would be televised, predicting that a broadcasting of McCarthy’s outrageous behavior would weaken public support for McCarthy. Finally, Johnson did not publically reveal his true thoughts on McCarthy until the last moment before the vote, thus preventing the formation of a partisan divide.<sup>14</sup> An examination of congressional proceedings from December 1, 1954 reveals that when Johnson finally spoke, he feigned a lack of pre-existing formed opinions on the matter, claiming that, “At the outset of the debate it was my intention not to address the Senate on the Subject now before the Senate.” Despite his cultivated plan to induce censure, he referred to his decision to censure as “a personal decision” that he did not force on others.<sup>15</sup> Moreover, as Evans and Novak also noted in their discussion of Johnson’s speech prior to the vote, he reinforced the censure’s nonpartisan nature by framing it as a matter of McCarthy’s rude, unbecoming behavior, and not a question of party politics. All these maneuvers, instead of fueling the ideological debates that Kearns desires, cleared the way for a relatively uncontroversial censure of McCarthy.<sup>16</sup> The lesson from the McCarthy example is that the Senate under Johnson was able to influence the country precisely because he averted passionate debate that could provoke party polarization.

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<sup>13</sup> Claudia Johnson, interview by Michael Gillette, *Lady Bird Johnson: An Oral History*, (Oxford: Oxford University Press, 2010), 287.

<sup>14</sup> Evans and Novak, *Lyndon B. Johnson: The Exercise of Power*, 81-85.

<sup>15</sup> Senator Johnson, speaking on the McCarthy Censure, on December 1, 1954, 83<sup>rd</sup> Cong., 2<sup>nd</sup> Sess., *Congressional Record* 100, pt. 12: 16292-16293.

<sup>16</sup> Evans and Novak, *Lyndon B. Johnson: The Exercise of Power*, 85.

Kearns has created a logic where the side effects of behind closed-door dealings, mostly the lack of debate and support for consensus, sterilized the Senate, but the McCarthy example suggests that Johnson's backroom maneuverings were key to a successful censure of McCarthy so that the country could transcend the specter of McCarthyism and the Senate could address real legislative matters that genuinely impacted the nation.

Similar to the McCarthy case, the passage of the Voting Rights Act of 1957 demonstrates that the Johnson System's aversion to ideological debates and tendency to operate in backrooms were particularly impactful at this time in the Senate's history, especially as Southern Democrats continued to resist civil rights legislation. The Voting Rights Act originally arrived in the Senate as a comprehensive civil rights bill that Southern senators planned to kill with a prolonged filibuster.<sup>17</sup> The genuine danger of the filibuster was palpable in southern rhetoric and in fact, when the bill entered the senate, an article in the Charlotte Observer introduced the bill briefly to readers and then immediately dismissed the bill's significance due to its slim prospects for success. The article predicted, "If approved by the House, the measure was certain to provoke a Southern filibuster in the Senate, the traditional graveyard for civil rights legislation."<sup>18</sup> However, Johnson feared that a rebuff of the act would damage the Democratic party and his future political prospects.<sup>19</sup> Consequently, he hatched a plan to quickly pass the bill without a prolonged debate.

Responding to the threat of a Southern filibuster, Johnson activated his system, proposing amendments and transforming the bill from dealing with general civil rights to more specifically voting rights. His actions diluted the bill but also rendered it bearable for Southern Democrats.

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<sup>17</sup> Robert Branyan and R. Lee, "Lyndon B. Johnson and the Art of the Possible," *The Southwestern Social Science Quarterly* 45 (Winter 1964): 218-219.

<sup>18</sup> "Civil Rights Hearings Begin Today," *The Charlotte Observer*, 2 May 1957. 2.

<sup>19</sup> Robert Dallek, *Lyndon B. Johnson: Portrait of a President*, 97-98.

Employing an indirect strategy that Kearns disdains, Johnson maintained a healthy distance from these maneuvers, asking others to propose amendments as his proxy and wearing the mask of a classic Texan sympathetic to southern concerns.<sup>20</sup> By molding his image as a friend of the South, he could present himself as an understanding voice of reason, explaining that Democrats needed to support the Voting Rights Act, not for moral reasons, but to preclude an anti-civil rights stance from devastating the national party. Senator Humphrey would later describe this strategy as, “Not breaking with the South--but rather bending the southern attitude somewhat to his will staying close enough to the southern leadership so that they trusted him, and so that he could work with them.”<sup>21</sup> In short, Johnson had to eschew ideological debates that would undermine his status as a confidante of the South so that he could prod Southerners towards passing the bill.<sup>22</sup>

His careful backing of the bill is exemplified in his request for Senator Douglas to read an editorial pertaining to the Voting Right Act on the Senate floor. The editorial lambasted Southern Democrats, claiming that they were denying African Americans the right to vote and concluding that, “It is foolish for anyone who believes that these rights [voting rights] should be enforceable to send a Democrat to Congress...”<sup>23</sup> The reading of the editorial sent a pragmatic message to Johnson’s Southern Democratic peers that political survival required accepting the Voting Rights Act. In fact, Senator Douglas articulated this threat when, upon finishing his reading of the editorial, he warned that Democrats might lose esteemed committee seats in the future.<sup>24</sup> All

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<sup>20</sup> Evans and Novak, *Lyndon B. Johnson: The Exercise of Power*, 123-138.

<sup>21</sup> Hubert Humphrey, interview by Joe B. Frantz, Minneapolis, August 17, 1971, transcript Interview I, LBJ Library, Internet Copy, 4.

<sup>22</sup> To clarify, Johnson of course did not completely extinguish all floor debate, but the point is that the crux of the bill was determined by Johnson’s characteristic backroom maneuvering and not by a more transparent, open discussion.

<sup>23</sup> Senator Douglas, speaking on Civil Rights, on August 7, 1957, 85<sup>th</sup> Cong., 1<sup>st</sup> Sess., *Congressional Record* 103, pt.10, 13826.

<sup>24</sup> *Ibid.*

these indirect tactics, such as the bill's modifications and the reading of the editorial, allowed Johnson to avoid genuinely addressing the racial inequality that lay at the heart of the matter. However, an ideological debate would not have been more influential to the nation, but would have merely continued nonproductive past discussions. The country required a law, not a discussion, to protect voting rights and Johnson's backroom dealings achieved this milestone.

Moreover, allowing the Southern Democrats to rage in polemics against the bill would have severely undermined the Democratic party's unity because the Northerners could no longer tolerate their Southern peers' anti-civil rights stance.<sup>25</sup> Therefore, if Johnson had been more transparent in diluting the bill, the party could have fragmented and lost broad support. It is safe to predict that the Democrats' demise would bolster the Republicans, permitting them to do what they please with a free hand, unchecked by a robust opposition party. Perhaps Johnson stopped public debate in the Senate, but by doing so, he maintained Democratic unity and averted Republican hegemony that could silence any opposition, no matter how reasonable.

Johnson's tempering of his own party to preserve its seat at the table was not only necessary in regards to civil rights, but also applied to more general dealings with the Republicans in the post-war period. Following a similar logic as his concern for party unity, if Johnson had invited aggressive Democratic condemnation of the Republicans and Eisenhower, Democratic popularity would have flagged because the American people widely supported Eisenhower.<sup>26</sup> During the 1950s, Americans witnessed relative prosperity and accordingly, the people saw no need for legislative progressivism that invited the government into their private lives.<sup>27</sup> As a result, the Senate's influence as a platform of debate would only have contracted if

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<sup>25</sup> Robert Dallek, *Lyndon B. Johnson: Portrait of a President*, 98.

<sup>26</sup> Evans and Novak, *Lyndon B. Johnson: The Exercise of Power*, 143.

<sup>27</sup> Robert Divine, T.H. Breen, et al. *America: Past and Present* (Boston: Pearson, 2013), 697.

Johnson allowed the airing of vehement, dissident Democratic voices. The public might have dismissed the Democratic party as radical, anti-American, and dangerous to internal unity. Moreover, Johnson's feeble platform for reproaching the Republicans was clear in the polls. Eisenhower enjoyed an average approval rating of 65% for both terms, which indicates a popular mandate that Johnson would seem obstinate and undemocratic to ignore. Even more telling, President Truman left office in 1953 with an abysmally low approval rating of 36.5%.<sup>28</sup> With the Democrats operating from a disadvantaged position at the beginning of the 1950s, backroom maneuverings and bipartisan dealings with the Republicans were the only way to influence the country.

Not only was the Johnson System tailored to the political atmosphere, but also to Johnson's personality and background. Admittedly, these personal traits carry little bearing on whether the Senate as an institution was more or less influential under him, but this discussion provides essential contextualization because Johnson's character traits explain why he established his peculiar method to managing the Senate. First, Johnson excelled in one-on-one persuasion, but his public speaking, with the exception of a few notable speeches, was unimpressive and uninspiring. He recognized this failing and even asked friends to listen to his recorded practice speeches and suggest modifications. Nonetheless, Johnson's timidity in public speaking was painfully evident to the audience.<sup>29</sup> Therefore, a system of private dealings, not public ideological debates, were better suited to reinforce Johnson's power over Senate proceedings. Just as importantly, as the Senator from Texas, his constituency limited his options. Johnson aspired to become a national Democrat, representative of both North and South, but he

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<sup>28</sup> "Presidential Approval Ratings- Gallup Historical Statistics and Trends," *Gallup* (c. 2019). <https://news.gallup.com/poll/116677/presidential-approval-ratings-gallup-historical-statistics-trends.aspx> (accessed 27 March, 2019).

<sup>29</sup> Evans and Novak, *Lyndon B. Johnson: The Exercise of Power*, 67.

could not risk publicly veering too far from the Texas line on, “oil and gas, labor, and civil rights,” which was a line that often directly contradicted the Northern Democratic stance.<sup>30</sup> Constant debate on the Senate floor would have forced him to publicly choose between his position ideologically as a National Democrat and politically as a Texan senator. The Johnson System is therefore a reflection of Johnson’s precarious political situation and his personal strengths and weakness.

Any discussion of LBJ’s legacy is profoundly complicated. Even if solely focused on Johnson’s legacy as a senator, his figure is inexorably linked to the thousands of Americans who died in Vietnam. From another perspective, it is natural to feel compassion when confronted with the tragic fall from grace of a man who devoted his life to public service. As a result of this complicated legacy that encourages extreme opinions, it is prudent to be vigilante of statements that get carried away in their criticism or celebration of LBJ. Kearns’s argument that Johnson lessened the Senate’s influence on the nation embodies these exaggerated claims. Her argument is based on the faulty logic that the amount of floor debate and the Senate’s influence on the country are positively correlated, but an examination of LBJ’s major successes, most prominently the McCarthy Censure and the 1957 Voting Rights Act, prove that his behind-closed-door tactics were judicious considering public opinion and divisions within the Democratic party. If he had permitted aggressive diatribes against the Eisenhower presidency on the Senate Floor, as Kearns implies would have been more influential, then the Democrats would have lost popularity and experienced devastating internal divisions, rendering the Democrats unable to check the Republicans. Whether Johnson is ultimately a misunderstood hero or a

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<sup>30</sup> Ibid., 122, 156.

blemish on American history goes beyond the scope of this paper, but it is safe to say that he did not lessen “the influence of the Senate on the country.”

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