From Corporate Boardrooms to the High Court: Barry Goldwater and the Arizona Republican Party in Postwar Politics

Historical assessments of modern conservatism are misshapen. Recent work has, for the most part, focused largely on the racial and cultural politics of the 1960s and 1970s to explain this dramatic political shift. Frustrated homeowners, militant housewives, dogmatic Birchers, racist blue-collar workers, evangelical Christians, abortion opponents, and other crusaders in the dramatic culture wars populate these narratives. The American South also casts an, arguably, overly-long shadow over the field. Scholars, for example, have delved into the apparent “southernization” of American politics, the infamous Southern strategy, the inflammatory politics of school and neighborhood desegregation, the trajectory of state Democratic parties, and the apparent need for Southern politicians on Democratic presidential tickets.¹

There is (and has been) far less attention to the power and place of business-minded conservatives and Western Republicans within the conservative movement. Yet, the scant work done has shown, decisively, that both warrant more inquiry. Kim Phillips-Fein and Mark Tushnet, for example, have demonstrated that the modern Right has been the most successful in unraveling the essence of New Deal liberalism: a powerful, interventionist federal state that polices and regulates industry, empowers the citizenry, through the trade union movement, to help direct economic development, and redistributes wealth through an expansive social safety net. Indeed, the business Right’s success is clear by the very absence of mainstream questioning of or scholarly inquiry into a hyper-capitalism built on deregulation, privatization, low taxation, and union insecurity.²

Some of the most famous spokesmen for this particular entrepreneurial gospel were Western Republicans, the “cowboy conservatives.” Still, relatively little attention has been paid to the constant presence of a Sunbelt-Westerners on the GOP’s slates. Although only two, Barry Goldwater and John McCain, called Phoenix home, scholars have often invoked both Goldwater and Ronald Reagan as paragons of this anti-liberal economic doctrine. These two figures were not outliers but representatives of a broad movement coming out of Chambers of Commerce, city governments, and state legislatures throughout the Southwest. In this proto-Sunbelt, there was a genuine boom economy sustained by a commitment to unorganized labor, deregulation of business, low income taxes, and laissez-faire attitudes towards income inequality. The basis for this Sunbelt hyper-capitalism was two-fold: boosters wanted industrial development but also had a fundamental distrust, if not open hostility, to liberal economic orthodoxy. These businessmen found common cause with CEOs eager to move out of the Steelbelt and coastal California that liberal politicians, voters, and unionists had refashioned in the 1930s and 1940s.3

Booster-politicians endeavored to refashion their locales in both the South and Southwest but the Phoenix Chamber men were perhaps the most successful. In the South, urban businessmen and professionals had far less control over state politics, which frustrated and slowed their

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efforts to remake Southern politics. Their Southwestern counterparts enjoyed earlier victories both politically and economically. During the 1940s and 1950s, there was a revolution in municipal governance throughout the region. Anglo businessmen pushed for new charters that marginalized the Anglo and non-Anglo working-class electorate, rolled back zoning restrictions, shifted the tax burden from business and individual homeowners, and gave themselves the political power to deliver whatever else industrial recruitment scouts demanded. By the mid-1950s, this general zeitgeist became known as an area’s business climate, which encompassed land giveaways and tax breaks but was built, fundamentally, on the political power and will to place business first. Though boosters throughout the South and Southwest endeavored to transform their entrepreneurial environs, Phoenix Chamber men were among the most successful. They attracted over 700 manufacturing outfits in the postwar period. Phoenix quickly grew into a center of high-tech manufacturing, finance, and population.4

The Phoenix Chamber of Commerce and the Arizona Republican Party were deeply entwined with both this local, state, and regional industrialization initiative and the broader transformation of the American political landscape. In the early 1930s, both the state GOP and the Phoenix Chamber were small and ineffective. But a new generation of boosters set out to refashion both. From the start, their vision of a bright, industrial future and a decidedly anti-liberal Republican Party were interconnected. Moreover, these Chamber men looked beyond their immediate surroundings and sought to fundamentally alter the broader political economy. And, they

were, in fact, successful. Chamber men and Phoenix Republicans made their way into leading business associations, forged important alliances with other conservative businessmen with a broader agenda, and found places for themselves and each other in the national government. Indeed, as Senators and Supreme Court justices, these Phoenicians did, perhaps, the most to roll-back the liberal regulatory state and provide the broad conservative movement with its most tangible, long-term victories.

**A NEW PHOENIX CHAMBER AND ARIZONA GOP**

The transformation of Arizona politics, the state GOP, and the Phoenix Chamber of Commerce was rooted in the New Deal. Phoenix’s emergence as a metropolis might well have followed New Deal prescriptions for growth and development. In an attempt to transform the South and West into centers of industry, which unchained both from dependence on tumultuous commodities markets, New Dealers laid the foundation for Phoenix and the rest of the proto-Sunbelt to grow along a labor-liberal pathway. Massive infrastructure spending, huge agricultural subsidies, and the state-sponsored protection and encouragement of unionism made Arizona a solidly Democratic state in the 1930s and 1940s. A vigorous organizing effort also transformed the Arizona trade union movement, which had tremendous success in organizing both the private and public sector.⁵

By the early 1930s interest in diversifying the area’s economy was widespread among Phoenicians. Many sought to end the city’s dependence on the agricultural and mining sectors of the economy and also to open the door to a set of unionized, high-wage jobs not only in factories

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and mines but also in the high-profile service sector, namely the city’s hotels, bars, and clubs but also in the municipal government. The presence of a powerful organized working class made possible the attempt to democratize municipal governance, exemplified by efforts to abandon the town’s Progressive-Era, “good-government” charter. On the horizon was also an amelioration of the racism that kept the town divided between the wealthy Anglo population north of the railroad tracks and those of African, Mexican, Asian, and Native descent living on Phoenix’s south side.  

This genuinely New Deal for Phoenix and Arizona generated an intense, aggressive reaction from urban businessmen and professionals. These mostly Anglo men did not eschew industrialization or more moderate fiscal reform per se but did reject the more radical elements of the liberal experiments. For the town’s young retailers, lawyers, newspaper owners, and bankers, the collapse of the agricultural and mining economies was devastating. Yet, union empowerment, regulation, taxation, and a general expansion of the federal government seemed equally alarming. One of the most outspoken critics was young retailer Barry Goldwater. His dramatic exploration of the Grand Canyon, the screenings across Arizona of the subsequent film, and his family’s department store, Goldwater’s, made him a household name across the state. His notoriety also gave him a pulpit in the Phoenix Gazette, one of the town’s dailies. One of his editorials, “A Fireside Chat with Mr. Roosevelt,” was a powerful statement of a worldview openly hostile to all New Deal policies, initiatives, and programs. “I would like to know,” Goldwater demanded, “just where you are leading us. Are you going further into the morass that you have led us into or are you going to go back to the good old American way of doing things where business is

trusted, where labor earns more, where we take care of our unemployed, and where a man is elected to public office because he is a good man for the job and not because he commands your good will and a few dollars of the taxpayers’ money?" “Your plans,” the Phoenician declared, “called for economy in government and a reduction in taxes.” “In five years my taxes have increased over 250 per cent and I fear greatly that ‘I ain’t seen nothin’ yet’,” he exclaimed. Goldwater accused the president of “jump[ing] down the throats of everyone in business.” And now, he claimed, the American businessman “distrusts you and fears your every utterance.” The worst move, from Goldwater’s standpoint, was “turn[ing] over to the racketeering practices of ill-organized unions the future of the working man. Witness the chaos they are creating in the eastern cities. Witness the men thrown out of work, the riots, the bloodshed, and the ill feeling between labor and capitol and then decide for yourself if that plan worked.”

This portrait of the New Deal as dangerous earned Goldwater acclaim and helped unite Valley business owners also weary of New Deal policies. George W. Mickle of the Phoenix Title and Trust Company, whose facilities housed the city Chamber of Commerce, wrote to Goldwater personally to commend him for taking a stand in the pages of the Phoenix Gazette. Phoenix lender George O. Ford praised the merchant’s writing as “logical, fearless, and as far as it goes, truthful.” “Compared with the average citizen, as your writing shows, you are a goliath,” Ford gushed, “and I say to you openly and fearlessly and would publish it now if possible, I hold the masses in contempt and their leaders and masters.” Goldwater’s outspokenness even earned him attention outside of Arizona. For example, Henry A. Morgan of the Pacific Branch of the Springfield Fire and Marine Insurance Company wrote to Goldwater thanking him for taking a stand.

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7 Shermer, “Creating the Sunbelt,” Chapter 3; Barry M. Goldwater, “A Fireside Chat with Mr. Roosevelt,” June 23, 1938, no page number on clipping, frame 94, *ibid*. 
“If business men[sic], over the United States would follow your example and publish articles of the kind,” Morgan theorized, “it would in my opinion have a very beneficial effect.”

Yet, these businessmen found themselves frustrated with both liberals and their fellow businessmen, who seemed uninterested in politics or industry. In one of his earliest editorials, “Scaredee-Cat (1939),” the merchant lashed out at businessmen for not challenging the “minority groups who are causing the tax increases” and “wagging their tongues where they will do the most good: in political offices.” His disgust for the “American businessman,” “the biggest man in this country…afraid of his own shadow,” was palpable. “He is the man who condemns, and sometimes justly so,” the Phoenician charged, “the politician over his luncheon tables and his desks and in his other very private conversations, but never in the open where his thoughts and arguments would do some good toward correcting the evils to which he refers in private.” Yet, his remonstrations were not just directed at national CEOs who worked with the New Dealers in Washington. Goldwater and other young boosters were also frustrated with the Old Guard who controlled the Chamber of Commerce. For example, in 1946, Goldwater chastised the Chamber openly for failing to fully engage with the business of running Phoenix. “Everything which has been done to advance the city commercially both from a standpoint of bringing in new business and in improving existing business has been done by an energetic Chamber of Commerce and you are to be complimented,” he declared in 1946. Yet, the their work was not enough because “Phoenix has retrogressed morally and I might say spiritually. This is a community in which vice is rampant, in which squalor exists where there was formerly beauty, and there is very evidently more interest in the almighty dollar than the almighty man.” The Chamber of Commerce, he be-

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lieved, had to intervene because “I feel that every unit of organized business in this country should do all it can to maintain and strengthen our system of free enterprise.” He was confident, “We can become a model for the rest of the country,” but only if the Phoenix business community would “take a firm stand against evils which threaten our communities.”

Goldwater’s indictment came at the height of his contemporaries’ efforts to substantively refashion the Phoenix Chamber. Local Phoenix merchants founded the organization, which at one point during the 1910s was called the Phoenix Board of Trade, in the territorial days when it was primarily preoccupied with promoting agriculture. According to the original by-laws, members deemed themselves interested in “all matters regarding the welfare of the city of Phoenix and the county of Maricopa.” Early activities, for example, included petitioning the federal government for water storage facilities to improve the Valley’s agriculture. Chamber members also kept tabs on the Valley’s agricultural, mineral, and manufacturing output in order to distribute this information in its promotional literature. The Chamber remained small throughout the interwar period. In 1925, twenty-one men sat on its Board of Directors. There were just four committees, which were concerned with traffic, agriculture, membership, and information. Members formed a fifth in 1926 to oversee the “Valley Beautiful Movement,” which pledged to make Phoenix “the city of trees” and “Do Away With the Desert.”

Such a limited scope was an affront to the ambitious plans that Goldwater and the other young retailers, newspapermen, and bankers had for Phoenix. They prioritized broadening Phoe-

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10 Board of Directors, Minutes of Meeting, July 16, 1948, pp. 1-3, bound volume labeled “1948-1949,” Board of Directors Records; Barry M. Goldwater to Mr. Norman Hull and Board of Directors [of the Phoenix Chamber of Commerce], December 26, 1946, 1-2, folder 1, box 4, series 4, S.S.G I, SG II, William Saufley Collection (Arizona Historical Foundation, Tempe) [Note: Since my initial research trip, the archivists have taken a part much of this collection and put it other collections, including the Goldwater papers and the Shadegg collection].

nix’s economic base away from agriculture, mining, and cattle both to separate their businesses from these fickle commodity economies but also because they held a desire to build and live in a modern dynamic metropolis. Indeed, by the end of the 1930s, they commissioned, published, and distributed a 300-page study and plan for Phoenix’s economic development that prioritized water, power, and manufacturing. Water resources and projects would no longer just service the surrounding agricultural fields but also generate jobs for 200,000 people and thereby stimulate growth for all sectors of the economy. Water also delivered electric power to help individual households but also attract wholesale, distribution, and manufacturing businesses, which were unconnected to cotton, copper, or cattle, the mainstays of the Arizona economy. Above all else, the boosters espoused a sense that Phoenix could and must become a regional economic powerhouse.12

Yet, their entire plan was also centered on a fundamental distrust of New Deal economic policy. In his report on the future of retail, Goldwater, for example, warned: “It is sheer folly for any of our numerous branches of business to consider this money as a permanent source of income to business. If it continues, it will be at the expense of business and is, so to speak, robbing Peter to pay Paul.” Other reports were an even more overt call to action. One young Phoenix lawyer prioritized a revitalized, politically-active business community. “The business of running our city is one worthy of the best business minds and talent in our city,” he argued, “and instead of adopting an attitude of ‘Let George Do it,’ we should adopt one of ‘What can I do to help my city?’ ” Moreover, he made governance synonymous with doing business. “We are all stockholders in a $70,000,000 corporation, a municipal corporation to be sure, but nevertheless a business one,” he asserted. “As stockholders,” he continued, “we are all interested in the conduct

of its affairs, we are all interested in its welfare for if the corporation should be improperly con-
ducted all of us would suffer in proportion to our investment. We must learn to recognize that the
city government is our affair and we must not treat it lightly.” Phoenix’s future depended, then,
upon a new, vastly-expanded economy, built on science and manufacturing, and a invigorated
business elite, who used the state to reverse almost a decade of liberal policies.13

The Chamber’s transformation during the 1940s was dramatic. This younger generation
of businessmen began the formal process of reorganizing the Chamber into much large organiza-
tion dedicated to the material and political work necessary to build an industrial metropolis. In
1939, when lawyer Frank Snell assumed the presidency, he set out to address his compatriots’
complaints that members did not take an active part in the organization, the leadership had not
given business owners an opportunity to be involved because “special interests and small groups
have dominated the Chamber and its Board of Directors,” official events were merely “
‘hoopala’ with no real or constructive purpose behind them,” and the organization itself was
poorly administered with $18,000 in outstanding bills and just $8,000 in accounts receivable.
Under Snell, the Chamber paid its debts, began a membership drive, generated a list of 300
members eager and willing to become involved in committee work, and passed new by-laws to
provide structure and accountability in all activities and programs. His stint, then, was a water-
shed moment that redirected the organization’s mission and modus operandi. The old guard lost
control of the committees to the younger upstarts, who wanted to distance the town from its reli-
ance on cotton, cattle, and copper.14

13 Record of Commission, Vol. 18: Aug. 9, 1939-Feb. 12, 1941, pp. 519-520, 535, City Clerk Official Records
(Phoenix City Hall, Phoenix); Arthur G. Horton, An Economic, Political, and Social Survey of Phoenix and the Val-
ley of the Sun (Tempe: Southside Progress, 1941), quoted on 145 and 197.
14 Frank Snell, “Program for the Chamber of Commerce,” June 23, 1939, folder 10, box 1, Snell Papers; Frank
Snell, “President’s Report for Fiscal Year May 1, 1939 – May 1, 1940,” April 26, 1940, folder 15, box 1, ibid.
By 1945, there was enough momentum within the Chamber to push through changes to the organization’s by-laws. These revisions formalized more than a decade’s worth of private remonstrations against the Chamber’s interwar leadership, liberalism’s encroachment, closed-door discussions of industrialization plans, and public denunciations of liberal-left modernization schemes. The revisions to Article III included a strong restatement of the organization’s purpose and committed the group to “promote and foster the civic, economic, and social welfare of its members and the City of Phoenix, the Salt River Valley, and the state of Arizona, and to acquire, hold, and dispose of property, and to do any and all things necessary or suitable to those ends.” This new property clause was critical for the Chamber’s new industrial program. Phoenix’s vast, undeveloped surrounding lands were a major draw for the military bases and defense plants that relocated to the Valley. Yet, during the war, both the Chamber and the local government had to work out complicated, costly, in terms of both time and money, deals to buy this property either from private owners, the city, the county, or the state of Arizona. Now, under the revised framework, the Chamber could simply buy parcels and sell them directly to firms, which thereby streamlined the industrial recruitment process. Leaders also worked out new membership qualifications, changes in the Board of Directors’ duties, a $32 thousand dollar budget increase (bringing it to $70,000 a year), and new paid staff positions for the management of the association’s day-to-day operations. To better carry out its new growth agenda, the number of committees also tripled. Specific departments now addressed industrialization, retailing, conventions, public relations, membership, and statistical information. The Post-War Development Committee even had subgroups, which included task forces for aviation and tourism.15

15 Jacobson, “Phoenix Chamber of Commerce,” esp. 6-26, quoted on 25; Matthew Glenn McCoy, “Desert Metropolis: Image Building and the Growth of Phoenix, 1940-1965” (Ph.D. diss., Arizona State University, 2000), 99-100; For report on early efforts and plans of re-organization committee see Walter Martin, untitled report of the re-organization committee of the Phoenix Chamber of Commerce, March 22, 1934, bound volume labeled “1932-
The Phoenix business elite’s profound sense of themselves as the city’s natural leaders drove this reorganization. The Chambers’ heads began to proclaim the association the guardian of the city and state’s economic future. For example, in a recruitment brochure heralding the arrival of 290 manufacturers, the head of the Industrial Development Committee declared the organization to be “constantly vigilant to see that no detrimental changes occurred in Arizona industrial tax laws or the enactment of nuisance laws affecting the many fine industries already here or to come to Arizona.” In the postwar period, leaders described this aggressive agenda as necessary for themselves and the larger polity. For example, as president, banker Carl Bimson told new members, “If we do not continually work at making our community a better place in which to live and work, we will soon find that no one loses by our lack interest except ourselves – because after all we make up the community.” Unity of purpose was a central theme for Bimson and his peers, who believed, “As a united group, we can accomplish much that would be practically impossible for one individual or for even the small number of paid staff members which make up your Chamber organization.”

Within two years, the Chamber’s new leadership had altered the organization irrevocably. From its formal re-organization in January 1946 to the start of the 1948 fiscal year, membership grew from roughly 800 to almost 2,800 and income rose from $38,000 to $140,000. The Chamber’s formal Industrial Development Program began in March 1948. Although members

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1933” Board of Directors Records; For extent of activities see entire bound volume of Board of Directors’ Meeting Minutes/Activities labeled “1932-1933,” ibid. Because of the expense and time involved for reorganization, the most important changes and the formal reorganization waited until January 1946, see: Board of Directors, Minutes of Meeting, April 16, 1945, May 7, 1945, June 18, 1945, July 16, 1945, July 18, 1945, August 13, 1945, November 15, 1945, bound volume labeled “1945-1946,” ibid.; Board of Directors, Minutes of Meeting, July 16, 1948, pp. 2-3, bound volume labeled “1948-1949,” ibid.


had been actively seeking industry during the Depression and World War II and had already begun to re-engage with local and state politics, the formal start of this initiative inaugurated a cohesive, systematic effort to industrialize the Phoenix area. Leading Chamber members worked on the Industrial Development Committee, including air-conditioning manufacturer Oscar Palmer and retailer Barry Goldwater. Committee heads recognized the importance of manpower and immediately declared a need for fifty men to take on the duties of industrial recruitment. Within the larger committee, sub-groups tackled compiling information for new firms, advertising and publicity, industrial outreach, coordination with other Arizona business organizations, and fundraising for recruitment campaigns. Still, other Chamber committees, such as the advertising workgroup, attributed to the overall campaign. As the organization grew with the influx of hundreds of new members, many more area businessmen became a part of the growing effort for development.18

The Chamber’s national campaign for manufacturing grew into a multifaceted juggernaut to attract investment. Leaders transformed the organization into a well-organized, efficient, and powerful lobbyist for Phoenix. Their recruitment efforts included increased spending for advertisements that targeted both manufacturers and their workforce, extensive trips to sell Phoenix as a lucrative investment for East and West Coast firms, lavish parties for visiting industrial scouts, and assurances that the Chamber and the city’s electorate would deliver whatever the firm needed or demanded in their investment terms. The latter underscores how important politics was to the Chamber’s plans and Phoenix’s development. Businessmen utilized political power through their efforts to foster, protect, and improve, what they called, Phoenix’s second climate, its business climate. This business-friendly atmosphere was designed to provide for those high-

tech, lucrative firms that provided the proper stock for Phoenix’s new suburbs. Such businesses and workforces had a variety of needs, including: taxes, labor laws, zoning clauses, regulations on business, schools, and recreational opportunities. Most aspects of this environment’s maintenance required governance, either through the enactment of new statutes, the repeal of older laws, or implementation of new policies. Politics, then, mattered to these boosters and imbued their far-ranging drive for modernity and industry.19

The proper political climate headed the Chamber of Commerce’s industrialization agenda for good reason: local, state, and federal governments could either hinder or enable their ability to promote Phoenix and compete for investment. Indeed, the very first chairman of the Chamber’s Industrial Development Committee recognized the importance of politics. He warned executive officers that “industry must have the assurance it will receive a fair deal from the locality in which it locates” and thus prioritized convincing voters to support the Chamber-CGC industrialization philosophy. Boosters celebrated their political achievements as a part of their broad push for investment. For example, when the Chamber published their list of accomplishments for the 1948-1949 fiscal year, the president included not only recent advertising initiatives and new branch plant openings but also successful efforts to pressure the governor to appoint a 15-person tax committee to study the state’s industrial tax structure and to persuade state legislators to pass new zoning and planning regulations and amend the workmen’s compensation law.20

Control of the city government was high on the entrepreneurial agenda. In 1949, the leaders of the Phoenix business community, including Goldwater, seized the city council and mayor’s office by ousting a coalition composed of small-business owners, who had dominated

city government since Phoenix’s first charter revisions in 1915, as well as a new set of New Deal reformers who held power briefly in the mid-1940s. Organized into the, supposedly, nonpartisan Charter Government Committee, Goldwater’s generation of businessmen-politicians created a political machine that held power for more than a quarter century. As such, these earliest political campaigns and industrial recruitment initiatives were both the groundwork for their business climate but also important, pragmatic ideological work that would shape the city’s future profoundly.  

Yet, boosters also channeled their energies into party politics, particularly in the creation of a viable, anti-New Deal state GOP. Chamber members saw the Democratic majorities in government as a hindrance, not an asset, and set forth to take control of the state by building a strong Republican Party. The drive came out of Phoenix. Since the 1930s, top businessmen had espoused an interest in building a viable Republican Party that would offer a real alternative to modern liberalism. Both Goldwater and jeweler Harry Rosenzweig, for example, considered the creation of a true “two-party” system imperative. In building a challenger to the seemingly- hegemonic state Democratic Party, the childhood friends focused on providing voters with a genuine choice on Election Day. Newcomers shared their vision. Shortly after he took control of the Arizona Republic and the Phoenix Gazette, Midwestern newspaper titan Eugene Pulliam published an editorial summarizing the Phoenix Right’s ambitions: “In a state where Democratic

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success is inevitable, the citizen has no choice...The party out of power should always be a powerful threat to the party in power...This is not a plug for the Republican party. It is not a plug for the Democratic party. It is a plug for good government in Arizona and in the United States.”

Goldwater and his peers shared a common sense of urgency in creating an oppositional party. He even argued politics was more important than their personal ventures. “I don’t think the future of Goldwater’s means a thing,” he told reporter, and future Republican governor, Howard Pyle, “unless we insure the political future of Arizona and the country.” This concern ran so deep that boosters pooled their resources to make up for the personal financial losses that came along with holding office. For example, Goldwater and his friends in the Republican Party so feared Pyle’s interest in leaving public office in 1954 that Bimson even offered the ex-radioman a standing job at his bank in order to assuage the governor’s fears that he would not have earned enough for his retirement.

All those involved later claimed the creation of a strong state GOP and the development of a “two-party” system as one of the hallmark of their careers. For example, the Senator called his work, “the one thing I could try to do for Arizona that would mean more to it than anything else.” Pyle shared this sentiment. In the mid-1980s, he remarked: “I have a strong sense of pride in having been privileged to lend a hand in maturing two-party government in Arizona.” Still, at the same time, he celebrated the year the number of registered Republicans finally eclipsed the Democratic majority. “Great feeling,” he stated simply. Though Pulliam, Goldwater,

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23 Barry Goldwater to Howard Pyle, May 1, 1954, folder 3, box 1, Howard Pyle Collection (Department of Archives and Special Collections, Arizona State University, Tempe); William Saufley to Barry Goldwater, May 10, 1954, typescript, p. 1, folder “Saufley, William E. (Goldwater Store Manager), 1939-1958 (1 of 3),” box 7, Personal and Political Papers of Senator Barry M. Goldwater (Arizona Historical Foundation, Tempe); Orme Lewis interview with Kristina Minister, April 14, 1988, audiotape, side 2 tape 2, Chamber Centennial Oral History Interviews, (Greater Phoenix Chamber of Commerce, Phoenix).
Rosenzweig, and others involved in GOP politics referred constantly to “good government” and “two parties,” their political activities shifted the balance of power between the parties dramatically. During the war, the outnumbered GOP met at the Adams Hotel. One member recalled, “We had a room that was, ohhh, very, very small, for the state meeting.” By the mid-1950s, observers contended that a genuine balance existed. By 1958, this equilibrium evaporated. Pundits declared that the electorate favored Republicans. By 1960, the Arizona GOP was not only stronger than the Democratic Party but also much more cohesive than their opponents had been at the close of World War II.24

The Phoenix business elite’s growing influence within the state GOP had an almost immediate affect on the party’s overall agenda. In 1948, Republicans adopted a state platform that led with labor and their support for the recently-passed Taft-Hartley Act as well as their opposition to labor’s efforts to repeal the state’s right-to-work law, which vastly restricted union security and power. The party also asserted that current taxes were too burdensome on state property owners. Their only attention to industry was one of the last planks, which asserted that the GOP “will support a comprehensive program aimed at the development of aviation, both civil and military.” In contrast, the Republicans’ 1950 state platform put industrialization at the top of its agenda. Indeed, this new platform echoed the Phoenix leadership’s economic policies. Labor, for example, was still a major concern. Yet, just two years later, Republicans had inserted a statement that labor unrest was harmful to the state’s economic welfare. Industrial expansion came second only to the Republicans’ war with organized labor. In this section, the party not only as-

asserted, “future development of Arizona is dependent upon the industrial expansion of our state,” but also contended, “industry goes where it is invited.” To attract manufacturers and distributors, Republicans promised new favorable tax laws, studies and statistics for potential new investors, and “counsel and advice in securing land or facilities for their use.” Such changes in the platform not only highlighted the Phoenix boosters’ influence over the state party but also demonstrated the extent to which party politics and industrial development were intimately connected.25

Re-founding the state GOP required organization. Core members credited the right-to-work campaigns in 1946 and 1948 with building institutional momentum. “The activities on behalf of getting that Act passed,” O. D. Miller remembered when discussing his run for state Senate, “got me interested…in running as one of the Republican crusaders, as we called ourselves.” To build a challenge to the Democrats, Goldwater and Rosenzweig started a policy of “drafting” candidates hostile to mid-century liberalism. Prior to their efforts, many state and local positions were unopposed. The Phoenix retailers theorized that they would capture voters who voted a straight ticket. Goldwater explained to John Rhodes in 1949, “You know in this state we have the straight vote and the people at the top of the ticket really can’t do very well with the straight vote until they have all of the positions filled down underneath.” To combat this problem, Goldwater relied on picking young, energetic Republicans to fill out the ballot. Prior to the 1950 election, he told young transplant John Rhodes, a lawyer cum long-serving Representative to the House, “I’m drafting you to run for Attorney General,” which led to the following exchange: “‘Mr. Goldwater, there is something you need to know. I don’t want to be Attorney General.’ And he said, ‘Mr. Rhodes, there’s something you should know. You won’t be.’ ” Pulliam was an asset to the cause. Famously, he forbade his reporters from publishing the names of Democratic

candidates in his papers. Pulliam did not restrict himself to local politicians. John F. Kennedy’s press secretary singled out the *Arizona Republic* as one of the worst examples of biased reporting during the 1960 election.\(^{26}\)

Old-fashioned registration drives were hallmarks of the GOP’s re-emergence. During the 1950s, the GOP took steps to campaign and recruit effectively. Stalwarts created detailed volunteer lists. Officials recorded not only the names of those who “offered assistance” but also of their interest in party politics and ability to contribute. For example, the office staff noted that a woman volunteer “offered services” and “can type.” Strategists also paid attention to occupations. An operative, for example, noted that that an Arizona State University student could “round up student volunteers.” Many members expressed an unfailing interest in helping the Republican Party. One Tucson Republican pledged, “You can count on my undivided help and support in any of your future programs and plans.” Others made their pledges directly to the party’s most prominent spokesman. “Barry,” a Tucson Republican wrote, “if there is anything that I can do to help you here please feel free to call on me.” Phoenicians even crossed party lines for the Senator. “I am a registered Demo[crat],” one wrote, “you may count on my continued assistance.”\(^{27}\)

Professionalization was, as with the Chamber’s refashioning, key. In 1961, there was a concerted effort to modernize the party’s organizational apparatus. Republicans created a new bookkeeping system to better process contributions, began IBM card files of registered Democrats and Republicans in Maricopa and Pima counties, completed systematic voting analysis on

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\(^{27}\) “Pima County Volunteer Help,” [1958], p. [1-3], folder: “Volunteer Lists,” Box 3H489, Stephen Shadegg/Barry Goldwater Collection (The Center for American History, University of Texas, Austin, Austin); “Maricopa County Volunteer Help,” [1958], p. [1-3], folder: “Volunteer Lists,” Box 3H489, *ibid.*
past major elections, held a statewide fundraising drive, surveyed all Republican households, began clipping files on major events and issues, established a party newspaper, generated mailing lists for all members, helped start Young Republican clubs across the state, and sent officials to speak before audiences in each county. Efforts to revamp the party paid off, Arizona Republicans had established themselves as a major force within the national party apparatus. In 1961, they also hosted, for the first time, the annual gathering of Western Republican state parties. Goldwater, then serving as the Republican Senate Campaign Committee’s chairman, was the headliner.\(^\text{28}\)

Yet, the creation of a viable challenge to Democratic rule was not an insurmountable task. The party seemed monolithic. There were many more members in the Democratic Party than in the GOP. Plus, these figures seemed to entice many new residents, as Rhodes had been pressured, to register as Democrats. “Most of us here,” one Phoenix transplant quipped in 1947, “do three things automatically. We get vaccinated, join a church[,] and register as Democrats,” even if they had been registered as Republicans elsewhere. Moreover, liberal Democrats began a sustained campaign to gain solid control over the state’s party. “We have much new blood in the Arizona Democratic party organization,” a Democratic activist reported to Carl Hayden. This official promised these young Dems would help the “old guard” create “another Democratic stronghold.”\(^\text{29}\)

Such strategies strengthened the Arizona GOP. Since the 1930s, “pinto” Democrats had hoped to “purge the Democratic party of those Democrats of convenience who crawled aboard in

\(^{28}\) “Projects Accomplished By Republican State Committee in 1961,” [1962], 1-3, no folder, box 68, Stephen C. Shadegg Collection (Arizona Historical Foundation, Tempe) [Archivists will begin processing this collection in 2010].

\(^{29}\) Milton MacKay, “The Cities of America: Phoenix,” *Saturday Evening Post*, October 18, 1947, esp. 93; Barry De Rose to Carl Hayden, August 23, 1960, folder 7, box 547, Series I, Carl Hayden Papers (Department of Archives and Special Collections, Arizona State University, Tempe).
1932.” Democrats began leaving the party even before Goldwater and Rosenzweig started courting them. Frank Brophy, for example, an executive at the Phoenix National Bank and a leading member of the state GOP, had supported Roosevelt and the New Deal. “I voted for him the second time because his first term, in the first New Deal, was extraordinary,” Brophy explained, “They did some remarkable things. They cleaned up.” The banker broke with the Democrats in 1938 after the Roosevelt Court Packing plan because “that gave me a pretty good insight into what sort of man I later believed Franklin Roosevelt to be.” Those “Jeffersonian” Democrats who stayed came to reject the party’s new liberalism by the end of the 1940s. “I am a registered Democrat,” a Tucson resident admitted, “and hoping the Republicans offer a platform or plan a bit improved over the welfare and booze program of the Dems.” The Phoenix Republicans’ attacks on the federal government’s increasing power won over many. “I am registered as a Democrat,” one Phoenician wrote to Pyle, “but, I’d like to see you win. I liked what you said about Jefferson and the Jeffersonian philosophy of government. I liked what you said about ‘too much government.’”

The GOP chipped away at the Democratic Party’s tremendous number of registrants. In 1948, there were more than four registered Democrats to every Republican. Republican membership rose steadily during the 1950s while the number of Democrats increased at a much slower rate. Democratic ranks even declined briefly in the mid-1950s. Though the GOP’s ranks swelled dramatically, the continued increase, though small, in the number of Democrats prevented the Republican Party from obtaining a larger pool of registrants until 1985. Many political watchdogs blamed new arrivals from the Mid-West on the surge in Republican registrations. This in-

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30 Columbus Giragi to W. P. Stuart, August 28, 1935, folder 5, box 1, Stuart Family Papers (Department of Archives and Special Collections, Arizona State University, Tempe); Frank Brophy interview by Patricia Clark, n.d., transcript, p. 2, ASU Oral History Collection; Ruth B. Fitzgerald to Howard V. Pyle, October 9, 1950, p. 1, folder 1a, box 19, Pyle Collection; [Unsigned letter] to Howard Pyle, June 20, 1950, p. 1, ibid.
flux alone cannot account for the seismic shifts in Arizona’s politics. The GOP’s growth came in part from the further political realignment of the state’s populous, which had been overwhelmingly Democratic since Bull Moose Republicans began abandoning the GOP for the Democratic Party in the early 1910s. By the 1960s, there were fewer “pintos” in the organization, which left both parties much more ideologically cohesive.31

BEYOND PHOENIX

But the Phoenix Chamber of Commerce and the Arizona GOP also had a broad impact on the national political landscape. Other proto-Sunbelt boosters had an aggressive, anti-New Deal agenda but the Phoenicians enjoyed some impressive victories that made them the envy of many businessmen across the nation. Because Phoenix was already a state center of population by 1945, and would only grow more so over the next thirty years, the booster-politicians had more sway over the legislature than in other states. This disparity was most pronounced in comparison to the political power of Southern boosters and California businessmen, who suffered under state Constitutions that gave rural areas disproportionate power. Phoenicians’ relative power proved cyclical as it made industrial recruitment easier, which in turn made them into role models for their peers, helped catapult them into leading positions within national business organizations, enabled them to make important connections with leading CEOs and politicians, furthered their power in national Republican politics. Indeed, this entire confluence of events was in part responsible for William Rehnquist’s and Sandra Day O’Connor’s Supreme Court nominations.

It all began with the Phoenix boosters’ industrial recruitment initiative. From the standpoint of the Phoenix Chamber of Commerce, their efforts to develop a second climate, the city’s business-friendly environment, were a resounding success. Between 1948 and 1964 alone, over

700 firms relocated to, opened branch plants in, or started up in Phoenix.\textsuperscript{32} By 1962, Phoenix was one of the centers for electronics in the entire West, which was particularly astounding because interwar El Paso and coastal California had substantially more industry and political power than the Arizona capital. By the 1960s, the two regional giants were Los Angeles and San Francisco. The City of Angels had $1,868,000,000 in yearly sales, 595 plants, and 137,000 persons employed in the industry. San Francisco was a distant second, its electronics industry generated $739,000,000 in sales, was home to 180 plants, which employed just 47,000. Phoenix and San Diego were well behind, both cities had $185,000,000 in sales but Phoenix had slightly more workers in the sector, 12,000 to San Diego’s 11,800, while San Diego had more production facilities, sixty-two in comparison to Phoenix’s forty-five. But, unlike defense-dependent San Diego, only half the firms in Phoenix produced products under government contracts because Phoenix’s boosters had gone after many types of manufacturers in order to have a diverse industrial base. There was also a real range of high-tech enterprises in Phoenix. Factories produced airplanes, aircraft parts, aluminum products, chemicals, gases, electronics components, gears, controls, scientific instruments, metal parts, machinery, missiles, rockets, plastics, plating, tools, and dies. Light electronic output included sensors, small power sources, environment control systems, and tracking devices.\textsuperscript{33}

Phoenix’s development dismayed El Paso business leaders whose town had been the dominant force in the region. In the early 1960s, an El Paso booster lamented that compared to

\textsuperscript{32} Judith Anne Jacobson, “The Phoenix Chamber of Commerce: A Case Study of Economic Development in Central Arizona” (M.A. thesis, Arizona State University, 1992), 38. Jacobson undertook an extensive effort to catalogue each new investment or start-up during this period.

Phoenix, “El Paso does nothing to get new industries. We are likely to give executives the cold-should treatment. Instead of luring them with special tax deals, we're likely to push them away by throwing all kinds of problems at them. Zoning, water, things like that. Problems that could be easily overcome if we wanted them to.” He envied his Phoenix counterparts who could introduce industrial scouts to the Goldwater family, promise them land, and guarantee them tax concessions because they had an “electorate willing to approve $209 million in business-backed bond issues in two years.” “El Paso has already lost its spot as the number-one city in the Southwest,” he complained, “Unless we start hustling after new industry, we're going to wind up in serious trouble.” “I hate to express it publicly,” an El Paso bank president confided, “but it’s true that our leadership has been sort of mediocre. We didn’t have the influx of well-educated people in the industrial and commercial world. Phoenix did.” “We haven’t always done a selling job of what we’ve got,” another El Pasoan admitted, “Phoenix has done a better job”34

The mighty California Chambers of Commerce were also envious of Phoenix’s success. For many business owners and executives, the Golden State stood for everything that they despised about doing business in modern America. California, of course, had continued to prosper but neighboring states, and Phoenix in particular, had lured a significant share of California’s existing and potential industry away. Even coastal business organizations recognized that they were less competitive than when they had laid the groundwork for the emergence of military-industrial complex in the first half of the twentieth century. The Industrial Commercial Coordinator for San Bernardino, for example, hoped to meet with Gibbons personally. “California does

not have the best business climate desired by industry,” he explained, “We would consider this trip very beneficial and at some later date maybe legislation could be introduced at our own State Capitol.” The head of the San Diego Chamber’s Industrial Department also expressed envy of the Phoenix miracle when he visited Phoenix in 1963. “The businessman’s approach to economic development,” he remarked, “is surely one to be commended. We were thoroughly impressed with what you gave us and everyone we talked with the rest of the day was also impressed with this businessman’s approach in[sic] attracting industry to the State of Arizona.”

This attention helped bring these local businessmen into national business organizations. Two of the most powerful were Walter and Carl Bimson, brothers who saved Phoenix’s struggling Valley National Bank in the 1930s and remade it into the largest bank in the Rocky Mountain West and one of the most formidable in the nation after World War II. Both brothers had broad political influence. Walter directed the Los Angeles branch of the Federal Reserve Bank of San Francisco, served on the American Bankers Association’s Small Business Commission, and also joined the Department of Commerce’s Business Advisory Committee. In all of these roles, he protested state regulation of the financial sector vigorously. He defamed liberal economic policies before fellow business owners and promoted an alternative path to economic prosperity in his writings and political work. When speaking on America’s rapid conversion from a war to consumer economy, Bimson dismissed the efforts of liberal policymakers such as Henry Wallace and Marriner Eccles and congratulated “the American businessman,” who “constructed new plants, re-equipped his factories, with new machines, built millions of new homes, poured out an endless stream of cars, radios, [and] refrigerators.” In surveying the new U.S. standard of living,

Bimson credited the “system of democratic capitalism and individual freedom” and thus found it “difficult to have any patience whatsoever with those who would discard a proven and successful system and attempt to make America over along lines that have failed again and again.”

Bimson’s brother Carl also became a major figure in American banking. Throughout the 1950s and 1960s, the younger Bimson espoused the Phoenix business elite’s anti-liberal modernization doctrine before fellow Westerners as well as peers in the South and Northeast. In Arizona, he continued to work for VNB but also had leadership positions in Phoenix’s Chamber of Commerce, Clearing House Association, Credit Bureau, Better Business Bureau, Red Cross, and YMCA as well as the Arizona Bankers Association. On the national level, he continued to speak before business groups to advocate political activism and the rollback of liberal-regulatory economic policy. He often focused on consumer credit, which was a hallmark of both brothers’ approach to modern banking. In 1960, for example, he appeared before the Ohio Bankers Association to advocate for financiers to take a greater role in politics. Echoing Goldwater’s Depression-Era remonstrations against apathetic business owners, Bimson called the assembled, and their peers across the country, “Probably the best hope for stopping the present political drift toward a government-controlled economy.” When traveling, he also advocated bankers’ active involvement in making communities hospitable to industry. He argued: financiers “should muster the economic power of his business behind causes, activities, and organizations designed to improve the efficiency of government and the climate of business.”

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Carl was also an active member in several national business groups. For example, he directed the National Retail Credit Men’s Association in the mid-1940s, held leadership positions in the Financial Public Relations Association throughout the 1950s, and also served on the U.S. Chamber of Commerce’s Finance Committee (and chaired its Sub-committee on Credit Unions) in the late 1950s. He also took on a prominent role in the American Banking Association (ABA). In 1955, he accepted its president’s request to head the ABA’s Installment Credit Commission, which made him a member of the Executive Council and Credit Policy Committee. In the year that he served as vice-president, he logged 70,000 miles on his way to twenty-three separate meetings. Due to his work and service, the 10,000 delegates at ABA’s 1960 convention elected him president. After his one-year term, he remained an integral part of the association as a member of its executive council and administrative committee.39

Such renown helped forge important connections with those leading executives, who shared the Phoenix businessmen’s antipathy towards working within the confines of the liberal regulatory state. The relationship between Valley boosters, who themselves came, increasingly, from leadership positions in the area’s branch plants, and prominent CEOs, who managed these outposts from afar, was reciprocal. Phoenix’s Chamber men wanted to attract high-tech, profitable firms, which, by the very nature of their desirability, were able to elicit impressive deals from many communities eager to attract large, revenue-generating businesses. Executives also needed, both from an ideological and a material standpoint, to shift operations to areas where they would be able to increase their profit margins and also do business as they saw fit. Both sides, then, needed to keep the electorate convinced that business interests should come first for the good of the entire community. As such, the heads of corporations in the Valley became important spokesmen for the Phoenix leaderships’ policies to further development and keep the

39 “Meet President Bimson,” 1-7; “Surtax or Chaos: Valley Bank Official,” 1-F and 6-F.
Chamber’s hold on city hall. For example, in 1956, GE chairman Ralph Cordiner came to Phoenix to campaign for John J. Rhodes and speak against the local trade union movement’s push to repeal the right-to-work law. In no uncertain terms, Cordiner declared that the anti-union legislation was vital to Phoenix’s development. He told voters that GE would never invest in a state without such restrictions on union security.\(^{40}\)

The Phoenix leadership’s connection to the directors of GE proved a direct boon to their long-range desire to expand their anti-liberal politics. GE’s Vice President for Employee and Public Relations, Lemuel Ricketts Boulware, was their most important ally in the East and within the ranks of American CEOs. Boulware, who hired Ronald Reagan as a spokesman for GE’s brand of anti-government, anti-union free enterprise, was a strong supporter of Phoenix-style modernization. Boulware orchestrated visits from GE executives to Arizona, where these corporate officials reminded voters that the state could attract good manufacturing jobs only if its low-tax, pro-business agenda were maintained.\(^{41}\)

Boulware’s own visits to the city probably did the most to promote the worldview he shared with the most-powerful Phoenicians. In May 1958, Boulware delivered one of the most important addresses of both his political and business career before the Phoenix Chamber of Commerce. In essence, he urged members to continue to build and protect the “business climate” that led GE to select Phoenix for its computer branch plant. He beseeched the assembled businessmen to defend and preserve your chance to “serve all Arizona citizens through your growing and advancing businesses” and “go on to improve and expand that opportunity so you and your


businesses can live up to the full potential of your usefulness to all the public here and in the rest of our still privileged land.” Boulware’s core concern: business leaders had failed “to have business and our economic system understood,” which meant, “We businessmen have become the whipping boys for opponents.” Moreover, they had not fought labor’s power at the bargaining table or in the political arena. “We businessmen cannot look elsewhere for citizens to blame,” Boulware admitted, “We have long had the opportunity and responsibility to do our considerable part…in restoring the balance needed in this situation.” “Not only money—and lots of it—but lots of volunteer leg-work[sic] and mental sweat [sic] is needed to restore the balance,” he concluded.42

Boulware’s speech, “Politics…The Businessman’s Biggest Job in 1958,” echoed the major tenets of the Chamber’s industrialization program. Boulware admonished those owners and managers who stayed out of politics and demanded they make political activism a priority. He claimed that business’s complacency had allowed citizens to make “fresh mistakes” “again—in spending, inflation, taxes, productivity, and freedom.” He shared with the assembled Chamber members a firm belief that business should and did have the power to dictate proper economic policy and alluded to their place at the top of American political, economic, and social hierarchy. In regards to the rest of the citizenry, Boulware claimed, “We do not help them see and appreciate all the claimants, all the something-for-something arithmetic, and all the other compelling circumstances we face…and, in particular, what’s the good of what we meanwhile are doing for the many.” Boulware, like the Phoenix boosters, attacked liberals: “We businessmen have become the whipping boys for opponents who have a different ideology from the one on which the

unprecedented services of American business to the public have been based.” Organized labor’s political platform served as one of the executive’s best examples. He lambasted the trade union movement for waging its negotiations in Congress and in newspapers but blamed his brethren more for allowing labor to go seemingly unchallenged. “You have only to look at who’s overly prominent now in community chest and civic affairs…and with whom the top politicians want their pictures takes…as well as at what kind of economics is being taught in too many schools and from too many platforms…to see how completely successful has been this investment by so many union officials in their public or community relations programs,” he concluded, “In too many instances these programs take the form of relentless ideological warfare.” He ended his remarks with a call for retaliation. He directed the assembled to dedicate themselves to politics in order to ensure “what is economically sound and morally right will, as it should, be politically invincible.”

Boulware’s 1958 speech received much attention both in and outside Phoenix. The Arizona Republic excerpted large portions of the address under the heading, “Politics Called ‘Business of All.’ ” Reporters offered little editorial comment and just filled out the story with comments from the audience, a summation of the Chamber president’s annual report, and a brief description of ASU’s pep band’s performance. Boulware’s call to arms also reached politically-minded business owners across the country. GE printed over 200,000 copies of the address. Senators and Representatives approved its inclusion in the Congressional Record. The editors of American Business reprinted the piece in its entirety. The bi-monthly publication Vital Speeches of the Day also included Boulware’s words alongside talks given on the education gap between the U.S. and the Soviet Union and foreign aide to the Philippines. A board member of the Na-


Boulware was not the only rising political luminary who found common cause with the Phoenix booster-politicians. Three years after Boulware spoke before the Phoenix Chamber, the host of General Electric Theatre, Ronald Reagan, also made an impassioned plea before the business group, which gave members’ more credibility with the Phoenix electorate and broadened their political connections outside Arizona. Reagan issued a general warning about the state’s growing power over private enterprise. He was most concerned that liberals were, in fact, Communist subsversives. Reagan had faith that true Americans would never vote for socialism but had and would continue to come to accept all of its policies and directives under the name of liberalism. Liberals, he concluded, “Appeal[ed] not to the worst, but the best in our nature, they have used our sense of fair play – our willingness to comprise[sic], and have perfected a technique of ‘foot in the door’ legislation. Get any part of a proposed program accepted, then with
the principle of governmental participation in the field established, work for expansion, always aiming at the ultimate goal – a government that will someday be a big brother to us all.” Reagan held that much ground had been lost, especially in regards to saving capitalism. “Today, no one denies the American people would resist the nationalization of industry,” he allowed, “But, in defiance of this attitude the federal government owns and operates more than 19,000 businesses covering 47 lines of activity from rum distilling to the manufacture of surgical equipment.” “The estimated book value of 700 governmental corporations is $260 billions[sic]. Operating tax free, dividend free, rent free in direct competition with its own citizens,” the future-president concluded, “the government loses billions each year in these businesses.” Modern liberalism, for Reagan, had left Americans powerless under “a permanent structure of government beyond the reach of Congress and actually capable of dictating policy.” “This power, under whatever name you chose, is the very essence of totalitarianism,” he concluded.

Reagan’s exposure to the Phoenix business elite proved important for his political career. Both Boulware and Goldwater made a profound impression upon Reagan. In the 1950s, desperate for work, the veteran Hollywood actor, former Screen Actors Guild president, and self-described New Deal Democrat found work hosting General Electric Theater. But his contract also demanded he tour GE facilities, speak to workers, and deliver the anti-union messages at the core of Boulware’s management philosophy. But during the 1950s, he also began frequenting Phoenix. His new wife’s family had a vacation house in the Valley and were friendly with Goldwater and his family. In a later interview, Reagan deemed the Senator “a very pleasing fellow to be with” and also credited Conscience of a Conservative for helping him realize where his party and ideological loyalties lay. “I had been a lifelong Democrat,” he remembered, “and then I was on the mashed potato circuit and doing my own speeches and my own research and every-
thing. I was getting further and further away from the Democratic philosophy until I became a Republican, but ‘The Conscience of a Conservative’ was a very great factor in all of that in helping me make up my mind.”

Reagan’s vacations in Phoenix corresponded to Goldwater’s emergence of the national scene as the new conservative standard bearer. His rise was built on a decidedly anti-liberal politics, particularly a critique of the empowered trade union movement. Indeed, his 1958 re-election campaign was, in effect, a national showdown with UAW president Walter Reuther, whose vision for the national political economy differed sharply from Goldwater’s, and a state-level referendum on the new, empowered Arizona GOP. Goldwater emerged victorious on both counts. Arizona Republicans did well that year, Phoenix propane retailer and former Industrial Recruitment Committee head Paul Fannin was elected governor, and Goldwater new respect from national Republicans.

His 1958 electoral coup turned into a national “Draft Goldwater” movement. Shortly after his victory, another disaffected Eisenhower supporter, Clarence Manion, began a search for a presidential nominee to challenge the Northeastern Republicans. Manion hosted a well-known weekly radio show, *The Manion Forum*, which featured a phalanx of individuals hostile to mid-century liberalism, including Goldwater who appeared in a 1957 broadcast. The Arizonan became the frontrunner for Manion’s initiative after Goldwater won over a meeting of South Carolina Republicans with a declaration that the *Brown v. Board of Education* decision was unconstitutional. Afterwards, Manion contacted the Senator to pen a manifesto for the coalescing conservative movement. Goldwater, as he admitted, was no great writer. So, Manion hired William F.

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Buckley’s brother-in-law, Brent Bozell to pen *Conscience of a Conservative*. As a result, the book was less an exact reflection of Goldwater’s philosophy than a kind of fusionist manifesto, which Buckley and his partner Frank Meyers had set out to create when they began publishing *National Review*. The small volume offered a litany of complaints against modern liberalism, which ranged from the balance between states’ rights and civil rights, the increase in taxes and farm subsidies, as well as the expansion of the labor movement and the welfare state. Clearly, the “Freedom for Labor” chapter, states’ rights section, and material on Arizona’s refusal of Federal Aid to Education targeted Goldwater’s wing of the broad conservative movement. Yet, the injection of Christian rhetoric was an obvious nod to Buckley’s crowd. There was also an obvious adoption of Ayn Rand’s bifurcated language of collectivism versus freedom in the discussion of the welfare state’s threat to free enterprise. Still, less than a decade after McCarthy’s censure, Soviet commissars and domestic Communists did not make an appearance in *Conscience*.48

The small book became a sensation and positioned Goldwater to wrest control of the GOP, perhaps even preside over the federal government. When Richard Nixon secured the nomination in 1960, Goldwater challenged his supporters to “grow up.” Although he intended this message to rally them to work for the nominee, many took it as a challenge to prepare for 1964. Through Kennedy’s first term, Goldwater continued to have the support of Manion’s audience, largely Midwestern mid-sized business owners, members of the Young Americans for Freedom and the Young Republicans, and readers of the *National Review*. By the summer of 1961, leading businessmen began organizing amongst themselves to build a coalition of businessmen within the GOP. Conservative CEOs donated thousands to the cause, including the du

Pont and Eli Lilly families as well as Walt Disney, Walter Knott, Charles Edison, and Boulware. Leading economists also lent their support, including the University of Chicago’s Milton Friedman. Goldwater also attracted white suburbanites, both the male breadwinners and their wives, who had the time to go door-to-door for Goldwater. Indeed, their daughters were often the famed “Goldwater Girls,” who stood on the convention floor in their cowgirl outfits. These young women and the Senator’s delegates, predominately white men under 50, were responsible for much of the celebrating at the GOP convention in San Francisco. There, Goldwater supporters drank the carbonated beverage Gold Water, wore clear-plastic water-drop-shaped jewelry with gold flakes inside, and plastered their cars with AuH$_2$O bumper stickers.\(^{49}\)

The Goldwater campaign relied on his Phoenix compatriots but also strayed from his bread-and-butter politics. The candidate shocked liberals when he declared in his acceptance speech: “extremism in the defense of liberty is no vice!” and “moderation in the pursuit of justice is no virtue!” He left his campaign to Arizona Republicans, including his long-time campaign manager Shadegg, Tucson-native and Goldwater staffer Dean Burch, Richard Kleindeinst, and Dennison Kitchel, who referred to themselves as cowboys and were deemed, by those outside the tight-knit group, as the Arizona Mafia. Harry Rosenzweig was also a principle fundraiser. The jeweler resisted basing his campaign in the Washington and still managed to raise over $500,000 from his offices in Phoenix. But the pro-business issues responsible for the state GOP’s growth and popularity in Arizona had less resonance on the national scene, especially when Lyndon Baines Johnson courted the business vote. Indeed, the president solicited corporate support and coffers openly. He met with influential executives, promised specific cuts to the federal budget,

and assured them of his support for his predecessor’s tax cuts. LBJ enjoyed both these CEOs’ backing and contributions, in large part, because many businessmen, who may have agreed with Goldwater politically, feared wasting their vote on the obvious loser and thus sacrificing their influence on the president.50

Without this constituency, Goldwater’s handlers pushed him to court the white working- and middle-class voters who looked at desegregation with alarm. In an internal memo, staffer Clifton White urged Goldwater to campaign on “the moral crisis,” which included a broad attack on “crime, violence, riots (the backlash), juvenile delinquency, the breakdown of law and order, immorality and corruption in high places, the lack of moral leadership in general, narcotics, pornography.” The Senator gave White the go-ahead to make a documentary, Choice. Over shots of a topless dancer, dancing teenagers, arrested black protestors, the narrator announced, “There are two Americas.” The film was sent to Citizens for Goldwater groups. NBC refused to air the spot because of the graphic images. When Goldwater saw it finally, he refused to any mass showings. “I’m not going to be made out to be a racist,” he declared. Still, though he separated himself from messages that he associated with backwards segregationists, he continued to issue statements that fell in line with an argument that he considered fundamentally different from the segregationists’ politics and positions. For example, besides his rants against drug abuse and urban riots, he rallied against busing as an infringement on individual liberty and local control. Still, despite the allegiance of diehard followers, Goldwater suffered a tremendous loss. He only carried only a few states, Arizona, Alabama, Louisiana, Georgia, Mississippi, and South Carolina,

and garnered less than 40% of votes cast. On election night, he learned from his Arizona Biltmore suite that Democrats had won 68-seat and 295-seat majorities in the Senate and the House, respectively.51

Despite this defeat, Goldwater went on to find a home within post-1970 mainstream politics. His hyper-growth, anti-union, low-tax, de-regulated philosophy became increasingly orthodox. Indeed, the major political fights of the day shifted from questions of economic policy to individual rights. The Senator became the seemingly unlikely champion of liberal causes, such as abortion and gay rights, because he continued to oppose the federal government’s intrusion into the personal lives of its citizens. Goldwater supported the right for a woman to choose. In fact, he had facilitated his daughter’s safe, medical abortion in Mexico in the mid-1940s. He remained steadfast on this issue, though he did equivocate publicly when he needed the endorsement of Arizona’s growing pro-life contingent when faced with re-election in 1980. He became brazen on these issues once leaving the Senate in 1989. In Arizona, he railed against a 1992 proposition to ban abortions unless needed to save the mother’s life and threw his support behind a city ordinance that prohibited discrimination against gays and lesbians in employment, housing, and public accommodations. He became a national spokesman for both issues. In 1993, he lambasted the ban on gays in the military and dismissed Bill Clinton’s “don’t ask, don’t tell” compromise as a farce.52

ARIZONANS ON THE HIGH COURT

Still, the Phoenix GOP’s, and Goldwater’s, real legacy were their growth politics. Indeed, perhaps his greatest success was the place that he made in DC for his fellow Phoenix Republi-


cans. The Senator had tremendous political clout, which helped bring Phoenicians as well as young Goldwater loyalists into prominent positions within the GOP. Richard Nixon gave many of Goldwater’s disciples (including those who were not originally from Arizona) important positions within his administration, including Dean Burch, who chaired the Federal Communications Commission, Richard Kleindienst, William Rehnquist, and Richard Burke, who all served in the Department of Justice.

Goldwater, himself, was perhaps proudest of the Phoenicians, William Hubbs Rehnquist and Sandra Day O’Connor, whom he helped name to the Supreme Court. Upon O’Connor’s confirmation, Goldwater stated, “I think of all the things I have done in my life, this one topped them all because she is not only a complete woman, but a dear friend and an Arizonan of whom I will always be proud.” Both jurists probably did the most to install and enshrine the fundamental aspects of Phoenix’s particular brand of conservatism into mainstream American politics and into the federal government. Still, most research has detailed their votes on social issues, which have distorted both jurists’ overall record and judicial philosophy. Such scholarship has often cast the pair as near opposites. Only recently have scholars begun to probe their record on questions of economic policy and governance. These new assessments of the Rehnquist Court have noted that the Court did not fundamentally advance the conservative movement’s social agenda but has enshrined its economic and governmental philosophy. Though commentators have noted divisions between the post-1991 conservative bloc on social issues, O’Connor, Rehnquist, Antonin Scalia, Anthony Kennedy, Clarence Thomas, and, until the mid-1990s, David Souter, voted consistently to devolve more power onto the states except in cases where these governments at-
ttempted to regulate business. On these issues, Rehnquist and O'Connor have almost identical voting records.\(^{53}\)

Both Rehnquist and O'Connor were not native to central Arizona but came from families and areas with a strong aversion to mid-century liberalism. As such, their jurisprudence and politics were certainly not rooted in Phoenix. Still, it is significant that both chose to relocate to Phoenix, where they joined native and transplanted Republicans eager to be a part of a vanguard

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Others, particularly after Bill Clinton nominated Ruth Bader Ginsburg to the bench, have contended that O’Connor’s political leanings and background in state government provide a much better explanation of her crucial role in redefining federalism, pointing out that this so-called liberal voice had much in common with the other conservatives on the Court. Indeed, scholars have noted that both Phoenicians shared a very similar voting record, especially in regards to criminal procedure, federalism, and regulation. Some have even intimated that the Court is most accurately described as the O’Connor Court for she was the crucial fifth vote on decisions that either strengthened states’ rights or business. See Robert W. Van Sickel, *Not a Particularly Different Voice: The Jurisprudence of Sandra Day O’Connor* (New York: Peter Lang, 1998); Sue Davis, “The Voice of Sandra Day O’Connor,” 134-139; Erwin Chemerinsky, “Justice O’Connor and Federalism” *McGeorge Law Review* 32 (Spring 2001), 877-954; Bradley W. Joondeph, “The Deregulatory Value of Justice O’Connor’s Federalism” *Houston Law Review* 44 (Fall 2007), 507-551.

state GOP, do business in the Valley, or take part in the construction and preservation of the area’s entrepreneurial climate.

Rehnquist grew up far from the desert in Shorewood, Wisconsin. Though an affluent suburb, the mansions along Lake Michigan dwarfed his small brick home. His father, the child of Swedish immigrants, never attended college and sold paper wholesale. His wife, in contrast, was a graduate of the University of Wisconsin, spoke five languages, and freelanced as a translator, which left her plenty of time for civic affairs. Rehnquist's parents discussed politics openly and imbued in their two children a political philosophy that borrowed from Wendell Willkie, Herbert Hoover, and Robert Taft. During World War II, Rehnquist, then a high school student, volunteered to be the neighborhood civil-defense officer. When he graduated, he spent just one year at Kenyon College before joining the Army Air Corps in 1943. Although he spent much time in North Africa, hostilities had ended when he arrived. But this stint left him with at least one tangible desire, “I wanted to find someplace like North Africa to go to school.” With the G.I. Bill, he enrolled in Stanford, graduated Phi Beta Kappa with a degree in political science in 1948. He went on to earn Masters degrees at both Stanford and Harvard before returning to the Bay Area to obtain his law degree. At Stanford, he graduated first in his class and went on to clerk with Supreme Court Justice Robert H. Jackson.54

After his clerkship, Rehnquist moved to Phoenix. In some accounts, he was most concerned with living in a warm climate. Thus, he flipped a coin to decide between Albuquerque and Phoenix. In later writings, he cited a deep attraction to the city’s political climate. He celebrated Phoenix as “the lost frontier here in America….and by that I mean not just free enterprise in the sense of a right to make a buck but the right to manage your own affairs as free as possible

from the interference of government.” He did more than just practice law. He became active in the state's Republican Party and blended these two interests when he opposed a local public accommodations law and an integration plan for the city's public school system. His stance separated him from the architects of the CGC, who had always attempted to present at least the illusion of diversity or walked the line between their perceptions of the differences between *de facto* and *de jure* segregation.55

Rehnquist’s first public statement against Civil Rights legislation came in 1964 when the City of Phoenix passed a Public Accommodations Ordinance that desegregated public accommodations. During public hearings, he rooted his opposition in individual property rights and free enterprise. He defined the latter broadly as “the right to manage your own affairs as free as possible from the interference of government.” He argued, “The thousands of small business proprietors have a right to have their own rights preserved since after all, it is their business.” His letters to the *Arizona Republic* had the same refrain. He called the ordinance's passage a “mistake” because it “does away with the historic right of the owner of a drug store, lunch counter, or theater to choose his own customers.” Indeed, he invoked the Founders and stipulated that they “thought of it as the 'land of the free' just as surely as they thought of it as the ‘land of the equal.’” He also opposed busing to better integrate schools because supporters “concern themselves not with the great majority, for whom it has worked very well, but with a small majority for whom they claim it has not worked well.”56

But his involvement with efforts to keep African American from voting dogged his career the most. The Arizona NAACP charged that Rehnquist, as early as 1958, was involved with a

55 U.S. Congress, Senate, Committee on the Judiciary, *Nominations of William H. Rehnquist and Lewis F. Powell, Jr.: Hearings Before the Committee on the Judiciary*, United States Senate, 92 Cong., 1 sess., November 3, 4, 8, 9, and 10, 1971, esp. 305.
56 Ibid., 305, 307, 309; Boles, *Mr. Justice Rehnquist*, 16-17.
group of Anglo lawyers who challenged African American voters at the polls. According to the head of the Maricopa County Democratic Headquarters, “voters were being challenged in several precincts in South Phoenix….I was told it was William ‘Bill’ Rehnquist for one he was asking people standing in a long line waiting to vote, to read printing on a white card[.] People were leaving the lines and were not voting.” “I also had calls from…a precinct committeeman[,] a black woman[,] who said her people were frightened and afraid to vote,” the witness added. The Democratic activist was convinced the move was political. “We had a big Registration drive that year and a lot of the People were voting for the first time after the challenging started we no longer had people waiting in line the voting was real slow,” she explained, “I tried to get the precinct people to go door to door to get out the vote but word was out they were afraid to vote.”

Despite this controversy, Rehnquist became enmeshed in the business elite as well as the state’s influential Republican Party. He served eagerly and willingly in Goldwater’s presidential bid. He wrote speeches, counseled the Senator on his famous vote against the 1964 Civil Rights Act, and provided Goldwater with the legal, constitutional argument against the bill that the Senator used. Rehnquist also worked with political scientist Harry V. Jaffa to draft Goldwater’s subsequent speeches on the matter. Though Goldwater had supported the Phoenix ordinance and had long disdained those defenders of de jure segregation, he embraced Rehnquist’s arguments in his efforts to win over the solid South.

Rehnquist’s involvement served him well. Upon Richard Nixon’s election in 1968, Kleindienst, whom the President appointed the deputy attorney general, hired Rehnquist as the head of the Office of Legal Council. Rehnquist, now one of the President’s lawyers, was instrumental


in Nixon efforts to “unpack” the Court, an effort to appoint, in John Dean’s words, “strict constructionist” judges, who would “interpret the Constitution rather than amend it by judicial fiat,” in order to undo the liberal, activist jurisprudence of the Warren Court. Although other members of the Attorney General’s office undertook efforts to pressure liberal jurists, most notably LBJ-appointee Abe Fortas, to leave office, Rehnquist’s task was to identify potential nominees by studying their records and writings, make recommendations to Mitchell, and conduct subsequent interviews. In an internal memo, he defined a desirable candidate as “A judge who is a 'strict constructionist' in constitutional matters will generally not be favorably inclined toward claims of either criminal defendants or civil rights plaintiffs--the latter two groups having been the principal beneficiaries of the Supreme Court's 'broad constructionist' reading of the Constitution.”

Rehnquist’s appointment was serendipitous. In the Fall of 1971, Justices Hugo Black and John Marshall Harlan’s resignations surprised the Nixon Administration. At first neither Rehnquist nor Powell were on the shortlist. During the vetting process, Rehnquist dismissed the idea that he would be a nominee because “I’m not from the South, I’m not a woman, and I’m not mediocre.” Nixon, championed Richmond lawyer and Virginia Congressman Richard Poff, Californian William French Smith, or Philadelphia prosecutor Arlen Specter but only because Nixon's aides reminded him that he had not appointed a Jew. Nixon responded: “He's strong on law enforcement, and the rest, and I might consider him, if we went to play the Jews.” But in discussions with Secretary General John Mitchell, the two men named dozens of potential jurists. There was pressure to name a woman but Nixon opposed the idea: “I don't think a woman should be in any government job whatever. I mean, I really don't. The reason why I do is mainly because they are erratic. And emotional. Men are erratic and emotional too, but the point is a

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woman is more likely to be.” In a memoir, John Dean took credit for first mentioning Rehnquist as a possibility. Reportedly, he told a Nixon advisor: “The president has a perfect candidate right under his nose....Bill Rehnquist makes Barry Goldwater look like a liberal.” Indeed, Goldwater told Nixon, “He’s probably the greatest authority on the Constitution in the country today.” Still, Nixon equivocated until after the American Bar Association rejected his list of other nominees and he learned of Rehnquist's experience as a clerk.\(^{60}\)

Rehnquist's confirmation to the Court and to the position of Chief Justice, though sometimes described as quick, generated tremendous controversy. In the hearings for his initial appointment to the bench, the Democrats on the Judiciary Committee were very concerned about both Rehnquist’s and Poff’s nominations. One admitted, “the concern [sic] many of us have here, that at least the President has thought that the whole purpose for these nominations is to turn around the Court and thus turn around the series of interpretations that have been put on the laws over the past 20 years.” On the first day, Senators John McClellan, Gary Hart, Gary Ervin, and Edward Kennedy grilled Rehnquist about overturning past precedent and limiting Congressional powers because of his political beliefs. McClellan even asked “Would you be willing...to disregard the intent of the framers of the Constitution and change it to achieve a result that you thought might be desirable for society?” “No; I would not,” Rehnquist replied.\(^{61}\)

In both hearings, Senators focused on his anti-desegregationist views and political activities. In 1971, for example, Kennedy opened with his concerns about a letter that Rehnquist had sent to the *Washington Post*, within which Rehnquist admonished editors for assuming opposition to Civil Rights legislation was automatically based in “an anti-Negro, anti-civil rights animus, rather then because of a judicial philosophy which consistently applied would reach a con-


servative result both in civil rights cases and in other areas of the law.” Committee members also discussed his public opposition to the Phoenix Public Accommodations Act and the integration of Phoenix public high schools as well as his reported attempts to stop non-Anglo Phoenicians from voting. Rehnquist stipulated that he no longer opposed the Accommodations Act. “I think the ordinance really worked well in Phoenix,” he explained, He remained steadfast on busing, which he dismissed as “artificial.” Throughout the hearings, he never admitted to voter intimidation and repeated that his “responsibilities, as I recall them, were never those of challenger, but as one of a group of lawyers working for the Republican Party in Maricopa County who attempted to supply legal advice to persons who were challengers.” Rehnquist also stated that he did not target minority voters but devoted “to areas in which heavy Democratic pluralities were voting together, with some reason to believe that tombstones were being voted at the same time.”

Denials and backtracking were a major part of Rehnquist's turns before the Senate. In 1986, Senators questioned Rehnquist on all of his opinions but once again his attitude towards Civil Rights legislation was at the center of the hearings. Now, more witnesses came forward with new evidence to discredit him. One of the most-closely scrutinized documents was a short memo, with his initials, titled “A Random Thought on the Segregation Cases,” which maintained that “I fully realize that it is an unpopular and unhumanitarian position, for which I have been excoriated by liberal colleagues, but I think Plessey v. Ferguson was right and should be reaffirmed.” Controversy erupted, and still exists, over the intent of the memo -- whether it was Rehnquist's personal opinion designed to sway Justice Jackson or a position Jackson asked his clerk to draft in preparation for a vote. Although Rehnquist at first disavowed the one-and-a-half page, single-spaced piece, he eventually stipulated it was a “bald, simplistic conclusion, which

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was not an accurate statement of my views at the time.”

One of Rehnquist’s biggest supporters was Sandra Day O’Connor, who herself had been active in party politics in Phoenix. In June 1971, she was in the state Senate. As she read denunciations of her friend in the press, she became concerned about his chances and took upon herself to lobby on his behalf. She beseeched her friends and colleagues to lobby former classmates, lawyers, legislators, and church officials across the country to support his nomination. A close associate of Eugene Pulliam, she lobbied the newspaperman to publish editorials favoring Rehnquist in Indiana, which was home to one of Rehnquist’s biggest critics in the Senate. After his approval, he wrote to O’Connor personally to thank her.

O’Connor, herself, had a very different background than Rehnquist. Born in El Paso on March 26, 1930, O’Connor grew up on a remote ranch on the Arizona-New Mexico border. Her father, Henry Day, endeavored to build his farm into one of the largest in the West. The Depression ravaged his outfit. He opposed the New Deal and the government programs liberals oversaw but accepted federal subsidies when farm prices crashed. His daughter lived with her grandparents in El Paso during the school year but returned to the Lazy B ranch every summer. She was a gifted student and fulfilled her father’s wish that she attend Stanford in his native California. She entered as an undergraduate in 1946, completed her economics degree in 1949, and finished her law degree just two years later. Rehnquist, whom O’Connor had dated briefly, finished first and O’Connor third. Still, the only job offers she received were for legal secretary positions. She followed her husband, John Jay O’Connor to Frankfurt, where he worked for the Judge Advocate General Corps, and then to Phoenix when he landed a job at a leading law firm. “John and I felt

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that by living in Phoenix,” she later explained, “we would have an opportunity to be more actively involved with our community than might be the case if we were to return to California.”

Though her grades had been better, she once again could not find a position and resigned to working out of a shopping center with her partner Tom Tobin. “Other people who had offices in the same shopping mall repaired TVs, cleaned clothes, or loaned money,” she remembered, “It was not a high-rent district. I got walk-in business. People came in to see me about grocery bills they couldn’t collect, landlord-tenant problems, family members[,] and other everyday things.”

In Phoenix, she threw herself into the city's civic and political circles. She served, for example, on many boards and committees, including Board of Trustees of the Heard Museum and the Board of Visitors for the Arizona State University Law School. In 1965, still unable to break into Phoenix’s law firms, she began work in the attorney general's office. “I persisted,” she remembered, “and got a temporary job and quickly rose all the way to the bottom of the totem pole in that office. As was normal for a beginner, I got the least desirable assignments.” Her hard work paid off: she was appointed to a vacant seat in the state senate in 1969, won re-election twice, and served as the majority leader in the legislature. She was the first woman to serve in such a capacity in the United States. She exhibited a more pragmatic interpretation of the post-1964 conservative politics. For example, she fought government spending but also supported a state Medicaid program, the repeal of a law barring women from working more than eight hours a day, which had kept many out of high-paying professional jobs, and a measure to make public meetings accessible to citizens. Her popularity helped her win a spot on the Maricopa County Superior Court in 1974. Five years later, governor Bruce Babbitt appointed her to the Court of

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Her record in office helped her earn a place among the Phoenix Chamber elite. The O’Connors’ spent much time with some of the most formidable Arizona Republicans, including Goldwater, Pulliam, Rosenzweig, and Rehnquist. Her relationship with Goldwater was especially important. She was a fixture in his 1958 and 1964 campaigns. Eventually, he became her political mentor. These connections with the Arizona GOP’s leadership helped her land the job in the Attorney General’s office. She was also Goldwater’s pick to run for governor in 1978. Still, she declined to be “drafted” that year because of familial commitment.

Three years later, she allowed Ronald Reagan and his staffers to name her to the Supreme Court. The president had promised to nominate a woman during the campaign, in part to assuage women voters’ fears about his aggressive military stance. Reagan met with her for just forty-five minutes in July 1981. Reportedly, the president was confident that his staff had vetted her appropriately and thus kept their conversation to their mutual acquaintances, fondness for horses, and love of the West.

O’Connor’s nomination polarized the GOP. Strom Thurmond, in his opening remarks, encapsulated the hopes of many Republicans in regards to O’Connor’s appointment and a new chapter in American federalism. When he described her work in the Arizona government, he explained, “That experience gives us hope that she will bring to the Court, if confirmed, a greater appreciation of the division of powers between the Federal Government and the governments of the representative States.” But O’Connor refused to answer questions about her personal political

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66 McFeatters, Sandra Day O’Connor, 47-52, esp. 47; Van Sickel, Not a Particularly Different Voice, 29-32; Biskupic, Sandra Day O’Connor, 22-69.
68 McFeatters, Sandra Day O’Connor, 1-18.
beliefs and opinions on past court decisions, especially the *Roe v. Wade* decision. Her reticence enraged the religious Right. Jerry Falwell denounced her openly and several anti-abortion advocates spoke against her in the Senate. Goldwater was quick to come to her defense. “Every good Christian ought to kick Falwell right in the ass,” he declared, “I don't like getting kicked around by people who call themselves conservatives on a non-conservative matter. It is a question of who is best for the Court. If there is going to be a fight in the Senate, you are going to find ‘Old Goldy’ fighting like hell.”69

Though less discussed during newspaper coverage of and in historical accounts of the hearings, the Senators also questioned O’Connor about her understanding of federal power and liberal judicial activism. In regards to these inquiries, she was matter of fact on her views regarding the balance between states’ rights and the central government’s power as well as legislating from the bench. For example, in her opening statement, she stated plainly that she had a great "appreciation of the disparate and distinct roles of the three branches of government at both the State and the Federal levels" and believed “the proper role of the judiciary is one of interpreting and applying the law, not making it.” The Senators present probed her views on improper judicial activism and the proper balance in the federal system. For example, Senators Patrick Leahy and Joseph Biden questioned her about the *Brown v. Board of Education* decision. O’Connor defined the decision “as an accepted holding of the Court” and an agreement between jurists “that the previous understanding of the 14th amendment was a flawed understanding.” She refused to issue a judgment on nature of the decision. “I do not know that the Court believed it was engaged in judicial activism,” she stated, “I did not participate in the debate, and the hearings, and the ar-

Together, both O’Connor and Rehnquist proved dependable voters for the Republican Party’s economic and political agenda and the core of a bloc that, in the words of one legal scholar, transformed the meaning of the First Amendment from protecting “Eugene V. Debs and Martin Luther King, Jr., rebels and rabble rousers” to shielding “Lorillard Tobacco and Ted Turner: money and marketing.” Rehnquist brought to the bench a fundamental interest in stopping and then undoing over thirty years of liberal, activist jurisprudence and an intent to protect free enterprise. During his early years on the bench, the others called him the “lone dissenter.” “I came to the court sensing,” Rehnquist explained in a rare interview, “without really having followed it terribly closely, that there were some excesses in terms of constitutional adjudication during the era of the so-called Warren Court.” “So I felt,” he continued, “the boat was kind of keeling over in one direction. Interpreting my oath as I saw it, I felt that my job was, where those sort of situations arose, to kind of lean the other way.”

Rehnquist became the driving force behind a landmark decision that sent a warning signal to liberals that the Court was beginning to undergo a metamorphosis. In 1975, the Court ruled that state and local governments had to follow the federal minimum wage law, a precedent set almost forty years earlier when the Supreme Court upheld the constitutionality of the Wagner Act, which had given Congress regulatory power over the states. Once again, Rehnquist authored and signed the only dissent, which argued that the ruling violated the protections the tenth amendment provided the states. A year later, the Court’s reversed itself in a 5-4 decision. During deliberations of National League of Cities v. Usery (1976), he persuaded four other jurists to

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70 Committee on the Judiciary, The Nomination of Judge Sandra Day O’Connor of Arizona to Serve as an Associate Justice of the Supreme Court of the United States, esp. 57, 66, 102.
change their opinions. His argument boiled down to his assertion that Congress had violated the states’ rights clause in the Bill of Rights. In the majority opinion, Rehnquist rejected the legislature’s ability to force state and local governments to follow federal minimum wage and maximum hours laws. He contended that although Congress had the right to “exercis[e] its express powers to tax and regulate commerce,” these laws threatened the “separate and independence existence” of the states. Not since the 1937 Supreme Court decision to uphold the Wagner Act had the Court invoked the 10th Amendment, which later scholars interpreted as the first signal that the Court would begin to dismantle the governmental framework that had not only underpinned the New Deal but had enabled the enactment of other mid-century liberal reforms.\textsuperscript{72}

When O’Connor joined the Court five years later, she provided an important vote for Rehnquist’s drive to repeal the federal government’s power, particularly in regards towards regulation, redistribution, and unionization. Though much of the scholarship on O’Connor’s jurisprudence has focused on her stance on women’s issues, experts on other aspects of her legal thought have noted that perhaps her real role on the Rehnquist Court has been her consistent vote with the conservative bloc on issues regarding states’ rights. Some legal minds have gone so far as to call her “Not a Particularly Different Voice” and have stipulated that while she lacks the rhetorical and dramatic statements of Rehnquist and Scalia, she has quietly stood with them on more than 80% of cases involving states’ rights and the regulation of industry. For example, when the Court once again reversed its opinion on federal authority over wages and hours in state governments in Garcia v. San Antonio Metropolitan Transit Authority (1985), only Powell, Rehnquist, and O’Connor dissented. Although they each authored their own dissents, all three expressed

concern that the majority had ignored the protections the Bill of Rights had afforded to the states. Her vote was vital towards shifting the tenor of the court even before Reagan and George H.W. Bush were able to appoint more conservative jurists to the bench.\textsuperscript{73}

The limitations the Rehnquist Court initially placed on federal power had an unintended consequence: state governments began to regulate business. Hence, when these cases appeared before the Court, these jurists did not side with the states and protect their power to police commerce. Instead, the new majority found in favor of corporations that opposed these regulations. To many scholars, this shift signaled that initial assessments of the Rehnquist’s Courts allegiance to federalism had in fact masked its overarching concern for protecting commerce. Indeed, these jurists’ rulings did much to further repeal mid-century state limitations on business and reorient the state towards anti-liberal measures to protect and promote industry.\textsuperscript{74}

By the time Sandra Day O’Connor joined William Rehnquist on the bench, the era of businessmen-politicians’ reign over Phoenix and the other Sunbelt metropolises was over. Phoenix and its sister cities had ceased to have a distinct regional politics built on aggressive growth and investment. Instead, these population centers, and once upstart anti-liberal Republican Parties, were riddled with the same divisive metropolitan and suburban politics that characterized other U.S. cities at the time. Now, local governments, state legislatures, and political parties


struggled with conflicts between suburban, rural, and urban residents and contentious fights over access, social equality, family, faith, and personal liberties that divided the electorate further.\textsuperscript{75}

Still, the Phoenix Chamber men and state party refounders considered their political work a resounding success. Upon Walter Bimson’s retirement in 1970, Goldwater wrote express his thanks to “you with your forward looking, modern banking technique [that] opened up funds for the young businessmen” Years after Eugene Pulliam’s death, Goldwater told a biographer that the newspaperman was “one of the greatest men who ever lived” and credited him with “creating a two party system in Arizona” and “making a success of the efforts to change our city government.” Goldwater’s peers were equally proud of their Senator’s efforts to bring Phoenix’s brand of Republican politics to Washington. “I have treasured your friendship through the many years,” Bimson wrote to Goldwater, “and have felt a feeling of confidence in the future of our State and our Nation because you were in a position to influence public opinion in a direction that I have always supported.” “You have made a great contribution towards saving this country,” another Chamber man wrote in the late 1970s, “I regard you as one of the group comprising Senators Taft, McCarthy, Jenner, McCarran; Generals McArthur, Chenualt[,] and Patton; Robert Welch, Westbrook Pegler, Whitaker Chambers and numerous other who have been uncompromising in their loyalty to God and country.”\textsuperscript{76}
