

CHAPTER 13

THE SENATE: “AN IDEA WHOSE TIME HAS COME”

“You really surprised me,” Clark said to Bonnie as they were having dinner that evening at the Carriage House in Georgetown. “I must have looked as if someone hit me over the head with the Capitol dome.”

“You were stunned,” Bonnie replied with a smile, unable to suppress her great amusement over the situation. “But it’s not my fault. You’re the one who wasn’t swift enough to figure out that someone who works for the Subcommittee on Constitutional Amendments is also on Senator Dirksen’s staff.”

“I never put the two together,” Clark replied, now also smiling. “You didn’t play fair. You never said you were on the Republican staff of the subcommittee. If you had, I’ll bet I would have connected you to Dirksen.”

“I wasn’t required to tell you everything about where I worked and who I was,” Bonnie replied. “We lawyers are trained to just answer the specific question and not to volunteer any additional, potentially damaging information. You asked me where I worked and I answered the question honestly. I said, ‘the Subcommittee on Constitutional Amendments,’ which was an absolutely correct answer.”

“You had a moral obligation to tell me more,” Clark argued.

“My answer will stand up in court as complete and sufficient,” Bonnie shot back.

“It was one of the worst moments of my life,” Clark said. “I can’t believe that you and your fellow Dirksen’s demons are going to have such a powerful say over the final language of the civil rights bill.”

“Clark,” Bonnie replied. “Where’s the problem? Dirksen is a Republican. Supposedly you and Senator Kuchel are also both Republicans. We’re not going to destroy your civil rights bill. And Dirksen’s demons are not

really demons. We're actually a group of very good lawyers who know how to write enforceable legislation."

"Enforceable legislation," Clark said with a questioning look on his face. "What's the Dirksen version of that?"

"Legislation that actually works when it's applied to the real world," Bonnie answered. "Democrats like to fill congressional bills with flowery phrases about lofty intentions and grandiose plans for the future. Senator Dirksen likes to take those bills and amend them so that the resulting laws will actually work in a practical way. That's what we mean by enforceable legislation."

By this time Bonnie Kanecton was totally committed to her defense of Senator Dirksen. She launched into a major dinnertime oration on the topic.

"Everett McKinley Dirksen is from Pekin, Illinois," Bonnie began. "Pekin is a small town on the Illinois River near Peoria, but don't make the mistake of thinking Dirksen is a small town kind of person. Because it is a lively river town, Pekin is a very diverse community in terms of the local economy and social life. True, Dirksen is from the Midwestern heartland of America, but he's anything but a country bumpkin."

"The country around Pekin was in Abraham Lincoln's congressional district when Lincoln served in the House of Representatives in the late 1840s," Bonnie continued. "Dirksen always reminds people he's from 'Abraham Lincoln's home district.' And Dirksen loves to quote Lincoln in his speeches. You can rely on Ev Dirksen, with his great admiration for Abraham Lincoln, to help crank out a reasonable and workable civil rights bill."

"Dirksen had already distinguished himself as an orator when he was in high school in Pekin," Bonnie rattled on. "He served as a soldier in France in World War I. After the war was over, Dirksen returned to Illinois and went right into politics. During the 1930s and 1940s, he served in the U.S. House of Representatives. Dirksen was elected to the U.S. Senate in 1950. He became Republican leader in the Senate in 1958. Technically speaking, Dirksen is the Senate minority leader, because the Republicans were in the minority in 1958, just as they are now in 1964."

Clark jumped into the conversation at this point, mainly so Bonnie could start eating her dinner, which had just been served.

"I have to give Dirksen credit," Clark said. "He's one of the most colorful characters in American politics. The seedy clothes and the rumpled hair are his political trademarks. Reporters write at length about his 'wavy pompadour' and his 'heavy lidded eyes' and his 'loose full orator's lips.' One writer described his hair as 'the kelp of the Sargasso Sea.' Another said he had 'the melancholy mien of a homeless basset hound.'" ⁹⁵

“I love to go down on the Senate floor and just sit there and listen to Dirksen debate,” Clark went on. “Everyone says he has a mellifluous voice, and he’s very persuasive in what he has to say. The newspaper reporters and Senate aides all have their favorite nicknames for him. ‘Old Silver Throat.’ ‘Old Honey Tonsils.’ ‘The Rumpled Magician of Metaphor.’ My favorite is ‘The Wizard of Ooze.’”⁹⁶

By this time, Bonnie had made a good start on her evening meal. In good lawyer style, she resumed control of the conversation.

“For almost all of Dirksen’s career in Congress,” Bonnie said, “Everett Dirksen and the Republicans have been in the minority. Dirksen quickly learned that the best way for the minority to influence legislation is through the amendment process. Dirksen specializes in drawing up Republican amendments that improve bills that are working their way through a majority Democratic Congress. Then he goes looking for Democrats, usually conservative Democrats, to support his Republican amendments.”

“As a result,” Bonnie explained, “the term ‘Dirksen amendment’ has a special meaning in the Senate. Whenever the Democrats introduce a major bill or propose a gigantic new government program, Dirksen begins by expressing his ‘grave doubts’ and ‘sincere reservations’ about the new legislation. Then Dirksen introduces carefully crafted amendments to the bill, always letting it be known he is available for ‘negotiation’ and ‘compromise.’ Then, when the Democratic leadership needs some Republican votes to pass the bill, Dirksen negotiates the final compromise and receives much of the credit for getting the bill through the Senate.”

“Truth be known,” Bonnie concluded, “Dirksen works harder than most senators at studying the details of legislation. He’s a skilled lawyer, and he takes pride in being an adept legal draftsman. He thinks of himself as a professional legislator whose full time business is writing good laws. Dirksen can be counted on to do his legislative homework. And a lot of Democratic senators, some of whom don’t want to work that hard, are pleased with and heartily approve of most of the changes that Dirksen makes to Democratic bills.”

Clark was getting worried that Bonnie Kanecton would sing the praises of her boss, Everett McKinley Dirksen, all night long. Clark was spared that fate when two people leaving the Carriage House after dinner stopped by Clark’s and Bonnie’s table for a brief chat. The two people were Carl Brimmer, one of Clark’s house mates, and Vonda Belle Carter, of Morgan State College and, more lately, the NAACP.

Carl Brimmer and Vonda Belle Carter said they had been to a late meeting that afternoon at the NAACP and decided to have dinner together. They said they had spent the dinner discussing Senator Dirksen’s recent

dramatic entry on to the civil rights bill scene. Clark quickly introduced Bonnie Kanecton to Vonda Belle Carter. Looking straight at Vonda Belle, Clark made the added comment: "Bonnie works for the Subcommittee on Constitutional Amendments. She's Senator Dirksen's patronage."

Vonda Belle reacted just the way Clark hoped she would. "Breaking bread with the enemy," Vonda Belle said with mock surprise in her voice. "Clark, I'm shocked by this treacherous act."

Vonda Belle had been diplomatic and played the situation for laughs, but Clark could not help but feel she was genuinely amazed and a little let down. Clark was having what obviously looked like a romantic dinner with one of those Dirksen's demons.

The two couples exchanged further pleasantries. Then Carl and Vonda Belle went on their way out the restaurant door.

The table where Clark and Bonnie were sitting was by a front window at the Carriage House. Clark could look out and see people walking past on the sidewalk on Wisconsin Avenue. As he and Bonnie were ordering dessert, Clark happen to glance out the window and see Carl Brimmer and Vonda Belle Carter walking away from the restaurant. Carl's white-skinned hand was tightly gripping Vonda Belle's dark-skinned hand. They were walking shoulder to shoulder and talking very excitedly with each other.

Every one of Carl's and Vonda Belle's body movements and facial expressions suggested to Clark that the two persons were deeply involved with each other.

During the month of May of 1964, all the action on the civil rights bill took place in Senator Dirksen's office. The negotiations went on long enough that the process became somewhat ritualized. In the afternoon, Dirksen's demons would negotiate with members of Humphrey's staff and civil rights lawyers from the Justice Department. The following morning, senators Dirksen, Humphrey, and Kuchel would meet and approve the language adopted the previous day by the staff. Deputy Attorney General Nicholas Katzenbach would sit in on behalf of the Justice Department. The senators and Nick Katzenbach would work to resolve the few thorny issues on which the staff members could not get together and find common ground.

Clark Schooler was somewhat jealous of Bonnie Kanecton, who got to sit in on many of the morning staff meetings as a member of Senator Dirksen's legal staff. But Bonnie was careful to reassure Clark that no great damage was being done to the civil rights bill.

"Every staff member in the room has been given the go-ahead by his or her boss to produce a good civil rights bill," Bonnie explained to Clark soothingly. "There's no sense that the Humphrey people are for the bill and the Dirksen people are against it. Everyone is determined to write a good,

strong bill. And there’s equal determination to work out our differences amicably so that the entire nation, the United States of America, ends up with a workable civil rights program.”

But there were occasional fireworks when senators Humphrey and Dirksen were negotiating directly. On one occasion, Senator Humphrey asked a strong civil rights supporter, Senator Joseph Clark of Pennsylvania, to attend one of the negotiating sessions in Dirksen’s office. Humphrey secretly arranged for Senator Clark to throw a political tantrum. Just at the moment when Senator Dirksen was being particularly demanding on a crucial part of the bill, Senator Clark jumped to his feet, pointed an accusing finger at Humphrey, and yelled: “This is a wholesale sellout.” Senator Clark then stalked angrily out of the meeting.

Senator Humphrey then turned to Senator Dirksen with a somewhat helpless look on his face. “See what pressures I’m up against, Ev. I just can’t concede any more on this particular point.”⁹⁷

Senator Clark’s little ruse worked perfectly. The mood of the meeting improved markedly. Senator Dirksen conceded a point here and there. Amicable agreement was soon reached on that particular part of the civil rights bill.

As negotiations moved slowly but steadily forward in Senator Dirksen’s office, the filibuster continued to drag along on the Senate floor. The Southerners were becoming fearful that Senator Dirksen really was going to support cloture and enable the Senate to produce a strong civil rights bill. As a result, the Southern senators began filibustering late into the evening. The senators from Dixie also became more vehement in their condemnation of the civil rights movement in general and the civil rights bill in particular.

Early one evening in late spring, Clark Schooler was observing the action on the Senate floor. He decided to take a short break from the endless Southern speech making and stepped out on the front portico of the Senate wing of the Capitol to get some fresh air.

The weather was warm. It was quite pleasant to be outdoors. Standing amidst the marble pillars, Clark suddenly heard music playing. He glanced over at the center section of the Capitol building.

There, on the front steps of the Capitol, with the Capitol dome rising above and behind them, sat a crowd of people listening to an outdoor band concert. The band was playing on the sidewalk just below the marble steps on which the people were seated. At the moment Clark gazed upon this somewhat idyllic scene, it was the “sing along” portion of the program. The audience, which was almost exactly half-white and half-black, was lustily singing “America The Beautiful.”

Clark was almost overwhelmed by the contrast between the two differ-

ent worlds he was observing that evening. Inside the Capitol building, on the floor of the U.S. Senate, the Southerners were fighting fiercely to preserve legal racial segregation in the United States. But no more than 100 yards from these Southern senators, on the Capitol steps, a racially integrated audience was enthusiastically singing about “brotherhood from sea to shining sea.”

The two different groups were completely unaware of each other. Clark listened to the singing for awhile, became somewhat inspired by it, and then returned to his primary responsibility of witnessing the action on the Senate floor.

In early June of 1964, word began to spread through the Senate, and the nation, that senators Humphrey and Dirksen had reached agreement on a compromise version of the civil rights bill. Apparently there was a critical breakthrough when a top aide to Senator Dirksen proposed that the bill only be enforced where there was a “pattern or practice” of racial discrimination. Senator Dirksen had been fearful that single individuals, or small individual business companies, would be punished under the law for very slight, almost unprovable acts of racial discrimination. The new compromise provided for U.S. Government action only where a distinct pattern or practice of discrimination could be readily documented.

As senators Humphrey and Dirksen walked out of their final meeting together, they were suddenly surrounded by a group of newspaper reporters assigned to cover Capitol Hill. The members of the press had camped out at the meeting room door in hopes of being the first to learn if the deal had actually gone through.

Clark Schooler had camped out with the reporters. He thus was able to observe the impromptu press conference held in the hallway by Humphrey and Dirksen. Standing arm in arm and waving the text of their agreed-upon amendments, the two senators announced their joint support for this new version of the civil rights bill.

Several of the reporters asked to see the text of what would soon be known as the Humphrey-Dirksen amendments. As Senator Dirksen passed his copy to the reporters for them to share, Dirksen quietly intoned: “The lid is on, gang!” That was Dirksen’s way of telling the reporters that, until the text was officially announced and published, the exact wording of the amendments was off the record.⁹⁸

It was interesting to Clark Schooler that a group of aggressive newspaper reporters were the first Americans to see the actual text of the Humphrey-Dirksen agreements. The national news hounds got to see the detailed text even before most of the United States senators who would have to vote on those agreements.

Also present at this impromptu press conference was Ralph Shepard, Senator Humphrey’s special assistant for civil rights. When the press conference broke up, Ralph Shepard stopped to chat for awhile with Clark Schooler.

“These really have been amazing events,” Ralph ruminated to Clark. “When else has major legislation of national importance been written in the back office of the Senate minority leader? Dirksen is a Republican, and the Democrats are in the majority in this Senate. It’s incredible that could have happened.”⁹⁹

“The Southerners brought it on themselves,” Clark replied. “Senator Eastland of Mississippi refused to hold hearings on the bill before the Senate Judiciary Committee. Senator Eastland thus failed to have a Senate standing committee review the bill and mark up the final form of the legislation. In essence, the negotiations between Dirksen and Humphrey took the place of committee consideration and mark-up of the bill. Senators Humphrey, Dirksen, and Kuchel became a three person ad hoc committee that wrote the detailed language of the final version of the bill before it went to the Senate floor.”

“I hate to admit this to a Republican,” Ralph Shepard said to Clark, slowly shaking his head, “but the Democratic leadership in the Senate was delighted to negotiate with Dirksen and give him a major role in writing the bill. The other option would have been to consider Dirksen’s amendments when he introduced them for a formal vote in the Senate. The arguing would have taken place in public on the Senate floor. There would have been much less opportunity for quiet negotiation and compromise.”¹⁰⁰

“In other words,” Clark replied, “it wasn’t just Senator Dirksen who benefitted from the private negotiations in his office. The Democratic leadership benefitted greatly as well.”

With the Humphrey-Dirksen negotiations successfully completed, a date could be set for a cloture vote on the civil rights bill. The date chosen was June 10, 1964. To many people, that day was just another early summer day in the nation’s capital. Similar to so many summer days in Washington, D.C., it was sunny and warm and humid with a light and cool breeze blowing. It was a super pleasant day on which to be outdoors.

But to those following the fate of the civil rights bill, June 10, 1964, was anything but an ordinary day. The public galleries of the Senate chamber had been packed tight with important people since early morning. Senatorial aides, such as Clark Schooler and Ralph Shepard, were banned from the Senate floor to lessen the noise and confusion. Ironically, young men and women staff members, who ordinarily could go on the Senate floor to work with their senators, had to find a way to learn about the progress of

the cloture vote from the news media.

Thus it was that Clark Schooler and Bonnie Kanecton found themselves walking across the east lawn in front of the Capitol on cloture day. They were headed for an outdoor television location that had been set up by CBS News. Standing on the lawn, with the white marble Capitol dome for a backdrop, was CBS news reporter Roger Mudd. Beside him was a large scoreboard with the names of all 100 senators and a place to mark their votes for or against cloture.

Senate rules at that time forbade live television coverage of debates and roll call votes on the Senate floor. CBS was going to make do by having a reporter in the press gallery in constant telephone contact with Roger Mudd. As each vote was cast on the motion to cloture the civil rights bill, Roger Mudd would make the appropriate mark on his scoreboard. With one television camera trained on Roger Mudd, and a second camera focusing on the scoreboard, CBS flashed each senator's vote to the American people.

With Clark and Bonnie that morning were Carl Brimmer and Vonda Belle Carter. "Yes," Carl Brimmer had previously told Clark, "I cannot hide it any longer. Vonda Belle and I are a twosome, an item, going steady, making time, going out, dating, sparking it up . . ."

"That's enough," Clark had interrupted Carl. "All I did was ask why you and Vonda Belle were holding hands so tightly when you walked away from the Carriage House in Georgetown. You don't have to give me every possible synonym for what the two of you are up to."

The four young people were able to get a good spot from which to stand and watch Roger Mudd report the cloture vote as it happened. Clark said to the other three: "Can you believe this? When else has a record vote in the U.S. Senate been reported live, vote by vote, on national television? We're probably witnessing one of the great moments in the history of the American news media, and a great moment in the history of Congress."

As Clark, Bonnie, Carl, and Vonda Belle waited expectantly on the Capitol lawn, various senators were delivering their final speeches on the civil rights bill prior to the cloture vote. The situation was ready made for flowery speech making and calls to serve historical necessity. In other words, the situation was ready made for a senator with the speaking abilities of Everett McKinley Dirksen of Illinois.

"I shall quote the great writer Victor Hugo," Dirksen said, standing in his customary spot in the well of the Senate. "Hugo wrote, 'Stronger than all the armies is an idea whose time has come.'"

"The time has come for civil rights in America," Dirksen expounded. "The time has come for equality of opportunity. It must come in government, in education, in employment. This moment will not be stayed or

denied. It is here.”

“On the civil rights issue,” Dirksen intoned, “we must rise with the occasion. The issue is essentially moral in character. It must be resolved. It will not go away.”

“I appeal to all senators,” Dirksen concluded, raising his arms in a gesture of openness to new ideas and necessities. “Let us not be found wanting. Let us give whatever it takes in the way of moral and spiritual substance to face up to the civil rights issue. Let us vote for cloture.”¹⁰¹

Precisely at 11:10 A.M., the sound of bells and buzzers echoed throughout the Senate side of the Capitol. The senators were being summoned to one of the most important Senate votes in American History.

Senator Hubert H. Humphrey, the Democratic whip in the Senate, sat at his desk in the front row on the Democratic side of the aisle. Ironically, seated right next to him, was Senator Harry Byrd of Virginia, one of the most committed of the filibustering Southern Democrats. Just a few seats behind them, at a desk on the aisle, perched Richard Russell of Georgia, the Southern leader. Russell was arched forward over his desk, his hand cupped to his ear, straining to hear every vote as the roll call got underway.

In the first desk in the first row on the Republican side of the aisle sat Senator Everett Dirksen of Illinois. He was being hailed as the man of the hour. He was praised as the legislative wizard who found both the formula and the votes to make a successful cloture vote possible. Next to Dirksen was Senator Thomas H. Kuchel, the Republican whip in the Senate.

A pall of total silence, a rare event in the Senate, was interrupted only by the mechanical sounding voice of the clerk calling the roll. The clerk droned through the list of senators in alphabetical order. Each of the Senate leaders had a tally sheet on his desk on which to record the vote of each senator. Humphrey, Dirksen, and Kuchel were checking to see that, vote by vote, every senator who had pledged to vote for cloture was delivering. Richard Russell, on the other hand, was hoping for enough surprise switches and jumping ship for the cloture vote to fail.

As would be expected for such a crucial vote, all 100 senators were on the Senate floor. A big moment came when the clerk spoke the name “Dirksen.” An instantly recognizable voice, as mellifluous as ever, said “Aye.”

When the clerk called “Humphrey,” the response was somewhat weary but tinged with an aura of success. “Aye,” said Hubert Humphrey, sounding as if he had waited throughout his entire political career to cast this one vote.

And when the clerk intoned “Russell,” the Southern leader virtually bellowed a sharp and defiant “No.”¹⁰²

Out on the Capitol lawn, there were feelings of tension but a growing

sense of success. Clark, Bonnie, Carl, and Vonda Belle cheered when a Democratic fence sitter, Howard Cannon of Nevada, cast his vote for cloture. There was more good news when J. Howard Edmondson of Oklahoma, another Democratic holdout, voted to end debate.

“I’ll bet Lyndon Johnson did some of his classic arm-twisting on senators Cannon and Edmondson to get their votes,” Carl Brimmer said. “And we all know that no one can do arm-twisting like our president.”

Cloture seemed definitely assured when Bourke Hickenlooper of Iowa, a wavering Republican, stayed loyal to Senator Dirksen and voted for cloture.

And, near the end of the roll call, there was icing on the cloture cake when Ralph Yarborough of Texas, another Democratic undecided, voted to end the filibuster.

Suddenly the roll call vote was over. The results were announced. The final count was 71 yeas and 29 nays. The civil rights bill had been successfully clotured with four more votes than the 67 required by Senate rules.

At that moment, Clark Schooler later realized, simultaneous celebrations took place all over Capitol Hill and throughout the nation. The pro-civil rights senators milled about the Senate floor, loudly congratulating each other. The small crowd on the Capitol lawn watching Roger Mudd on CBS TV, which included Clark and his three friends, clapped and cheered loudly. These expressions of joy were picked up by Roger Mudd’s microphone and broadcast across the country as enthusiastic background noise.

But also, Clark knew, in homes, and offices, and schools, and factories, and colleges, and even while driving along listening to their car radios, civil rights supporters throughout the United States were experiencing and expressing both joy and relief.

It was June 10, 1964. It was Wednesday. It also was the 75th day of Senate debate on the House-passed civil rights bill. It was the day on which, for the first time in American history, the United States Senate invoked cloture on a civil rights bill.

Subsequent events took place like clockwork. The cloture vote had assured that certain things would happen, and happen they did.

Senate Rules provided that, following a cloture vote, each senator had one more hour of time to debate. Some of the more avowedly segregationist Southerners, such as Senator Sam Ervin of North Carolina and Senator Strom Thurmond of South Carolina, used their full hour of time to further excoriate the bill. But the clock ticked away each senator’s last 60 minutes of speaking time with a grim, inevitable certainty.

Finally, when every Southern senator who wanted to do so had used up an hour of time, a final vote was held on the civil rights bill. It passed the

Senate by a vote of 73 to 27. But now, because it was not a cloture vote, only a simple majority was required. The civil rights forces had more than 20 votes to spare.

Having successfully passed the Senate, the bill immediately returned to the House of Representatives. Clark Schooler quickly reminded himself that, to avoid going to conference committee, the Senate version of the civil rights bill would have to be re-adopted by the House without amendment. If the bill were sent to a conference, the conference report would have been subject to a second filibuster when it came back to the Senate for final passage.

But Clark knew that Nicholas Katzenbach, the deputy attorney general for civil rights, had been a regular attender of the Humphrey-Dirksen negotiations on the Senate version of the civil rights bill. Nick Katzenbach had made it a point to keep the House leadership, both Democratic and Republican, fully informed on the changes that Humphrey and Dirksen were making to the bill. Katzenbach stayed particularly in touch with Representative William McCulloch of Ohio, the foremost Republican authority in the House on civil rights matters.

“In essence,” Clark liked to say to anyone who would listen to him, “the conversations between Katzenbach and McCulloch were an ad hoc House-Senate conference committee on the civil rights bill. Whenever Humphrey and Dirksen started to do something that McCulloch and the House Republicans did not approve, Katzenbach would carry the word back to the Humphrey-Dirksen negotiations. Appropriate changes would be made in the Senate version of the bill.”

“When else,” Clark would exclaim with an extra dose of theatrics, “have just two men, Katzenbach and McCulloch, wielded so much power? Those two guys were the House-Senate conference committee for one of the most important bills in congressional history. And they conducted their ad hoc conference committee while the bill was being filibustered in the Senate.”¹⁰³

The House of Representatives wasted no time in bringing the Senate-amended civil rights bill to a final vote. The night before, Clark Schooler and Carl Brimmer and Greg Netherton were enjoying their customary late dinner at Mike Palm’s Restaurant on Capitol Hill. Greg Netherton livened the meal up by announcing that, as of the next day, he would be joining Clark and Carl in supporting the civil rights bill. Greg Netherton explained:

“My boss, Representative Charles L. Weltner of Atlanta, Georgia, is thinking of voting for the Senate version of the civil rights bill,” Greg said. “Weltner voted against the original House bill. But he believes the bill really was improved and made considerably less coercive on the South by the

changes implemented by Senator Dirksen.”

Carl Brimmer had a ready reply to this shocking announcement. “Weltner also has noticed,” Carl said sarcastically, “that about 1/3 of his House district in Atlanta now is black. He can make a real play for those black voters by supporting the final version of the bill.”

“The growing black vote in Atlanta is a factor in this decision,” Greg replied. “But it’s not the only factor. Weltner thinks it’s morally right to support civil rights. And he believes the South must discard its old segregationist social structure if it’s going to modernize and expand its economy.”

“It will really raise some news media eyebrows if he does it,” Clark Schooler said. “Most of the Southern Democrats in the House have been as defiant as the Southern senators in the face of the civil rights bill.”

Just as Greg Netherton had speculated, Representative Charles Weltner told the House of Representatives the next day that he was voting for the Senate-passed version of the civil rights bill. Weltner was famous for often referring in his speeches to the song “Dixieland,” the anthem of the Confederate states during the Civil War. Weltner noted that the last line of the song was: “Look away. Look away. Look away. Dixieland.”

Then Weltner would add: “But we in Dixieland cannot ‘look away’ forever. We cannot ‘look away’ from the reality of the civil rights demonstrations. We cannot ‘look away’ from the continuing pleas of the South’s black population for equal rights.”¹⁰⁴

Just prior to the House vote on the Senate amendments to the civil rights bill, Representative Weltner said with great emotion: “Change, swift and certain, is upon the South. I will add my voice to those Southerners who seek reasoned and conciliatory adjustment to this new reality. I would urge my fellow Southerners to leave the past behind and move on to the task of building a new South. We must not remain forever bound to another lost cause.”¹⁰⁵

Unamended in any way, the Senate version of the civil rights bill passed the U.S. House of Representatives by a vote of 289 to 126. President Kennedy’s and President Johnson’s civil rights bill was now an Act of Congress. The signature of President Lyndon Baines Johnson would make it a United States law.

President Johnson wasted not one second of time. Within hours of House passage of the final version of the bill, the president held one of the most elaborate bill signing ceremonies in the nation’s history. Under ordinary conditions, the president signs bills in the Oval Office with only a few of the bill’s congressional supporters looking on. Lyndon Johnson moved the ceremony to the East Room of the White House, a large and ornate reception hall that could accommodate more than 100 observers.

The president invited almost every notable person who had been associated with the passage of the bill. Heading the guest list were the key leaders of the civil rights movement, in particular the Reverend Martin Luther King, Jr. Also on hand were several Cabinet members, including Attorney General Robert Kennedy. Important foreign ambassadors were present, particularly those from African nations. And the party leaders from the House and the Senate were placed right next to the president. Prominent among them was Everett McKinley Dirksen, Republican from Illinois.

Clark Schooler and his two house mates watched the signing ceremony, live on national network television, in the living room of their home on Sixth Street South East on Capitol Hill. It felt good to Clark that, at this final moment, he and Carl Brimmer and Greg Netherton were united in support of the final version of the civil rights bill. Clark also was delighted to see his boss, Senator Kuchel, very much part and parcel of all the signing ceremony hoopla.

President Lyndon Baines Johnson signed the civil rights bill at 6:45 P.M., Eastern Daylight Time, on July 2, 1964. The bill was now the Civil Rights Act of 1964. It was also the law of the land.

The president, who had given so many speeches and talks urging that the bill be passed, shared his final thoughts on the bill with the people of the United States.

“Years ago I realized a sad truth,” Lyndon Johnson said. “To the extent that black people were imprisoned by racial segregation, so was I. On this day, July 2, 1964, I have signed a bill that brings to us the positive side of that same truth. To the extent that American blacks are now really free, so am I. And so is our nation.”¹⁰⁶

In The Interim

The most immediate effect of the Civil Rights Act of 1964 was to almost instantly end legal racial segregation in the United States of America. Virtually overnight, African-Americans were granted access to restaurants, snack bars, swimming pools, ice skating rinks, hotels, motels, and other places of public accommodation engaged in interstate commerce.

The Civil Rights Act of 1964 also established the “cut-off” of U.S. Government funds as an effective way to get state governments to undertake specific actions mandated by Congress. Thus every state lowered automobile speed limits during the energy crisis of the mid-1970s rather than risk the cut-off of U.S. Government highway funds.

A variety of laws have been passed subsequent to 1964 that expanded protection from discrimination to other groups in addition to racial, reli-

gious, and ethnic minorities. For example, in 1967 Congress banned discrimination against workers or job applicants on the basis of age.

In 1972 Congress outlawed discrimination against women in educational programs receiving U.S. Government aid. One effect of this law was a major effort on the part of colleges and universities to bring women's sports programs up to the same level of activity and financing as men's programs.

And in 1973, and again in 1991, Congress passed laws requiring that handicapped and disabled persons be treated equally in the work place and be granted handicapped access to all public facilities and places of public accommodation.

Perhaps the greatest impact of the Civil Rights Act of 1964 was on employment opportunity. Because women were included in the equal employment sections of the new law, women as well as racial minorities began getting better jobs and being promoted more rapidly. The United States work force, previously dominated by white males, came to include substantially increased numbers of women and minority workers. Gains were particularly noticeable at professional and executive levels.

95. Neil MacNeil, *Dirksen: Portrait of a Public Man* (New York, NY: World Publishing Company, 1970), pp. 128, 6.
96. Annette Culler Penney, *Dirksen: The Golden Voice of the Senate* (Washington, DC: Acropolis Books, 1968), pp. 62-69.
97. Winthrop Griffith, *Humphrey: A Candid Biography* (New York, NY: William Morrow, 1965), pp. 281-282. Also see John G. Stewart, "Thoughts on the Civil Rights Bill," in Robert D. Loevy, ed., *The Civil Rights Act of 1964: The Passage of the Law That Ended Racial Segregation* (Albany, NY: State University of New York Press, 1997), pp. 119-120. Also see John G. Stewart, "The Civil Rights Act of 1964: Tactics I," in Robert D. Loevy, ed., *The Civil Rights Act of 1964: The Passage of the Law That Ended Racial Segregation* (Albany, NY: State University of New York Press, 1997), pp. 258-259.
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