Party Ballots, Reform, and the Transformation of America's Electoral System

This book explores the fascinating and puzzling world of nineteenth- and early twentieth-century American elections. It examines the strategic behavior of nineteenth-century party politicians and shows how their search for electoral victory led them to invent a number of remarkable campaign practices. Why were parties dedicated to massive voter mobilization? Why did presidential nominees wage front porch campaigns? Why did officeholders across the country tie their electoral fortunes to the popularity of presidential candidates at the top of the ticket? Erik J. Engstrom and Samuel Kernell demonstrate that the defining features of nineteenth-century electoral politics were the product of institutions in the states that prescribed how votes were cast and how those votes were converted into political offices. Relying on a century's worth of original data, this book uncovers the forces propelling the nineteenth-century electoral system, its transformation at the end of the nineteenth century, and the implications of that transformation for modern American politics.

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CAMBRIDGE
UNIVERSITY PRESS

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UNIVERSITY PRESS

32 Avenue of the Americas, New York, NY 10013-2473, USA

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781107050396

First published 2014

Printed in the United States of America

A catalog record for this publication is available from the British Library.

Library of Congress Cataloging in Publication Data
Engstrom, Erik J.
Party ballots, reform, and the transformation of America's electoral system / Erik J. Engstrom, University of California, Davis; Samuel Kernell, University of California, San Diego.
pages cm
Includes bibliographical references and index.
ISBN 978-1-107-05039-6 (hardback)
1. Elections – United States – History – 19th century. 2. Political campaigns – United States – History – 19th century. 3. Voting – United States – History – 19th century. 4. Political parties – United States – History – 19th century. 5. United States – Politics and government – 19th century. I. Kernell, Samuel, 1945– II. Title.
JK1967.E64 2014
324.973′08–dc23 2014012715

ISBN 978-1-107-05039-6 Hardback

"For whomsoever hath, to him shall be given, and he shall have more abundance:
But whosoever hath not, from him shall be taken away even that he hath."

Matthew 13:12

Contents

Acknowledgments

In exploring the implications of the myriad laws and practices governing nineteenth-century parties and elections, we have taken lessons from a class of Americans with more practical concerns – nineteenth- and early twentieth-century party politicians trying to win elections. These politicians practiced institutional manipulation with the dedication if not the lofty aspirations of the Framers. For them, institutional design was a fine art. Given all the ways we found them manipulating state laws and practices over the course of the nineteenth century to achieve responsiveness, it comes as no real surprise to us at the end to find that they had a hand in dismantling it.

We have also learned a lot from sage contemporaries, particularly those generous friends and family who read part or all of the manuscript. We thank John Aldrich, Richard Bensel, Gary Cox, Gerald Gamm, Dianne Kernell, Georgia Kernell, Scott Mackenzie, Jerrold Rusk, Eric Schickler, Matthew Shugart, and referees for the publisher who gave an earlier draft a careful and insightful reading. We learned a lot and deeply appreciate their efforts. Each will find his or her suggestions in these pages.

Numerous colleagues generously shared data and other information with us. Jerrold Rusk, who occupies a special place in the development of our argument, as noted in Chapters 1 and 2, sent us statewide data on congressional and presidential elections. Charles Stewart and Stephen Ansolabehere, who were researching related historical issues at the same time, provided numerous clues on sources. Happily, we found mutual opportunities to fill in holes in our collections of legislative returns. John Wallis not only created a phenomenal resource in his state constitutions online database (http://www.stateconstitutions.umd.edu/), he also repeatedly guided us in its use.

Of all the many data requirements, compiling partisan vote shares for state legislative elections outstripped all of the other data-collection work combined. Only for one state, Nevada, can one go to a single source to find the partisan

share of total popular votes cast for state legislative candidates. All of the other states required compiling each legislative district's election returns and summing partisan totals. None of this information was available for our time period in machine-readable form. This required entering more than 200,000 election returns. Without the generous support of the National Science Foundation (NSF) (award #1036260, for FY 2005), this phase of the research would have been impossible. The University of California, San Diego's Committee on Research repeatedly funded the research after we exhausted NSF support.

We were blessed with extraordinary research assistance. Scott MacKenzie, now a professor at UC Davis, took over the final stages of data collection and merged the original data with Inter-University Consortium for Political and Social Research's district and election-returns files. Moreover, Scott became the "reader over our shoulder," fixing inferences and writing style and reminding us of data constraints as well as forgotten opportunities. Had Scott not daily kept the project on course, this book would have foundered long ago. More recently, Scott Guenther, who is presently writing his dissertation, came on board and started contributing immediately.

Nicole (Fox) Willcoxon began entering election data for us as a sophomore. Her attention to detail and ability to break large, complex projects into a series of manageable tasks allowed her to offer instruction to everyone she worked with. By her senior year, she ran the project. Everyone, including us, reported to her daily to submit our work and draw our next assignment. Other undergraduates who cheerfully worked on this project include Novette Buenaflor, Jenny Hwang, Andrew Jan, and Max Simon.

Dozens of librarians and archivists in more than twenty states generously entertained our requests for state legislative elections records. Several individuals stand apart. Lloyd Velicor at the Wisconsin Historical Society sent dozens of legislative manuals through interlibrary loan after checking each one to ascertain its information. He also tracked down the location of election returns for eight other states. Mary Hughes Greer, a freelance researcher, uncovered dozens of election years' returns in the Wisconsin, Michigan, and Maine collections. Another exceptional individual is John Mifflin, who, after finding incomplete records for Washington in the standard secretary of state files, managed somehow to track down each missing district's returns. We still have not figured out precisely how he managed this over a two-month period.

Erik Heidemann's e-mail messages describing his ordeal and feats of endurance inspired our student workers, to whom we read his missives as they keyed in election returns. Erik found the original county reports for Idaho hidden away in an unheated room of the state historical society. He undertook days of transcribing in dim winter light, dressed more appropriately for snowshoeing than armchair research. This excerpt from one of his e-mail messages ended any temptation to feel self-pity for the team toiling away in sunny Southern California:

I started the "scrolls" today. Let me tell you about the scrolls. Whereas it took about an hour to transcribe each election from the ledgers, it will take much longer to do the same from the scrolls. The scrolls are county scrolls – not one big scroll for each election like I anticipated. They are horrible to work with. I have to use 10–15 paper weights to find the elections of interest. They are not uniform throughout either, meaning that the scroll pages for one county are not necessarily sequential to that of another county.

Other generous archivists and researchers include Johnathan Bruner, a student at the University of Chicago; Keith Edwards, a student at the University of Denver; Debbie Greeson and Margaret Knecht at the Kansas State Historical Society; Brian Graney at the New Mexico Records Center and Archives; Nancy Horn at the New York State Library; Sandy Levy and Cynthia Requardt at the *Baltimore Sun*; Lupita Lopez at the Washington State Archives; Steve Nielsen at the Minnesota Historical Society; Nancy Peluso at the Connecticut State Library; Karen Shafer, a student at Arizona State University; Genevieve Troka and David Cismowski at the California State Archives; Noah Waisberg, a student at Brown University; Dave Wendell at the Oregon State Archives; and Martha Wright and Steven Towne at the Indiana State Archives.

We wish to thank the Missouri Historical Society for permission to reprint Abraham Lincoln's letter to fellow Whigs in Chapter 2; the Carnegie Society for permission to reprint nineteenth-century travel times across the nation for Chapter 3, and the University of Chicago's Special Collection Library for permission to reprint the Democrats' 1864 broadsides for Chapter 3. Cambridge University Press has kindly permitted the reproduction of Gerring's party ideology scores for Chapter 3; the University of Massachusetts Press has permitted the reproduction of Gamm and Smith's presidents' public speaking graph for Chapter 3; and Blackwell Publishing has granted us permission to reprint our previously published article, "Manufactured Responsiveness: The Impact of State Electoral Laws on Unified Party Control of the President and House of Representatives" 2005. *American Journal of Political Science*. 49(3): 531–549 in Chapter 4.

Prologue

During the last decade of the nineteenth century and the early decades of the twentieth century, elections in America changed dramatically. From the late 1820s to the end of the nineteenth century, national elections were hotly contested affairs waged by militaristically organized state and local political parties dedicated to mobilizing massive voter turnout. Frequently, presidential elections were narrowly decided. Even so, thin victory margins could reverberate throughout the nation's elective offices into numerous narrow victories. Early in the next century, political parties weakened and played a diminishing role in campaigns. Voter turnout declined sharply. Although presidential candidates won more decisively, their success failed to pull as many fellow partisans into Congress or the state capitals.

In an exchange published in a 1974 issue of the *American Political Science Review*, two leading political scientists of America's electoral history sparred over the secular and structural forces that had transformed America's elections. Walter Dean Burnham launched the exchange with an article (1974a) in which he argued that it reflected nothing less than a bourgeois revolution. Fearful of the Populist agenda, the corrupt appetites of party leaders, and the easily manipulated votes of massive numbers of recently enfranchised immigrants, America's emerging capitalist class infiltrated and wrested control of both political parties and government, whereupon it eviscerated state and local party organizations and curtailed participation by what had been a keenly engaged electorate.

Jerrold Rusk followed in the same issue with a lengthy comment (1974) in which he critiqued Burnham's cinematic conspiracy theory and proposed an alternative and simpler, yet fully capacious, explanation. Declining turnout, diminished party organizations, and shortened presidential coattails were the direct result of Australian ballot reform, which virtually all of the states had adopted during the last decade of the nineteenth century and first decade of the

twentieth century. It replaced public submission of a party-supplied ticket with the secret vote of a state-supplied ballot listing all of the eligible candidates. Perhaps anticipating Burnham's response, Rusk further argued that rather than an instrument of elite takeover, party leaders in many states ushered in ballot reform as a practical solution to some pressing organizational problems, problems that we examine in detail later in the book.

In his rejoinder, Burnham acknowledged that ballot reform proximately preceded the dramatic changes in voting and elections but dismissed this "mechanical" variable as insubstantial and, in all likelihood, one of the tools elites enlisted to demobilize the electorate. In any event, he concluded, to analyze the minutiae of state election laws and to sort out their effects on elections would be a daunting task:

> Of course, we all await the multivariate analysis based upon total universe recovery to which Professor Rusk alludes. Those of us who work in this area know only too well the immensity of preliminary data recovery and combination this will require – to say nothing of the very real problem not merely of identifying the date and nominal scope of a legal change, but of measuring its effectiveness as concretely applied at various points in time. (Burnham 1974b: 1054)

Blissfully ignorant of Burnham's prescient warning, we naively undertook to assemble more than a century's worth of election laws for all states. Moreover, to test the scope of these rules on election outcomes – and because state legislatures enacted, modified, and eventually dismantled the nineteenth-century electoral system – we needed to analyze voting for state legislative elections, the only set of elections that had still not been collected. By the end of our nearly decade-long data collection, Burnham's characterization of the exercise as a "total universe recovery" no longer strikes us as a florid overstatement. We are ready, finally, to join this conversation.