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# POLITICS AND POLITICAL ORGANIZATIONS IN AMERICA




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# POLITICS AND POLITICAL ORGANIZATIONS IN AMERICA

BY

THEODORE W. COUSENS

ASSOCIATE PROFESSOR OF GOVERNMENT
AND LAW · LAFAYETTE COLLEGE

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*To My Parents, My First Instructors*
*in Political Science*

# *Preface*

This is intended as a textbook for use in the usual college course in American Political Parties. As the topics involved, however, are of obvious importance to the citizen and have been presented without undue technicalities, it is hoped that the general reader will find here matter both useful and informative.

As much of the work as possible has been presented in narrative form. This includes not only the account of American parties but also large portions of the discussion of current American politics. The early part of the historical narrative is centered around the personalities of the great political leaders in view of the importance of a few individuals in the politics of that period. The later part is organized around issues and the movement of political factions and groups.

I have tried to work out a theory explaining the division of voters into parties which is broader than mere economic determinism. This theory of Vital Interests seeks to explain why party lines, which in the seventeenth century ran almost entirely along those of religious cleavage, later became so extensively political in theory, and more recently have been almost exclusively economic. It also explores the possibility of change away from the present economic interest basis in the light of the existing world situation.

In dealing with pressure groups, I have attempted to classify them according to their ultimate objectives. Under the heading of Other Factors Affecting Political Opinion appears for the first time in a book of this type a complete discussion of the effect on politics of such institutions as the school, the church, the movies and the radio. It also in-

cludes a detailed discussion of the press, bringing in magazine and book publishing and the modern revival of the pre-newspaper institution of newsletters. The account of newspaper influence pays separate attention to the topics, Columnists and Cartooning.

The history of American parties has been brought down through the election of 1940 and the account of the Tammany and Philadelphia Republican machines through the municipal elections of 1941. Effort has been made to bring the other material on current American politics down to 1942.

Tables are included giving information on three important subjects — the popular and electoral votes in every presidential campaign, the political distribution of every Congress and the growth of minor parties since the Civil War. A variety of other statistical data is likewise available, particularly on campaign expenditures.

This book does not pretend to an aloofness which places it wholly above the feelings of politics. It merely seeks to follow the facts rather than any particular "party line," criticizing any side freely where the occasion seems to demand it. The writer assumes entire responsibility for whatever is said in any part of the book and includes bibliographies in order that his statements may receive adequate comparison. Those at the end of chapters may be of most use to the student but his attention is also directed to the general bibliography which alone gives the publishers' names and places of publication.

Justice requires candid acknowledgment of assistance from numerous sources. Thanks are due to the National Committees of every national party, as well as to the State Committee of the American Labor Party of New York. Further courteous assistance was given by Messrs. Thomas and Babson, candidates of the Socialist and Prohibition parties respectively in the 1940 campaign. Numerous pressure groups supplied information among which particular mention is due to the American Civil Liberties League, the National Civil Service Reform League, and the New York Citizens Union.

Individuals also deserve thanks for information and advice. Congressman Francis E. Walter has generously afforded help by furnishing information most easily obtainable through his Washington office. Messrs. Morris Kemp and William W. Bryan, successive Associate Librarians in charge of research at the Lafayette College Library, have rendered willing aid whenever requested and Mrs. Eleanor Young of the Kirby Library of Government and Law has been unsparing in her assistance. My colleagues, Professors Miller D. Steever and Eugene P. Chase of the Department of Civil Rights, have from time to time afforded me the benefit of their ripe judgment and extensive experience. Thanks are especially due the former for freedom to devote research time to the present project.

In addition I should like to state my appreciation of the patience and efficiency of the secretarial workers who have prepared the manuscript of this volume. Miss Marion Fulmer and Miss Louise Monez upon whom the work of final typing has principally fallen deserve particular mention.

Finally, I wish to express my gratitude to my wife, Mildred Cousens, whose literary ability and keen insight have made her careful criticism of my work of the greatest possible value.

THEODORE W. COUSENS

LAFAYETTE COLLEGE
June, 1942

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# *PART I*

# THE AGENCIES OF AMERICAN POLITICS

# *Chapter I*

## PARTIES

All man-made institutions, if they would endure, must furnish means both for the fulfillment of immediate human desires and for the accomplishment of long-range social objectives. This is especially true of politics and political organizations. These institutions supply a practical method of performing social functions of the utmost importance, yet they have their foundation in human nature, in the daily wants and passions of men.

### I. THEIR BASIS IN FUNCTION

#### A. IN GENERAL

**The Alternative to Coercion.** Politics in the modern sense is a method of laying down rules to govern the field of human relations. It is *a* method merely, not the only one. It is the method of determining these rules through peaceful governmental processes rather than by mere coercion, violent or otherwise. Coercion of some type still holds sway in the fields from which, rightly or wrongly, peaceful governmental processes have been withheld. It is still the principal force in the realm of international relations, ranging all the way from war to simple diplomatic pressure. It prevails in the field of capital and labor in all countries which have not provided for governmental determination of that class of economic questions. Strikes and lockouts are instances of coercion, nonviolent at least theoretically.

It does not follow, however, that because peaceful governmental processes extend to a certain field, other methods will

not be attempted. A people, group, or class dissatisfied with its political opportunities may turn to coercion as an alternative. Rebellion and revolution are age-old forms of coercion of the violent type. The annals of all nonfree governments from the earliest Oriental despotisms to the latest Fascist and Communist dictatorships are stained with bloody illustrations of the method. "The people that followed Omri prevailed against them that followed Tibni. So Tibni died and Omri reigned." [1] Thus Stalin slew Radek and Hitler slew Roehm. *Plus ça change, plus c'est le même chose.*

A dissatisfied group may also turn to nonviolent coercion. This, too, is a device of long standing. Perhaps the earliest recorded instance (a very effective one, incidentally) was the secession of the Roman plebeians in 495 B.C. By abandoning Rome and threatening to set up their own city in another place, the nonprivileged class obtained the first installment of their political rights. Three repetitions of the act in 450, 342, and 287 B.C. completed the process. Modern instances include the general strike for political objectives (frequently advocated by extreme socialist and communist elements) and Gandhi's system of noncooperation in his struggle for Indian independence.

**The Need for Harmony.** So much for politics. What, then, of parties? Theoretically, at least, parties perform the function of assuring that politics will follow a reasonably consistent and continuous course. The conduct of public affairs by a somewhat coherent group possesses obvious advantages. A government manned by the ablest statesmen in the world would be of little use if no two members of its legislative body agreed as to any measure, if the executive exercised no effective leadership, and if the courts treated as nullities all the actions of the other branches of authority. On the other hand, if all branches work in perfect unity; if the legislature, acting without dissension, carefully evolves the details of a general program thoroughly formulated under unquestioned executive leadership; if, once enacted, this is

[1] I Kings 16 : 22

rigidly enforced as an expression of the national will, a maximum of opportunity might seem to be afforded for accomplishment by the political process. In a free government such unity can be only partially obtained. This is done by the device of political parties.[1]

Yet in the opinion of all believers in democracy, of all who prefer the method of politics to the method of coercion, this partial unity is preferable to the completely unified control attained by the various types of totalitarianism. Clearly the situations which they predicate have their risks as well as their advantages. The power to accomplish may also be the power to destroy. The loss of all the advantages of liberty seems too high a price to pay for completely unified control of government. In practice such control does not even assure consistent and continuous policy, as it puts new departures and sudden reversals of program within the power of a few leaders whose decisions must be slavishly followed.[2] It is doubtful even from the point of view of mere efficiency whether it is well to place absolute power, unchecked even by hostile criticism, in the hands of any leader or group. To do so is to ignore the wisdom of the Greek philosopher who first remarked that enemies are useful because they alone will freely tell us our faults. It also disregards the profound observation of the great English political scientists of the last century, that no one opinion usually contains more than half the truth.[3] Let those who are impatient of the methods and

[1] The psychological basis of the unity thus attained will be discussed later. See Section II of this Chapter, pp. 9 ff.

[2] *Vide* the Nazi-Communist rapprochement and rupture, both of which have occurred since this paragraph was first written.

[3] "Popular opinions, on subjects not palpable to sense, are often true, but seldom or never the whole truth. They are a part of the truth; sometimes a greater, sometimes a smaller part, but exaggerated, distorted, and disjoined from the truths by which they ought to be accompanied and limited. Heretical opinions, on the other hand, are generally some of these suppressed and rejected truths, bursting the bonds which kept them down, and either seeking reconciliation with the truth contained in the common opinion, or fronting it as enemies, and setting themselves up, with similar exclusiveness as the whole truth. The latter case is hitherto the most frequent, as, in the human mind, one-sidedness has always been the rule, and many-sidedness the exception. Hence, even in revolutions of opinion, one part of the truth usually sets while another rises.

delays of democracy undertake to name any person or organization to which they would be willing to commit the government of the nation without reserve or check. If not completely blinded by prejudice, they will speedily realize the reasons for avoiding a complete concentration of power.

In parliamentary countries such concentration is thought to be sufficiently avoided by maintaining free public discussion and the right of minority parties to criticize and oppose the government. In this country we go farther. The American system of government was originally framed with great safeguards against unlimited control by any one group. This was one of the arguments used for the adoption of the Federal Constitution.[1] While not as extreme in this respect as the old constitution of Poland, under which the opposition of a single member of the diet (the so-called *liberum veto*) served

Even progress, which ought to superadd, for the most part only substitutes one partial and incomplete truth for another; improvement consisting chiefly in this, that the new fragment of truth is more wanted, more adapted to the needs of the time, than that which it displaces. Such being the partial character of prevailing opinions, even when resting on a true foundation; every opinion that embodies somewhat of the portion of truth which the common opinion omits, ought to be considered precious, with whatever amount of error and confusion that truth may be blended. No sober judge of human affairs will feel bound to be indignant because those who force on our notice truths which we should otherwise have overlooked, overlook some of those we see. Rather, he will think that so long as popular truth is one-sided it is more desirable than otherwise that unpopular truth should have one-sided asserters too; such being usually the most energetic, and the most likely to compel reluctant attention to the fragment of wisdom which they proclaim as if it were the whole." John Stuart Mill, *On Liberty*, 2nd ed. (London, John W. Parker & Son, 1859), Chap. II, pp. 83–84.

"To wish to be a despot, 'to hunger after tyranny,' as the Greek phrase had it, marks in our day an uncultivated mind. A person who so wishes cannot have weighed what Butler calls the 'doubtfulness things are involved in.' To be sure you are right to impose your will, or to wish to impose it, with violence upon others; to see your own ideas vividly and fixedly, and to be tormented until you can apply them in life and practice, not to like to hear the opinions of others, to be unable to sit down and weigh the truth they have, are but crude states of intellect in our present civilization. We know, at least, that facts are many; that progress is complicated; that burning ideas (such as young men have) are mostly false and always incomplete. The notion of a far-seeing and despotic statesman, who can lay down plans for ages yet unborn, is a fancy generated by the pride of the human intellect to which facts give no support." Walter Bagehot, *The English Constitution* (Boston, Little, Brown & Co., 1873), Chap. IV, pp. 144–145.

[1] See *The Federalist*, No. X, written by Madison.

to defeat a measure, or as that of the United Netherlands (whereby the States General could legislate only with the assent of every province, which in turn required the consent of every municipality therein), the American system is still, of all existent forms of government, the hardest to control and to direct in any consistent policy. The incomparable strength of American party organizations is largely attributable to the necessity of controlling in some degree three different departments, both of the national government and of forty-eight lesser units, in order to carry into effect any general program.

### B. UNDER VARIOUS PARTY SYSTEMS

**Two-Party Rule in America.** America has always had the two-party system. Attempts at organizing major third parties have either failed quickly or resulted in the rapid destruction of one of the existing major organizations. This again may be a result of our difficult political setup, especially of the constitutional provision which, in fault of a majority in the electoral college, throws the election of a President into the House of Representatives. With three strong parties this would happen most of the time.

Adherence to the two-party system, however, is also an evidence of the nation's strong political sense. Failure of other countries to adopt or preserve this system has had more than a little to do with the current downfall of democracy. Even a three-party setup may have the most vicious effects, as recent English experience has shown. The Conservative Party in Great Britain has enjoyed a long lease of nearly unhampered control, regardless of the quality of its administration, largely because the opposition vote has been so divided between Liberal and Labor allegiances as to be utterly ineffectual. The effects of seven- and eight-party systems are sufficiently shown by the fate of the French and German republics.

It would seem that there is a reason for this which goes

beyond that of the mere practical inconvenience of many parties. That is the reason of moral disunity. A nation that is morally one will be able to preserve the degree of unity necessary for the consideration of current questions from no more than two positions. When party stands go beyond this it means that the basic oneness of two-sided debate is no longer present. In a three-party situation, some one group will be voting for reasons having no legitimate relation to those of the other two. A strong and lasting third party is practically always one that hopes to destroy the existing framework within which the other groups are satisfied to work. It may be a National Separatist organization (like the Irish Party before 1914) anxious to break up the existing political commonwealth. It may be a Political Subversive Party (like the French Royalists after 1870) seeking to overthrow the existing form of government. It may be an Economic Subversive Party (like the Russian Communist Party before 1917) seeking to destroy the existing system of property. In any case, it is acting upon preconceptions entirely foreign to the minds of the other parties. Consequently, its action upon current questions will bear no useful relation to that taken by them. Should such a party hold the balance of power, all continuity of policy may be wrecked.

**The Alternative of Blocs or Coalitions.** Of course, if parties become very numerous, they tend to unite in blocs or coalitions. This, it is sometimes argued, makes for something as satisfactory as the two-party system. Compromises are necessary anyway; why not as well between parties as between factions within them? But this disregards the psychological value attached to the term "party." For a faction to "bolt" its party is, as it were, petty treason; for a party to break off from a bloc is the exercise of its time-honored privilege. Hence it is that the duration of most coalition governments is so short and the politics of multiparty countries so hectic as to become a matter for general derision.

**The Single-Party Alternative.** As a reaction from this, resort has frequently been made to single-party systems.

This, of course, means Fascism. It is supported by a kind of mystical talk about the super-personality of the State and the highest freedom's being the loss of individual desires in the general will that is bad philosophy and worse politics. To rush from many parties to one is to burn down the barn to get rid of the rats, to destroy a vital process in order to keep it from functioning badly. The disunity that makes for imperfect consideration is better than the unity that prevents all consideration whatever.

## II. THEIR BASIS IN HUMAN NATURE

**Theories Explaining Party Divisions.** We have spoken of the basis of parties in function — in the long-range objectives which they tend to accomplish. We must now speak of their basis in human nature — in the immediate passions and desires which they tend to serve. In arriving at a knowledge of these feelings, one cannot proceed a priori but is bound to take into account the actual phenomena of political life over a widely extended area in space and time.

Lord Bryce says in his consideration of *Modern Democracies:* "There is in the phenomena of human society one 'Constant,' one element or factor which is practically always the same. . . . This is Human Nature itself." [1] Guided by this conclusion of a mind whose studies ranged from the United States to the Holy Roman Empire, let us seek to discover tendencies common to politics in all nations and times, hesitating to generalize too quickly from those of our own day and situation lest the ephemeral be set down as permanent and basic.

The key question is: Why and along what lines do men divide into political parties? What is the *raison d'être* of parties in the conscious minds or the unconscious motives of their supporters? Various theories have from time to time been advanced on this subject. An attempt will be made to submit each of these to the test to determine its general applicability.

[1] Bryce, James (Viscount Bryce), *Modern Democracies* (New York, The Macmillan Co., 1921), Vol. I, p. 14.

### A. NATURAL HUMAN PUGNACITY

In certain noted passages Sir Henry Maine has attributed the division of mankind into parties to the inborn combativeness of human nature, in support of which he might have cited the dictum of Lord Palmerston that "Man is a fighting and quarreling animal." [1] The instances brought forward to support this explanation (as well as other cases which might be adduced even more easily) merely tend to prove that man is an animal which under certain circumstances will fight and quarrel over very little. The insufficiency of combativeness as a general explanation is made obvious by the very study of primitive societies which Maine's researches did so much to advance. In early communities, where surely the original nature of man should appear in pristine freshness, not only parties but all serious divisions of opinion are practically unknown. Clearly we must look beyond an explanation which so easily fails at the first convenient testing.

### B. LEADERSHIP

The influence of leaders has at times been stressed as a cause of party divisions. It is included in the classic catalogue of such causes in the tenth paper of *The Federalist* by Madison; it has received modern warrant in Hugh Taylor's *Government by Natural Selection;* cynics averse to popular government sometimes assume the arts of the demagogue to be the sole basis of party divisions.

The power of leadership, the force of unthinking adoration in politics, is not to be denied. It combines with the pugnacity of mankind in specific situations to produce a loyalty which may, under certain circumstances, carry a party along on its own momentum for some time after more vital causes for its continuance have ceased to operate. But whether in praise or blame, to treat it as the sole or main

[1] Quoted by Justin McCarthy in his *History of Our Own Times* (New York, Harper & Brothers, 1901-05), Vol. I, p. 434.

cause of party alignments is a kind of adaptation of *das Fuehrer-prinzip* to the political method which unbiased minds will find it difficult to accept.

### C. CONSTITUTIONAL THEORY

One of the most orthodox positions in regard to the origin of political parties was for long presented in the statement that parties differed on basic grounds of constitutional theory. In England this took the form of saying that the Tories were the supporters of royal authority, while the Whigs were the exponents of the rights of the people. With us the story has been that the Republicans espouse the doctrines of Hamilton and believe in a strongly centralized government and a loose construction of the Constitution, while the Democrats trace their principles back to Jefferson and support States Rights and strict construction.

What became of the English phase of the theory is not of immediate concern to us now. What has happened to the American version is startlingly obvious. It has not merely been falsified: it has been reversed. Under the New Deal the Democratic Party has sanctioned activities more centralizing than any Hamiltonian ever dreamed of, while the best states-rights speeches of the present century were those of a Republican, the late Calvin Coolidge. The writer has heard a condemnation of Hamilton in a speech made by a successful Republican candidate for Congress, and the whole country heard the Democratic convention of 1940 boo a reference to Jefferson's reasons against accepting a third term. Historic constitutional theory as an explanation of political action may be said in an expressive old-fashioned phrase to be "pretty well played out."

### D. TEMPERAMENT

**Macaulay's Theory.** By 1849, when Macaulay's *History of England* first appeared, constitutional theory was disappearing as an explanation for British parties. That able writer then

evolved (not in its first but in its best known form) the *temperamental theory* of party divisions. This is so generally noted that it deserves to be set forth at full length and in his own words. Speaking of the reassembling of the Long Parliament in 1641, Macaulay says:

"The day on which the Houses met again is one of the most remarkable epochs in our history. From that day dates the corporate existence of the two great parties which have ever since alternately governed the country. In one sense, indeed, the distinction which then became obvious had always existed, and always must exist. For it has its origin in diversities of temper, of understanding, *and of interest*,[1] which are found in all societies, and which will be found till the human mind ceases to be drawn in opposite directions by the charm of habit and by the charm of novelty. Not only in politics, but in literature, in art, in science, in surgery and mechanics, in navigation and agriculture, nay even in mathematics, we find this distinction. Everywhere there is a class of men who cling with fondness to whatever is ancient, and who, even when convinced by overpowering reasons that innovation would be beneficial, consent to it with many misgivings and forebodings. We find also everywhere another class of men sanguine in hope, bold in speculation, always pressing forward, quick to discern the imperfections of whatever exists, disposed to think lightly of the risks and inconveniences which attend improvements, and disposed to give every change credit for being an improvement. In the sentiments of both classes there is something to approve. But of both the best specimens will be found not far from the common frontier. The extreme section of one class consists of bigoted dotards: the extreme section of the other consists of shallow and reckless empirics.

. . . "When, in October 1641, the Parliament re-assembled after a short recess, two hostile parties, essentially the same with those which, under different names, have ever since contended, and are still contending, for the direction of public affairs, appeared confronting each other. During some years they were designated as Cavaliers and Roundheads. They were subsequently called Tories and Whigs; nor does it seem that these appellations are likely soon to become obsolete." [2]

[1] Italics supplied.

[2] *History of England*, Everyman's ed., I, 82–83. Macaulay's prediction proved unwarranted. The terms, if not already obsolete, were in his day beginning to pass from use. The Tories were becoming known as Conservatives, the Whigs as Liberals. These are now the terms used in all serious writings, and "Whig"

Two criticisms of this theory are obvious on the face of Macaulay's statement. Full discussion of the first of these must for the time be reserved but its nature may now be briefly indicated. In the words which we have italicized, Macaulay has introduced a new and different motive for party divisions. This motive is ignored in the remainder of his statement yet its importance is such as to require our subsequent discussion. The second criticism is that he has noted sufficient differences of degree within each of his temperament groups to warrant the questions: Why two parties only? Why not many more?

Objective consideration of these latter questions will appear necessary in a world in which the multiparty system has been at least as common as any. Great Britain has long since evolved to a three-party system, and even in the United States our major parties find their tendencies checked or encouraged by the constant presence of established minor parties and recurrent attempts at major third-party movements.

Macaulay's idea of a basis in temperament is not at all dependent for its support on the existence of a two-party situation. Its application to a multiparty system is easy and had in fact been worked out in a highly interesting way by the Swiss political scientist, Friedrich Rohmer, nearly twenty years before the better known statement of Macaulay.

**Rohmer's Theory.** Rohmer's explanation is one of temperament based on age. It presupposes a normal four-party division of the electorate, in which two parties are by far the most powerful. These major parties are the Liberals possessed of the temperament of Youth, and the Conservatives possessed of the temperament of Middle Age. The minor parties are the Radicals possessed of the temperament of Boyhood, and the Absolutists possessed of the temperament of Senility. The last-named group is more commonly called Reactionary in American political thought.

and "Tory" end as they began — as nicknames for parties more commonly called by other titles.

In criticism of Rohmer's theory it may be said that again there seems nothing fundamental about the exactness of the division into four parties. Conceding the theory to be valid, one could still allow for differences of age within each of the four main groups that might under favorable conditions cause almost an infinite multiplication of parties, or at least one sufficient to account for the sixteen or twenty parties which have been found at times in the systems of continental Europe.

A further objection lies in the obvious fact that not all older men are reactionaries or conservatives and not all young men are liberals or radicals. To this it is answered that such is the normal course, that most men are born sanguine of change and become increasingly averse to it with age, but that some are born old in mental characteristics while some remain perennially young. It is argued that the normal youth is avid for new ideas and lacking in experience, hence he tends to be in the van of movements that seek Utopias beyond the neighboring horizon. As time goes on his ardor is cooled by years and disappointment; he comes to believe that while improvement is a continuing possibility, perfection is an unattainable goal. Next he comes to doubt this theory with the further increase of years and diminution of his youthful strength, and is content to stand at what has been gained. At last, as his mental powers decay, while change goes on despite him, he tends toward second childhood and a return to "the good old days" of the past, which he pictures as so much better than the modern conditions to which he cannot become accustomed. Most men begin by going faster than their times, and most end by failing to keep up with them. A few are born senile, lacking in either the ability or the energy required to keep up to the pace of their age; a few retain their vigor and adaptability and die aged but still leading on. One thinks of Gladstone moving his Home Rule measures at the age of eighty-three and of the younger Pitt at twenty-five leading the Tory Party.

Considerations of age and temperament doubtless go far

to explain party allegiances. This is particularly true if the latter term is taken broadly to include the entire mental and physical makeup of the individual, the various qualities and defects which tend to make him think and act as he does. One man may be a Communist or an Anarchist mainly because he has a bad digestion, which causes a vile temper raging at everything he sees established.[1] Another may be a Socialist mainly because he has a visionary and optimistic nature which makes him hopeful of improvement in society through radical but nonviolent change. Still others may be Republicans or Democrats mainly because of stupidity, which closes their minds to all new ideas. Any political belief may be held for temperamental reasons without regard to rationality. The assertion that such reasons are generally dominant is another matter and one which can hardly be credited unless other more plausible explanations should be found totally wanting.

### E. POLITICAL PRINCIPLE

Political principles more or less definitely enunciated have always been the theoretical basis upon which parties claimed support. This basis is often said to have been most positively stated by Burke in his *Thoughts on the Cause of the Present Discontents*, where he says: "Party is a body of men for promoting by their joint endeavors the national interest, upon some particular principle to which they are all agreed." [2] This is the keynote of a long and very practical discussion of the question of party solidarity in Parliamentary voting. Later parts of this discussion show how it was meant to be applied.

"As the greater part of the measures which arise in the course of public business are related to, or dependent on, some great *leading principles in government*,[3] a man must be peculiarly unfortunate in the choice of his political company if he does not agree with them at

[1] Zangara, the man who in 1933 killed Mayor Cermak of Chicago while trying to shoot Franklin D. Roosevelt (then President-elect), appears to have been motivated by an incurable stomach ailment which kept him in great pain.

[2] Burke's *Select Works* (Oxford, The Clarendon Press, 1876), Vol. I, p. 86.

[3] Italicized in the original.

least nine times in ten. If he does not concur in these general principles upon which the party is founded, and which necessarily draw on concurrence in their application, he ought from the beginning to have chosen some other, more conformable to his opinions. . . . Of what sort of materials must that man be made . . . who can sit whole years in parliament . . . without seeing any one sort of men, whose character, conduct, or disposition, would lead him to associate himself with them, to aid and be aided, in any one system of public utility?" [1]

Burke postulates a party as a gathering of associates possessed of personal confidence in each other, in agreement on "leading principles in government" to a degree that will produce concurrence of opinion on 90 per cent of political questions. It is abundantly evident from the context of his pamphlet that he was not stating an existing situation but rather the one which he thought proper and desirable. The study of party solidarity in England and America published by A. Lawrence Lowell in the opening year of the present century [2] indicates that but rarely in either country does the unified action of any major party achieve the high level indicated by Burke. In a study including seven Parliaments, five Congresses, and seven State Legislatures, one English party (the Conservative) for two sessions showed slightly over a ninety per cent solidarity in the voting of the House of Commons; another (the Liberal Party) never attained this figure; and American major parties in both Congress and legislature showed distinctly less unified voting than the English. No studies of American minor parties, of the Labor Party in England, or of voting solidarity in multiparty countries have been made, nor has the study of British and American major party groups been brought down to the present date. The parties untouched by Lowell's study might (from their well-known greater homogeneity) show a higher percentage of solid voting than those he considered, but there is little reason to suppose that the latter have improved

[1] Burke's *Select Works* (Oxford, The Clarendon Press, 1876), Vol. I, pp. 89–90.

[2] "Influence of Party upon Legislation," *Annual Report of the American Historical Association for the Year 1901* (1902), Vol. I, pp. 319–542.

in solidarity since the study was made. Burke's supposed basis for parties must be treated either (as he apparently intended) as a mere statement of a desirable situation or, at most, as a description as yet unverified of what may be the situation outside the two historic major parties of the two oldest of the great world democracies. It is clearly not possessed of that universality of correctness which would make it applicable in the fullest sense as a general explanation.

## F. PARTY TRENDS

**A Certain Degree of Party Solidarity Probable.** The fact cannot be ignored that Lowell's study, though far from establishing the degree of solidarity predicted by Burke, did show that in about sixty per cent of the cases where one party cast over nine-tenths of its votes on one side of a question in either Parliament or Congress, a majority of the other party vote appeared on the other side. This is not enough to establish a union upon principles in Burke's sense, but it suggests that there must be party tendencies or trends without which the existence of parties would be quite inexplicable. Let us seek evidence of such trends or tendencies with a view, first, to determining whether they exist; and, if so, second, to discovering what we can about their true nature or basis.

One obvious fact about a party is its name. When first adopted it is intended to typify in the minds of its supporters the basic urge which led them to form the organization. America's first parties, the Whigs and Tories of our Revolutionary period, borrowed English party names, the one signifying opposition to the royal authority and the other, its support. After the Revolution we had the Federalists and Anti-Federalists, named for their attitudes on the adoption of the Federal Constitution; then the Jeffersonian Republicans, so designated from their admiration for the French Republican ideals of the 1790's; then the National Republicans, named from their desire to give the old Jeffersonian ideals a strong nationalist tinge; then the Democrats, seeking

to emphasize their devotion to the cause of the plain people; then the Whigs, indicating their reversion to pure Revolutionary principles as against the tyranny of "King Andrew" (Jackson); then, finally, the modern Republicans, who (and this can be proved by documentary evidence), by their choice of a party name, sought to show a desire to return to principles of a purely Jeffersonian character! Thus we see that a party name, while in the beginning usually indicative of the trend or tendency of the party, may in the long run become a mere historic survival suggestive of aspirations once held but now long since forgotten.

**Economic Analysis Explains Present American Parties.** We have therefore to give up hope of obtaining real knowledge of party trends or tendencies from the names that we find on the ballots. We are driven to an actual analysis of parties as they are found to exist in current American life, a process not impossible though possessed of some difficulties. It has at least been attempted by some of the ablest students of American social science, and in making our survey we may take one of these as our point of departure.[1] It is notable that all such analyses appear to be made on the basis of economic interests. If it be asked how it can be *proved* that American political divisions follow economic lines, the only answer lies in the fact that in the opinion of all competent observers it *is* so. This does not mean, of course, that men act rightly according to their *true* economic interest,[2] but that they act according to what they are persuaded to be so.

A good tentative analysis is made by Walter Lippmann. He says,

"You have to start with many local political factions. There is an urban faction of employees in the Democratic Party of the East.

[1] The results that follow are very largely confirmed by the detailed study in Holcombe's *Political Parties of Today* (New York, Harper & Brothers, 1924), which, however, is largely limited to a basis of agricultural economics.

[2] A misconception on this point seems to be the basis for the denial of the economic basis of American parties to be found in Dimock's *Modern Politics and Administration* (New York, American Book Co., 1937), the only important authority opposing this view.

There is an urban faction of employers and manufacturers in the Republican Party of the East. There is a rural faction in the East which is Republican. There is a rural faction in the South which is Democratic. There is a rural faction in the Northwest which is Republican." [1]

Carrying the analysis further we find that the "rural faction in the East" tends to be subordinate to the dominant manufacturing interest of that area and hence is of little significance in determining the course of the Republican Party. The "rural faction in the South" is mainly engaged in cotton growing and tends to make the needs of that industry very important to the Democrats. The "rural faction in the Northwest," which Mr. Lippmann records as Republican, is so in the sense that it has voted that ticket rather more than the Democratic, but it has been ever ready to shift sides or even to form new parties if the current Republican program did not satisfy it. This is the "grain-belt faction," a group which ever since the Civil War has given a great deal of trouble to both major parties. West of these, and ignored by Mr. Lippmann, lie the Plains and Rocky Mountain areas,[1] dominated by the cattle and mining interests. These interests are "factions" in no particular party. They alternate between the major parties, according to which can offer the greater advantages. Further still to the west lies the Pacific coast, where the eastern picture is reproduced, though perhaps in harsher colors: a Republican employing interest, which here includes farming on a large-scale industrial basis, and an employee class tending to be non-Republican and including agricultural as well as industrial laborers. This interest is Democratic only when the Democrats put forth sufficient radical bait. Otherwise it tends to form into or scatter itself among various extremist organizations.

**Centers of Economic Gravity.** On the basis of this portrayal it should be easy to locate what Charles A. Beard calls

[1] In his "Birds of a Feather," *Harper's Magazine*, March 1925, pp. 408–411.

[2] A detailed discussion of the latter area will be found in *Rocky Mountain Politics*, edited by Thomas C. Donnelly (Albuquerque, The University of New Mexico Press, 1940).

"the center of economic gravity" of each party. In each case this lies in its most permanent groups. With the Republicans these are the employing and manufacturing interests above mentioned. With the Democrats they are the cotton agriculturalists and the industrial employees. These groups control their respective parties. The greater degree of unified management among the Republicans is largely due to the greater centrality of having essentially but one controlling interest. The Democrats, on the other hand, are noted for their internal dissensions, which clearly arise in part from the occasionally conflicting interests of two differing economic groups.

In fact, it may be said that the employing and manufacturing interests are the center not only of the Republican Party but also of the whole political situation in America. The two interests dominating the Democratic Party are there not primarily because their wishes coincide but because in different ways they are both opposed to those of the employing and manufacturing groups.

As for the interests that are not so constant to particular parties, they do not find themselves neglected. Each side is bidding for them, and they are perhaps the more heeded than if their allegiance were more certain. What can happen in a tug of war between the grain and the cotton interests was illustrated in the Democratic convention of 1940 in the nomination of Henry A. Wallace for Vice President. He was the darling of the grain farmers but was distinctly disliked by all the cotton growers. The grain farmers got what they wanted.

**Is Economics a Complete and Permanent Explanation?** How far are these results to be regarded as of ultimate significance? Because the basis of political parties in America now appears to be economic, are we to say that it has been so at all times and places or will necessarily remain so here? Finding an answer to the first half of this question may assist us in solving the second. Let us look abroad and to the past to see whether we have in economics a patent explanation of all political parties or whether we have merely come upon a

current local application of some principle of a more general nature.

Turning to the ablest survey of free governments that has been made within the present century, Bryce's *Modern Democracies*, we find that economics is by no means a universal basis of modern party divisions. Take, for instance, the following description of elections under the regime of the Third French Republic: "Acute French observers distinguish two types of elections. In one there is a more or less avowed coalition on the platform of anti-clericalism by the various groups of the Centre and the Left against the groups of the Right. The other type shows a sort of combination or co-operation of the Centre . . . with the Right on the platform of Anti-Socialism and 'social order' against the Socialists and more advanced Radicals." [1]

**The General Importance of Religion.** This is a situation in which religion appears on an equality with economics as a cause for party divisions. The same has been quite generally true throughout continental Europe. Bryce found it in Switzerland. "It was in ecclesiastical, rather than in language or class distinctions, that the foundations of parties were laid. . . . In Switzerland the line of party division does not coincide with that of class." [2] One might in fact point out the perennial importance of clerical and anti-clerical parties throughout continental Europe and South America as emphasizing the fact that in economics alone we do not find a complete explanation of the divisions of men into political parties.[3]

**Other Noneconomic Interests.** Nor is it properly to be supposed that religion is the sole competitor. Throughout the Balkans, where boundaries cannot possibly be drawn

[1] *Op. cit.*, Vol. I, p. 268.

[2] *Ibid.*, p. 410.

[3] And see Trevelyan's *History of England* (London, Longmans, Green & Co., 1926), especially pp. 465, 561, and 616, for the great importance of religion as a cause for English party divisions up to a recent date. The whole book constitutes a very useful study of parties and interests and goes far to justify the theory set forth above.

without including within one nation's limits language or ethnical groups whose allegiance is more naturally to their neighbors, party lines have most commonly conformed to such allegiances. In the times before the voting privilege was generally distributed, a man's party might be determined less by his economic advantages than by his political rights. Wealthy English merchants cooperated with the most extreme radicals in going to almost revolutionary lengths to secure the passage of the Reform Bill of 1832. Some authorities, in fact, consider that it is only since political reform has been obtained that the economic basis has become important. Says Bryce, "questions relating to the distribution of political power having been everywhere largely disposed of, the dividing lines between parties tend to be economic," [1] without failing to note, however, the concomitant importance of religious and racial groups.

**No Single Motivation.** It is doubtless clear that economics is of first-rate moment in the motivation of party divisions and that in our peculiarly unified American society it stands substantially alone.

"But," as Laski says in his essay on Karl Marx, "it is equally clear that the insistence upon an economic background as the whole explanation is radically false. No economic motive can explain the suicidal nationalism of the Balkans. The war of 1914 may have been largely due to conflicting commercial imperialisms; but there was also a competition of national ideas which was at no point economic. Historically, too, the part played by religion in the determination of social outlook was, until at least the peace of Westphalia, as important as that played by material conditions. Luther represents something more than a protest against the financial exactions of Rome. The impulses of men, in fact, are never referable to any single source." [2]

**The Theory of Vital Interests.** Should we not then posit as a basis for party trends and divisions the ultimate factor of which in America economic interest is the most

[1] *Op. cit.*, p. 125.

[2] Laski, Harold J., *Karl Marx, an Essay* (London, The Fabian Society, 1922), pp. 33 34.

common symbol? Should we not say that men act in politics on the basis of what they believe to be their vital interests? If here and now these seem to be almost exclusively economic, who can say that tomorrow may not confront us with another situation? In the large areas of the world now suffering from oppression the complaint is not that men have lost their property but that they have lost their freedom. So it may come to be here if all totalitarian tendencies are not thoroughly repulsed. Questions of this kind are not *economic* but they are *vital* and upon them parties may be based. We should not allow fundamental reasoning in the explanation of politics to be hampered by parochial or temporary conceptions.

## *AUTHORITIES AND EVALUATIONS*

Those wishing to verify or dispute the conclusions above arrived at concerning political parties are referred generally for a tabular statement of all readily available material for the world at large to the current volume of the *Political Handbook of the World*. More descriptive material for parties under the principal free governments is to be found in Bryce's *Modern Democracies* (1921). The most noted general statement is that of Madison in *The Federalist*, No. X. For a particular study of some fairly recent developments see Holcombe's *New Party Politics* (1933), supplemented by the same author's "Changing Outlook for a Realignment of Parties" in *The American Political Scene* (1938).

Most of the material of this chapter was necessarily found in the general reading, reasoning, and observation of the author. He feels impelled at this point emphatically to recommend historical readings (the wider the better) to all students of politics. Teachers will smile at this recommendation; the inexperienced feeling that it cannot be necessary, the initiated that it will probably be useless, Whether or not the blame lies in the method of teaching history in primary and secondary schools, the average student in a college course on politics shows a fixed aversion to historical material. He has no understanding of the obvious fact that history is past politics and no realization that from its records may be gleaned material useful for our guidance in the world of today. He who has no standard of comparison in the past is unfit to judge of the present. Recommendation of particular histories may seem invidious, but mention may be made of Macaulay's *History of England* (1849–1860) and

of Justin McCarthy's *History of Our Own Times* (1879–1905) as two useful exponents of the political method.

Particular explanations of the theoretical basis of party politics will be found in Sir Henry Maine's *Popular Government* (1885); in Hugh Taylor's *Government by Natural Selection* (1915); in Rohmer's *Lehre von politischen Partien* (1844); and in Burke's *Thoughts on the Present Discontents* (1770). President Lowell's studies of party solidarity are incorporated in his "Influence of Party upon Legislation," *Annual Report of the American Historical Association for the Year 1901* (1902).

The most elaborate discussion of the economic basis of American parties is to be found in Holcombe's *Political Parties of Today* (1924). Perhaps the soundest evaluation of party motives is that in Laski's *Grammar of Politics* (1925).

# *Chapter II*

## PRESSURE GROUPS

### I. DISTINCTION BETWEEN PARTIES AND PRESSURE GROUPS

In performing their functions political parties strive to elect their own candidates to office. In order to control the course of political affairs, a party must do this. It is therefore the ultimate goal of even those "parties of protest" which do not aspire to win in current elections. The Socialists, the Communists, the Prohibitionists do not expect to win this time, next time, or perhaps the time after that — but they expect to win. Some time far beyond the misty horizon, in a day which perhaps no one now living will see, men holding their ideas will be elected to create the millennium of their dreams.[1]

Sharply distinguishable from political parties in this respect, and yet of the greatest importance in connection with them, are the myriad organizations which have latterly been termed Pressure Groups. These are in particularly sharp contrast with the "parties of protest" just mentioned. While the latter hope to elect their own candidates — some time, the former have no candidates but are seeking results — now.

The name "pressure group" has come to be applied to every organization seeking to affect the course of government without actually nominating candidates for office. It is solely by this negative circumstance that pressure groups are distinguishable from political parties. As a result, transference from one category to the other is easy merely by the device of naming or refraining to name candidates. Thus the Citi-

[1] This point of view is especially common among Socialists.

zens' Union (one of the Good Government Associations to be discussed shortly) originated as a party in New York City politics, and the Nonpartisan League, while remaining a pressure group in Montana and the Dakotas, became in Minnesota the Farmer-Labor Party.[1]

## II. CLASSIFICATION AND ANALYSIS OF PRESSURE GROUPS

Pressure groups are best classified according to the basis of their organization. Such an analysis gives us three main divisions: (1) Political groups, formed for the purpose of achieving a certain political objective or objectives; (2) Economic groups, formed for the promotion of the welfare of some economic class, political objectives being simply steps toward this end; and (3) Social groups, for the promotion of objectives neither primarily political nor primarily economic. These again permit of subclassification, the next stage of which might be somewhat as follows:

| *A. Political*[2] | *B. Economic* | *C. Social* |
|---|---|---|
| 1. Institutional | 1. Business | 1. Religious |
| 2. Libertarian | 2. Labor | 2. Fraternal |
| 3. Moral | 3. Agricultural | 3. Philanthropic |
| 4. Physical | 4. Professional | 4. Educational |
| 5. Foreign Affairs | 5. Miscellaneous | |

[1] Such transformations are generally gradual and there may be instances in which the group is somewhat hard to classify. The Citizens' Union, for example, when first organized in 1897, was a municipal political party pure and simple, nominating candidates for city offices. In 1898 it even nominated a state ticket, which was disastrously defeated. In the municipal elections of 1901 and 1903, representatives of the Union participated in the Fusion conference at which joint nominations were made for municipal offices. This has been in general its more recent practice. At the same time, its other activities have been growing and its own publications speak of it as endorsing rather than nominating candidates. It seems both more accurate classification and more in accord with popular understanding of the matter to class this organization as a pressure group.

[2] The term "reform organizations" is sometimes applied to this class. "Political" has been preferred here because "reform" implies change, while many of the groups involved wish merely to preserve existing institutions. Furthermore, reform organizations have quite commonly been supposed to include only those with religious and moral objectives.

This classification could be elaborated by the use of general and special classifications under many of the Economic and Social headings. Thus the Chamber of Commerce of the United States is a general business group, while the American Wool Growers' Association is special; the American Federation of Labor is a general labor group, while the United Mine Workers is special; the American Federation of Churches is a general religious group, while the Board of Temperance, Prohibition, and Public Morals of the Methodist Episcopal Church is special.[1]

### A. POLITICAL

#### *1. Institutional Organizations*

It is comparatively rarely that one finds organizations interested primarily in improving or protecting the actual functioning of the institutions of government. The subject is too unemotional to form the basis for many pressure groups. Moral, economic, patriotic, and social causes easily collect large followings, but it is with great difficulty that groups of citizens can be aroused to active concern about the everyday workings of public agencies.

**Local Good Government Associations.** When such groups are formed, efficiency seems the most effective stimulus. This is perhaps because it comes so near to being an economic motive. It is certain that the greatest popular interest in this type of group has been evoked by the various municipal organizations created to obtain so-called "better government" in our more populous cities. The Chicago Voters Municipal League, the New York Citizens' Union (mentioned above), and the Boston Good Government Association (recently dissolved) are typical of this form of pressure group. By criticism of men and measures, by endorsement of candidates, occasionally by transforming themselves for a time into political parties, these organizations have aided in the vast im-

[1] Another possible classification is into "idea" and "interest" groups, as suggested by Harwood L. Childs in "Foreword to a Symposium on Pressure Groups and Propaganda," *Annals of the American Academy of Political and Social Science*, May 1935, Vol. CLXXIX, p. xi.

provement which the last fifty years have seen in what was once the "worst field in American government."

**National Good Government Organizations.** In the national field the only important body working for the improvement of governmental institutions in general is the National Civil Service Reform League -- again, it will be noted, an efficiency group. It is at present a very live organization, spending much money and effort in propaganda and directed and supported by some of the ablest leaders in the American business world. There are also several national organizations devoting their main efforts to the attainment of efficiency in city government, prominent among these being the National Municipal League. Another national body, deeply but by no means solely interested in efficient government, is the National League of Women Voters, which maintains an office at Washington and has exerted itself elsewhere to obtain city-manager governments for municipalities and improved election and civil service laws for states.[1]

**Constitutional Defense Societies.** President Roosevelt's Supreme Court proposal in 1937 produced a mushroom crop of societies formed to defend the Constitution or the Court. With the defeat of the President's program, most of these organizations disappeared as suddenly as they had come, leaving anti-New Deal agitation to be prosecuted by other types of pressure groups, some of which fall within the group which is our next subject for consideration.

### *2. Libertarian Organizations*

Liberty is a concept permitting various applications according to particular viewpoints. Hence it is not strange that libertarian organizations are of various types, attacking many varying restrictions, and that their importance rises or wanes accordingly as one or another of these several limitations most commands the attention of America.

[1] Conflicting opinions as to the success of these efforts will be found in Belle Zeller's *Pressure Politics in New York* (New York, Prentice-Hall, 1937), pp. 211–220, and Dayton David McKean's *Pressures on the Legislature of New Jersey* (New York, Columbia University Press, 1938), pp. 126–129.

**The American Civil Liberties Union.** For long-time outstanding importance, reference should first be made to the American Civil Liberties Union, a freedom-of-speech organization. This is an outgrowth of the American Civil Liberties Bureau, formed in 1917 to guard the rights of persons charged with crime under special war laws. In 1920 the bureau was converted into the present Union, a body which seeks by legal aid and public agitation to protect freedom of expression wherever it is considered to be in danger. This policy naturally leads to its being identified in many minds with economic radicalism,[1] especially as it draws some of its support from the same sources as do the radical parties. It has not been discriminatory in its action, however, extending its efforts to the protection of freedom of expression by Nazi organizations and by the Ku Klux Klan. Its latest important contest has been with Mayor Frank Hague over the issue of freedom of speech in Jersey City.

**Anti-Prohibition Groups.** While the American Civil Liberties Union is primarily concerned with freedom of expression, other organizations concern themselves mainly with freedom of conduct. During national prohibition the nation teemed with anti-blue-law and pro-repeal associations, all emphasizing the importance of this freedom. With the return of legal liquor, immediate dissolution overtook nearly all of these groups. By this action the Wets surpassed the earlier mistake of their opponents who, at the adoption of the Eighteenth Amendment, greatly slackened their efforts [2] but did not dissolve their organizations.[3]

[1] Note that Bishop Brewster of Maine felt compelled to resign from the General Society of Mayflower Descendants because of the disapproval expressed by that body of his membership in the American Civil Liberties Union. *New York Times*, November 7, 1937.

[2] There are those who attribute the failure of national prohibition to the fact that the temperance organizations ceased their educational campaign with the adoption of the amendment. This campaign had been very successful in its appeal both to reason and to the emotions. It was replaced by mere iterations of the abstract duty to observe the Constitution and to obey the law, irritating rather than convincing to those not persuaded of the law's ultimate value. See *infra*, pp. 30–31.

[3] The Anti-Saloon League considered dissolution at the adoption of national

**The American Liberty League.** Freedom of conduct may concern how a man runs his business as well as what he drinks. To protect this phase of freedom, the American Liberty League came into existence. Created in 1934 to oppose encroachments by the New Deal on the independence of American enterprise, its efforts reached a temporary peak in the campaign of 1936. Failing in its objectives it lingered for four years, acting as an information bureau for some of its members, and finally expired in 1940.[1]

### *3. Moral Organizations*

National prohibition was the great monument to the success of moral political pressure groups in America. Its collapse is proof of their inadequacy to accomplish their ultimate object. Genuine moral reform can be accomplished only by persuasion of the individual. To forbid that which many members of the community think to be proper and desirable breeds an unremitting resistance which is bound to succeed. The community as a whole will not tolerate indefinitely the sacrifice of order and good government to any object.[2]

**The Anti-Saloon League.** Nevertheless, if the history of the Prohibition movement shows the impermanence of re-

prohibition but was dissuaded therefrom by its most noted leader. See Justin Steuart's *Wayne Wheeler Dry Boss* (New York, Fleming H. Revell Co., 1928), pp. 168–169. One "wet" organization (the Crusaders), instead of dissolving, completely changed its aims and became a defender of the type of freedom next referred to.

[1] It is perhaps worth noting that the most successful American pressure group (from the point of view of complete and permanent attainment of its objective), the American Anti-Slavery Society, occupied a curious borderline position between Libertarian and Moral organizations. Whether its members were mainly concerned in obtaining liberty for the slave or in extirpating the sin of slavery cannot be confidently determined, even from the stenographic records of its conventions. Established in 1833 by resolution of the American Convention for Promoting the Abolition of Slavery (a joint meeting of anti-slavery societies which had assembled biennially ever since 1794), it served as the focus of agitation throughout the whole course of events leading up to the Civil War, finally disbanding in 1870 just after its permanent achievement had been capped by the unenduring glory of the Fifteenth Amendment.

[2] This was proved true in the long run, not only by the failure of national prohibition but also by that of the attempt to impose negro suffrage on the South. It has again and again been exemplified in labor disputes.

sults attained by moral pressure groups, it also proves how extensive their accomplishments may be temporarily. Acting through a multitude of nonpartisan [1] anti-liquor organizations (of which the spearhead was the Anti-Saloon League of America), the moralistic forces of the country overwhelmingly defeated the long-established and well-financed organizations of the brewers and distillers, imposed first local option and then prohibition on state after state, and finally compelled the adoption of the Eighteenth Amendment through the force of an aroused national public opinion.[2] Equal success was achieved in obtaining a Congress favorable to stringent measures of law enforcement. But the bow was bent until it broke, and the failure of these severe methods completely alienated public opinion. Once this had happened the inevitable debacle soon followed. At the present day the anti-liquor organizations of the country are hardly more to be reckoned with politically than Lord's Day Leagues for Sabbath observance or societies for the eradication of vice and gambling.[3]

### *4. Physical Organizations*

Brief mention should also be made of certain organizations seeking legislation to accomplish physical objectives. In the main, these may be described as objectives either of beauty

[1] The Prohibition Party deserves almost none of the credit for national prohibition. See Chap. VII, *infra*.

[2] There is no greater error than to assume that national prohibition was adopted by some kind of sudden surprise under cover of a war situation. As early as 1915 a majority (but not the needed two-thirds) was obtained for such an amendment in the House of Representatives. Twenty-seven states had state-wide prohibition when the amendment was adopted, and large dry areas existed in many of the others.

[3] One can hardly touch upon this subject without reference to the extraordinary career of Wayne B. Wheeler. Wheeler, the legislative superintendent and general counsel of the Anti-Saloon League of America, practically dominated Congress from the adoption of national prohibition until his death in 1927. His methods and standards were purely political. Drinking Congressmen were supported by the League so long as their votes were satisfactory. Policies of this type, together with a neglect of educational methods and a tendency on the part of Wheeler to draw all power and credit to himself, were in the end highly disastrous. See Steuart, *op. cit.*, *passim*.

or of safety. Of those seeking the first, the American Planning and Civic Association is perhaps the most important, while the latter is notably served by the National Conference on Street and Highway Safety. These organizations, while generally unknown to the voters, are potent at Washington because of the close contacts and interrelations of their objectives with those of certain government departments and (at times) even of the administration.[1]

### 5. *Foreign Affairs Organizations*

Under this heading may be grouped all organizations whose main object is some kind of action in relation to those affairs of our government which directly concern the rest of the world. We should speak here principally of *preparedness*,[2] *friendship*, *peace*, *international union*, and *isolationist* organizations. Prominently among *preparedness* organizations may be mentioned the National Security League and the Navy League of the United States. These and other similar organizations seek by national publicity work and by activities before Congress to improve the quantity and quality of national defense.

Friendship groups are those whose object is to promote a close relationship with some particular foreign nation. Perhaps the most influential among these have been the English-

[1] Witness the cooperation between Herbert Hoover as Secretary of Commerce and the National Conference on Street and Highway Safety in drafting the Model Municipal and Traffic Ordinance in 1928; also the recent collaboration between the National Resources Committee and the American Planning and Civic Association. The latter organization is mainly interested in parks and roadside improvements.

[2] There has been a tendency to class preparedness organizations (along with certain fraternal groups such as the D.A.R.) as patriotic organizations. The basis of the two classes is essentially very different, the one being composed of groups formed primarily for political agitation, and the other of those on a social basis. Furthermore, the term "patriotic" is claimed by groups of all types. Moral reform is "patriotic." See *Patriotic Studies* (Washington, International Reform Bureau, 1911). The United States Brewers' Association was "patriotic." See Peter H. Odegard, *Pressure Politics* (New York, Columbia University Press, 1928), p. 245. The American Constitutional Association, in seeking to refute attacks on coal-mining conditions in a particular state, describes its action as that of "a West Virginia patriotic organization." See Introduction to *Life in a West Virginia Coal Field* (Charleston, W. Va., American Constitutional Association, 1923).

Speaking Union, with headquarters in both New York and London, and the very active Committee to Defend America by Aiding the Allies. Prominent also in recent troubled times have been such organizations as the German-American Bund (formerly called Friends of the New Germany) and the American Friends of Spanish Democracy.

Peace organizations were among the earliest of American pressure groups. The American Peace Society, founded in 1828, is still existent at Washington.[1] Other important peace groups recently active include the National Council for the Prevention of War, the Keep America Out of War Congress, and the Carnegie Endowment for International Peace. The National Council, an aggregate of some thirty-five peace societies, was principally engaged in bringing public opinion to bear on the actual conduct of foreign affairs from day to day. It claimed large credit for the prevention of a war with Mexico in 1927, and its more recent activities made it perhaps the most important organization in the peace movement.

International union groups include such organizations as the League to Enforce Peace, which was active during the first World War; the League of Nations Association, created soon thereafter and continuing down to the present day; and Federal Union, recently organized to agitate for the adoption of the ideas of Mr. Clarence Streit.

International union and friendship groups inevitably generate their own opposition, comprising such isolationist organizations as the League for Preservation of American Independence, which fought the League of Nations, and the America First Committee, which sought to avoid our involvement in the present war.

### B. ECONOMIC PRESSURE GROUPS

The groups so far discussed have been characterized by an expressed devotion to the public interest. We now pass to

[1] It is of interest to note that this old and eminently conservative peace organization is the only one with which the American Legion has felt it possible to cooperate. See Marcus Duffield's *King Legion* (New York, Peter Smith, 1931), pp. 144–145.

those whose avowed aim is the promotion of the economic welfare of some particular class in the community.[1]

## *1. Business Organizations*

First among economic pressure groups in point of long-standing importance are the multitude of business organizations. The manufacturers and vendors of almost every conceivable product have for each an individual trade association.[2] Beyond these are such vast agglomerations as the National Association of Manufacturers and the Chamber of Commerce of the United States.[3] Politics is but one concern of these organizations, which have many matters of importance outside that field. Nevertheless, they have been very effective therein, as may easily be realized from a slight study of the influence of the National Association of Wool Manufacturers on the tariff, or of the United States Brewers' Association on liquor legislation.[4] By skilled lobbying at Washing-

[1] Though of course each believes its welfare to be practically synonymous with that of the community generally. Witness the slogan of the Chamber of Commerce of the United States: "What's good for business is good for the country."

[2] In many instances also a trade association will include whole groups of products based on the use of a particular raw material, e.g., the Waxed Paper Manufacturers' Association and the Cardboard Manufacturers' Association. These in turn may be federated into larger units on the same basis, e.g., The American Paper and Pulp Association. Or a trade association may be formed on the basis of a single common use for a number of products. Thus the manufacturers of salt, buckets, machinery, flavoring extracts, and ice formed the Association of Ice Cream Supply Men. The whole system is capped by a society known as American Trade Association Executives. For an interesting discussion of this marvelous network see E. Pendleton Herring, *Group Representation Before Congress* (Baltimore, Johns Hopkins Press, 1929), Chap. VI, esp. pp. 96-98 and 105.

[3] For the Monday Lunch Club, an organization including the Washington representatives not only of the business organizations but also of the American Farm Bureau Federation, see *ibid.*, pp. 76 77.

[4] Where formerly the representatives of organized business hoped for and obtained large favors from government, in more recent times their aim has been principally to protect themselves. "The position of the great industries in this country at the present time is a defensive one. The business men of days gone by who looked to Washington for aid in the form of land grants and subsidies are replaced by industries that ask only to be let alone." *Ibid.*, p. 104. Cf., however, the view of the important share of the Chamber of Commerce of the United States in drafting the N.I.R.A. set forth in Rinehart J. Swenson's

ton and the capitals of the states, by all kinds of publicity and propaganda whenever and wherever public opinion may be of service, sometimes even by influencing the process of academic research,[1] these groups tirelessly pursue their own economic welfare in politics.

## 2. *Labor Organizations*

Labor organizations supply the principal opposition to the business groups above discussed. American labor has followed a very different course from that of many other countries where the unions have been in the main *alter ego's* of political parties, usually somewhat socialistic in their tendencies. A few early and disastrous experiences in local politics convinced labor leaders in this country that for them economic pressure would be more successful than would political. To this position their adherence was thorough until the nineties, when so-called "government by injunction" imbued the unionists with the feeling that some action to control the course of government as related to their concerns was necessary in self-defense.

Labor began therefore to assume political activities, but only gradually and to a strictly limited extent. In 1895 the American Federation of Labor (then and until very recently the grand organization incorporating within it nearly all the great unions of the country)[2] first appointed a regular Legislative Committee. In 1906 it first took part in a congressional campaign. In 1908 its leaders first endorsed a candidate for President. The Federation very consistently

"Chamber of Commerce and the New Deal," *Annals*, May 1935, Vol. CLXXIX, pp. 136-143.

[1] See Ernest Gruening's *The Public Pays* (New York, The Vanguard Press, 1931), Chap. III, for the methods by which public utilities organizations accomplished this result. Of course, if a trade association becomes sufficiently representative of an important industry it becomes in a sense entitled to speak for that industry even in learned publications. Thus the *Quarterly Journal of Economics*, published by the Harvard University Press, in 1925 carried an article by an officer of the National Coal Association.

[2] Down to the time of the outbreak of the C.I.O. controversy the only important organized labor groups not included in the A.F. of L. were the Amalgamated Clothing Workers of America and the Railroad Brotherhoods.

opposed the fixing of even minimum wages for male adults by legislation,[1] and until the Great Depression limited its demands almost entirely to legislation for workmen's safety compensation for industrial injury, special protection to certain handicapped laboring classes such as women and children, and against any kind of government interference with strike activities.

There has been sound reason for this eminent self-restraint in political operations. The wage-earning class is far from being a majority of the community, and of this class organized labor is by no means the major part. At its high point in 1920 the American Federation numbered only 4,078,740 within its organization. Thereafter a period of decline set in which was only brought to an end when the policies of the Roosevelt administration began to encourage organization of the workers. In 1941 the membership of the A.F. of L. and the C.I.O. combined was less than 10,000,000 out of an employed labor force of 36,000,000.

Nor, limited as the group itself is, does the A.F. of L. constitute a vote which its leaders can safely undertake to "deliver." Experience through a long series of campaigns has led active politicians to conclude that its endorsement of presidential candidates is not ordinarily backed by the votes of the Federation's membership. In its endorsements and condemnations of congressmen it has been somewhat more successful, but here also it is not exempt from the failing of claiming and attempting more than it can perform.[2]

There is no doubt, however, that the Federation has been

[1] It accepted the wage-fixing feature of the N.I.R.A. unwillingly and only on the understanding (which was never fulfilled) that it was to be effectively combined with the collective bargaining principle, and its acceptance of the Fair Labor Standards Act of 1938 was equally reluctant. For the actions and activities of the various pressure groups during the passage of this Act see Douglas and Hackman's "Fair Labor Standards Act of 1938," LIII *Political Science Quarterly* 491 (1938).

[2] See the Federation's account of its attempt to defeat Representative Finis J. Garrett of Tennessee as quoted in Herring, *op. cit.*, pp. 141–142, with comments by the author. The C.I.O. in its much shorter life has given no reason for belief that its voting cohesion is much greater than that of the A.F. of L., as witness Mr. Lewis' unsuccessful attempt to throw it to Mr. Willkie in 1940.

sufficiently successful to drive through Congress a great deal of pro-labor legislation. An increasing number of senators and representatives have been elected with Federation endorsement, and some are even members of a union. The strength of labor influence can be properly measured only by keeping constantly in mind the tremendous business opposition which it must overcome at every forward step.

**The C.I.O. War.** A new situation has appeared in the field of labor groups as a result of developments following the depression. The American Federation of Labor, organized on a craft basis, had increasingly less to offer to industries becoming more and more mechanized and accordingly operated more and more by semi-skilled and unskilled labor. Late in 1935 President John L. Lewis of the United Mine Workers' Association initiated the formation of the Committee for Industrial Organization,[1] pledged to a militant campaign for the unionization of America on the basis of units of whole industries.[2] This movement met with unqualified disapproval from the Executive Council of the Federation, and before the end of 1936 labor was definitely engaged in civil war. Matters were further complicated by the presidential campaign of that year in which the Lewis group supported Roosevelt to the limit of its strength while the Federation leaders refrained from making an official endorsement. In early 1937 the C.I.O. backed the President's plan for the Supreme Court, while the Administration at least preserved a benevolent neutrality as C.I.O. strikes became increasingly extensive and violent. With both of these efforts failing somewhat of attaining all their objectives, the question of the exact position of the various labor groups in the politics of the future was left in a state of doubt which the events of the 1940 campaign did little to clear. The A.F. of L. leaders maintained an attitude of neutrality throughout while Mr. Lewis in a last-minute statement declared that he would resign the

[1] Reorganized in 1938 as the Congress of Industrial Organizations.

[2] Mr. Lewis was the president of the United Mine Workers, one of the few Federation unions already organized on this basis.

headship of the C.I.O. if President Roosevelt were reelected. This threat the result of the election gave him an opportunity to carry out.[1]

### 3. *Agricultural Organizations*

The farmers also seek their own interest in politics. This they have done constantly ever since the 1870's when the members of the Grange began to oppose the dominance of the railroads in the politics of the western states.[2] In the 1920's a number of newly formed farming groups became of the utmost importance. The Nonpartisan League dominated the Dakotas and adjacent states, while the Farm Bureau Federation,[3] the Farmers' National Council, and the National Board of Farm Organizations,[4] acting in conjunction, controlled

[1] It was generally believed that Mr. Lewis considered the C.I.O. to have been inadequately rewarded for its support in the 1936 campaign. Mr. Philip Murray succeeded him in the C.I.O. headship but he retained the presidency of the United Mine Workers. Soon rumors of new plans of that organization were abroad and as this book went to press in the spring of 1942 the union was engaged in an extraordinary effort to include upon its rolls the dairy farmers of the United States! See p. 39, *n.* 4, *infra*. This was commonly believed to be a portent of some future upheaval in the labor world and speculation was rife as to whether Mr. Lewis might not be planning a revolt against the great organization which he had personally initiated. See "A Third Labor Movement?" *Time* (April 13, 1942), p. 18, and Wechsler's "Can Lewis Wreck the C.I.O.?" *Nation* (April 11, 1942), p. 120.

[2] The National Grange (Order of the Patrons of Husbandry) is strictly speaking a fraternal order. It maintains an office in Washington, however, and is regarded as the spokesman of the more conservative farmers. In the decade following its inception (1867) it rose to great importance in middle-western politics. After attaining its immediate objectives in the regulation of railroads and grain elevators by state legislation, it declined in importance. The work of expressing agrarian unrest was taken over first by the Greenback Party and later by the Farmers' Alliance and the Populist Party. See Herring, *op. cit.*, pp. 110–111, 114–117; Benjamin Horace Hibbard's "Legislative Pressure Groups among Farmers," *Annals*, May 1935, Vol. CLXXIX, pp. 17–24; Edwards, "American Agriculture – the First 300 Years," 1940 *Yearbook of Agriculture*, pp. 259–260; Wing, "Trends in National Farm Organizations," *Ibid.* pp. 945–954, and *infra*, Chap. VI, Sec. III.

[3] This organization, formed in 1920, has a curiously close integration with the federal government. See Wing, *op. cit.*, 960–972, and Kiles, *Farm Bureau Movement* (New York, Macmillan Co., 1921).

[4] Composed of some sixteen agricultural groups, of which the Farmers' Union is the chief. This left-wing organization, which demands the cooperative ownership of all business enterprise, has had various ups and downs since its formation in 1902. It is at present of about equal importance with the Grange

Washington to a degree hardly surpassed by the Anti-Saloon League. Measure after measure was passed by Congress at their instance, the members breaking party lines and forming a Farm Bloc the better to perform their behests. President Coolidge rewrote his annual message to secure their approval.[1] Although sectional differences caused the dissolution of the Farm Bloc and its control over presidential policy was at most only partial,[2] still whenever the farm groups could agree on their object they remained a force most difficult to resist. Under the New Deal they united to write the Agricultural Adjustment Act,[3] and throughout his administration the organized farmers have been one of the principal elements in President Roosevelt's calculations.[4]

### 4. *Professional Organizations*

Professional societies with some justification claim higher objectives than those of other economic groups. Where the latter are frankly concerned with securing a higher return for their products or services, the former organizations are "seeking to elevate the standard of the profession." It is needless to question the sincerity of this object, but it is obvi-

and the Farm Bureau Federation. See Herring, *op. cit.*, p. 125; Wing, *op. cit.*, pp. 954–960; and Weist, "Farmers Union," *Encyclopedia of the Social Sciences*, Vol. VI, p. 132.

[1] See Hearings before Subcommittee of the Committee on the Judiciary. U. S. Senate, 71st Congress, 2nd Session, Part 7, pp. 3034–3037.

[2] Witness President Coolidge's vetoes of the McNary-Haugen Bill for subsidized agricultural exports. One permanent feature of American politics is the fact that the Administration is held responsible for working out a balanced policy in the national interest and hence cannot go the whole way with any pressure group. Congress, having no such responsibility and relying frequently on the President's veto to nullify its own action, can more often give a powerful pressure group what it asks.

[3] See Clifford V. Gregory's "American Farm Bureau Federation and the A.A.A.," *Annals*, May 1935, Vol. CLXXIX, pp. 152–157 (written by a participant).

[4] The present activities of the three principal farm organizations and certain alleged tendencies toward unity and cooperation between them are discussed in Wing, *op. cit.*, pp. 972–978. For their early history see Weist, *Agricultural Organization in the United States* (Lexington, Ky., University of Kentucky, 1923), Part II. The strange attempt of Mr. John L. Lewis to draw the dairy farmers of the nation into the United Mine Workers' is discussed in Raskin, "Lewis Fights Alone in Dairy-Union Drive," *New York Times*, April 19, 1942.

ous that it has strong economic bearings and that insistence upon it grows with the intensity of economic pressure within the group.

**Private Professions.** At least three of the leading professions acquired national organizations in the middle years of the last century. The American Medical Association was formed in 1847, the National Education Association in 1857, and the American Bar Association in 1878. Of these, the second alone maintains a regular office at Washington. The other two, however, are quite ready to espouse or oppose particular measures if occasion demands. The National Education Association has expended a great deal of its endeavors in a seemingly fruitless attempt to obtain a national Department of Education, while the American Bar Association has of late signalized itself in the national field by opposition to the New Deal [1] and locally by efforts to obtain judges satisfactory to the legal profession. Its most recent project is a Bill of Rights Committee which intervenes as a "friend of the court" in cases involving freedom of opinion [2] and publishes a quarterly journal called the *Bill of Rights Review*. New professions are continually appearing in the field of organized pressure groups,[3] and there is every reason to expect them to become increasingly important as more and more special skills are essential to the work of government.[4]

A profession having particularly great success in obtaining its objectives is that of government employees. This success is due both to its high degree of organization and to its inti-

[1] As a result of this attitude an organization of lawyers favorable to the New Deal, the Lawyers' Guild, was formed in 1936. See Brown, *Lawyers and the Promotion of Justice* (New York, Russell Sage Foundation, 1938), pp. 145–153.

[2] Important cases in which this action was taken by the Committee include Minersville School District *v.* Gobitis, 310 U. S. 586 (1940) (compulsory flag salute in the public schools), and Hague *v.* Committee for Industrial Organization, 307 U. S. 496 (1939) (freedom of assembly in the public streets and parks).

[3] E.g., the social workers whose importance increased greatly during the depression. See Paul T. Stafford's "Social Workers Form a Pressure Group," *Annals*, May 1935, Vol. CLXXIX, pp. 34–41.

[4] For general studies of professional pressure groups see Herring, *op. cit.*, Chap. X, and Harold F. Gosnell and Margaret J. Schmidt, "Professional Associations," *Annals*, May 1935, Vol. CLXXIX, pp. 25–33.

mate contact with all the processes of government. At Washington every type of government work is represented by its particular employees' association,[1] and there are also such general groups as the Adequate Annuity Association (working for increased retirement pensions) and the National Federation of Federal Employees. The latter is organized on the labor union model and is affiliated with the American Federation of Labor.

Organizations of government employees are also important at state capitals. Legislatures are subjected to pressure not only by groups representing their own civil servants but also by those of the counties and municipalities. Associations of various types of elective officers and also of municipalities make themselves felt. Teachers' associations merit particular mention because of their high degree of organization and their efficiency in obtaining results.

### 5. *Miscellaneous Organizations*

**Ownership and Consumers' Groups.** It will be noted that the economic pressure groups so far discussed have all been formed by different classes of producers, using the term in a broad sense to include anyone who supplies goods or services. The common interest of a producer class is by no means, however, the sole possible basis for an economic pressure group. Other bases exist, the most important of which are perhaps the interests of owners, either of property generally or of a particular kind of property, and hose of consumers, again either generally or of a particular type of goods or services. Combinations are also possible between consumers and some of the producers in a particular field on the basis of a common interest.[2]

[1] See Herring, *op. cit.*, p. 147, for a list of these.

[2] Organizations appearing superficially to be founded on this basis will, however, often prove to be almost entirely composed of one of the two elements mentioned. Thus cooperative business organizations tend to be composed exclusively either of agriculturists or of consumers, seldom including both groups. See *American Cooperation*, the annual publication of the American Institute of Cooperation, *passim*. So also the Plumb Plan League, an organization that worked for government ownership of the railroads in the 1920's and which

Among the ownership groups should be mentioned the various automobile associations, which become vocal at state capitals when an increase in the gasoline tax or its diversion from highway maintenance is proposed, and the taxpayers' leagues, which have not only opposed increases in local expenditures but have also obtained state legislation for changes in taxation relieving the burden on real estate. Organizations of national importance have recently appeared in this field: the National Consumers Tax Committee and the National Economy League. Important state organizations are the Pennsylvania Protective Association and the New York State Economy Council. Consumers' and cooperative organizations exist, but as pressure groups they have as yet been of comparatively minor importance.

A type of economic group of recent and growing importance is that of *wards of the government*, actual and potential. A dependent class, realizing that it has claims on the government bounty which are already partially recognized, has every motive to organize to increase its benefits. One of the earliest of these societies was the American Indian Federation. Two of particular recent importance were the Workers' Alliance of America, an affiliation of W.P.A. workers out to preserve their jobs and improve their conditions, and the Townsend Clubs, seeking to effect a vast increase in old-age pensions.

### C. SOCIAL PRESSURE GROUPS

#### *1. Religious Organizations*

The day has gone by, if it ever existed, in which religious societies rigidly refrained from meddling with political issues. Church and synagogue alike are concerned more and more with the affairs of this world in all their phases — social, economic, political.[1] World peace and greater social

possibly might have enlisted support from users of railroad service, proved upon investigation to be entirely officered and controlled by members of the railway unions.

[1] In this matter, however, there are marked differences between sects, dependent largely on the basic philosophy each possesses as to its relation to society

justice are of far more concern to conference and synod than any question of theology. On prohibition and birth control, ecclesiastical bodies are to be found on both sides of the controversy. Mention should also be made of the small anti-religious group [1] (for atheism also is a religion) that wishes to abolish Thanksgiving Day and to take "In God We Trust" off the coins. If we do not have Catholic and Protestant parties, as in some countries of continental Europe,[2] religious groups nevertheless actively concern themselves with politics. They do so not only by official action of particular church organizations but also by the formation of special boards, councils, and federations, the better to make their power felt. Thus the Methodist Episcopal Church worked for the adoption of national prohibition through its Board of Temperance, Prohibition, and Public Morals; the National Catholic Welfare Council opposes divorce legislation and the creation of a national Department of Education; and the Federal Council of Churches of Christ in America and the Central Conference of American Rabbis work for detailed programs of social justice.[3]

## 2. *Fraternal Organizations*

America is a country of fraternal organizations. While most of these do not bring pressure to bear in politics, their action to this end is always potential,[4] and in two types of

and the state. For an exposition of this, very good and very brief, see Arthur E. Holt's "Organized Religion as a Pressure Group," *Annals*, May 1935, Vol. CLXXIX, pp. 42–49, esp. p. 44.

[1] The American Association for the Advancement of Atheism.

[2] Notably the Netherlands.

[3] For the work and program of each of the first three organizations named see Herring, *op. cit.*, pp. 210–219, and Holt, *op. cit.*, pp. 48–49; for the last see *Program of Social Justice*, Central Conference of American Rabbis (1932).

[4] "All groups are in a sense pressure groups. . . . To confine the term 'pressure group' to a few organizations that for the moment appear to be exerting influence upon public officials is to ignore the fact that potentially any group may at times exert such an influence." Childs, *op. cit.*, p. xi.

"It is very difficult, if not impossible, to determine the exact number of . . . organizations that appear before the legislature. The number changes constantly; new ones are formed, old ones disappear or are merged into others. And tomorrow some organization that has never had the least interest in law making may find it necessary to oppose some bill jeopardizing its very existence." McKean, *op. cit.*, p. 52.

these organizations it is notably prone to become active. These are: organizations whose *personnel* is such as to have particular claims upon government, and organizations whose objects are said to be *patriotic*. Some very important groups fall within both classifications.

**Veterans' Organizations.** The most important personnel groups have for long been veterans' organizations. The Grand Army of the Republic proved how effective such a fraternity could be in obtaining pecuniary benefits for its members, and if the United Spanish War Veterans were somewhat less conspicuous in their activities this has been more than compensated by the widely publicized success of the American Legion and other World War veterans' organizations.

These organizations also possess the patriotic basis. It seems a common assumption that those who fought to defend the nation in war are best equipped to protect it in time of peace. The G.A.R. accordingly considered itself a national bulwark against the "ex-rebels," becoming in the course of its efforts almost an adjunct of the Republican Party. This fact led the organizers of the American Legion to describe its objects as "nonpartisan," a phrase altered by Congress in granting its corporate charter to "nonpolitical." This, however, has not prevented its championing or opposing various causes principally in the fields of peace and war, preparedness, and what is called "Americanism." [1]

[1] Thus the Executive Committee of the American Legion, meeting on May 2, 1941, denounced both a prominent radio broadcast and an important series of Social Science textbooks as "un-American"; the Legion itself at its Convention in the following September pronounced for the repeal of the Neutrality Act; and its national commander, Mr. Lynn U. Stambaugh, speaking before the American Federation of Labor convention on October 13th following, declared that the Legion believed Harry W. Bridges, West Coast C.I.O. longshoremen's leader, should be deported as a "troublemaking radical who opposes our form of government." Commander Stambaugh further quoted Legion action as demanding the resignation of Miss Frances Perkins as Secretary of Labor and declared that "when what purports to be a labor movement turns out to be a Communist movement it is quite likely to run up against opposition from the American Legion." See Associated Press News from Seattle, Washington, Oct. 13, 1941.

**Hereditary Patriotic Societies.** The patriotic basis is also claimed by fraternities founded upon association with or descent from the defenders, pioneers, or early settlers of America — the so-called "hereditary patriotic societies." A great majority of these are women's organizations, of which perhaps the greatest in present importance are the American Legion Auxiliary and the Daughters of the American Revolution. Under the leadership of the Auxiliary all these organizations became affiliated in the Women's Patriotic Conference for National Defense. In addition to their preparedness activities, many of these societies devote attention to opposing the "Red menace" and take definite stands for and against proposed legislation.[1]

**Purely Fraternal Patriotic Societies.** Finally the patriotic basis is claimed by societies who have no other unifying principle. Many of these seem at first glance to be mere secret orders, with no more claim to be rated as pressure groups than the Elks, the Knights of Pythias, or the Tall Cedars of Lebanon. But their patriotic claim tends to draw them into the pressure activities of other patriotic societies [2] and occasionally they take action in political matters on their own account. Recurrently also a peculiar temporary state of the public mind may raise some alleged patriotic group to brief and exaggerated importance. The best instance of this was the sudden rise in the 1920's of the portentous Ku Klux Klan.

### *3. Philanthropic Organizations*

Philanthropic organizations whose main purpose is to bring about some improvement by associated effort occasionally resort to pressure methods in order to assist their main object. Thus the National Association for the Advancement of

[1] The D.A.R. has been foremost in supporting teachers' oath bills and has opposed federal maternity aid legislation.

[2] Thus among the organizations associated in the Women's Patriotic Conference for National Defense have been the National Council of the Daughters of America, the National Patriotic Council, and the National Patriotic Women of America.

Colored People has been a prominent supporter of anti-lynching legislation, and the various associations for the teaching of birth control have first found it necessary to attack statutes forbidding their proposed activity.

### *4. Educational Organizations*

Educational organizations (other than philanthropic) are those comprising a mixed group of persons immediately engaged in education and those benefited by their activities.[1] Probably the most important of these are the American Council on Education and the National Congress of Parents and Teachers. The latter is chiefly important because of the activities of its local units, the Parent-Teachers Associations, in bringing pressure to bear in their own education districts.[2]

## III. CAMPAIGN AUXILIARIES

Certain auxiliary organizations of national political parties sometimes resemble pressure groups. For instance, in the campaign of 1928 an engineers' committee was formed to support Hoover for the presidency; and the 1940 campaign produced a Business Men's League for Roosevelt, a Hollywood for Roosevelt Committee, and a National Committee of Physicians for Willkie. These bore faint resemblance to business or professional economic groups, but of course their objectives clearly proved them mere temporary adjuncts of particular political parties.

Such organizations need not be temporary and some of them may even become actual pressure groups. A Republican Service League organized in 1924 by World War veterans was still active and important in politics as late as 1936.[3] This of course remained a campaign auxiliary. But Labor's

[1] Organizations composed exclusively of educators constitute professional economic groups.

[2] It also, however, maintains a national headquarters at Washington which brings its program to the attention of the national government.

[3] This League has since disappeared. In 1940 the Republican service men were organized as the Willkie War Veterans and raised a campaign fund of $78,000. See Chap. XII, *infra*.

Nonpartisan League, organized to help reelect Roosevelt in 1936, shows signs that its continued existence may become independent of the Democratic Party and hence of becoming a real pressure organization.[1]

## *AUTHORITIES AND EVALUATIONS*

By far the best sources of information in regard to particular pressure groups are the publications of the groups themselves (taken with the requisite grains of salt) and the news material that appears about them in the daily press. Books and articles about particular groups are useful, but they are likely to be written for purposes either of attack or of sensationalism or both and hence are not generally to be considered impartial studies. It goes without saying that this rule has its exceptions, some of which will be indicated below in connection with particular organizations.

On pressure groups generally and each particular class of them, a great deal of very valuable material is to be found in Volume CLXXIX of *Annals of the American Academy of Political and Social Science*, published May 1935 (cited herein as *Annals*, May 1935). The general title of the volume is *Pressure Groups and Propaganda*, and it contains material on practically every type of group touched upon above. Herring's *Group Representation Before Congress* (1929) is by far the best general work about pressure group operations at Washington, while two able books have dealt with the same matter at two important state capitals: Zeller's *Pressure Politics in New York* (1937) and McKean's *Pressures on the Legislature of New Jersey* (1938). Conservative pressure groups are made the subject of detailed analysis and severe attack in Part II of Seldes' *You Can't Do That* (1938) under the heading: "Enemies of the People." The impact of various pressure groups on education is dealt with in Raup's *Education and Organized Interests in America* (1936).

For information about Institutional groups one must generally have recourse to their own publications and to daily press reports of their activities. The first-named source, though necessarily biased, is on the whole more dependable than is the publicity issued by many other types of pressure organizations. In this regard particular reference should be made to the publications of the New York Citizens' Union and of the National Civil Service Reform League. The National League of Women Voters has a record of its history in Sherwin's *Ten Years of Growth* (1930).

[1] It has spawned a new political organism, the American Labor Party, which bids fair to be more important than its parent.

The publications of Libertarian groups are chiefly of an argumentative nature, telling less about the groups themselves than about the causes they support. This is true of such volumes as *The Crusader* (published by the organization from which it takes its name) and of the pamphlet material issued by Libertarian groups of all types. Exception should be made of some of the publications of the American Civil Liberties Union which seek to refute its imputed radical allegiance.

The publications of Moral groups are subject to much the same comment, with the additional warning that emotional fervor tends to diminish their dependability in many instances. A fine picture of the operations of the Anti-Saloon League is to be obtained from Odegard's *Pressure Politics: The Story of the Anti-Saloon League* (1928) and Steuart's *Wayne Wheeler Dry Boss* (1928).

Physical groups are to be studied almost entirely through their own publications, among which may be mentioned notably the *American Planning and Civic Annual*. Practically nothing appears about them in the general authorities.

Preparedness groups have been the not infrequent subject of attack, defense, and congressional investigation. For critical views of them see Speeches of Representative Tavenner of Illinois, *Congressional Record*, Dec. 15, 1915, and May 3, 1916; Speech of Representative French of Idaho, *Congressional Record*, Feb. 10, 1931; *Hearings of the Special Committee of the House of Representatives to Investigate the National Security League* (1918); Beard's *The Navy: Defense or Portent?* (1932); and Seldes, *op. cit.*, pp. 133–137. The Navy League answers one of these attacks in an *Open Letter to Hon. B. L. French* (1931).

Information concerning Friendship groups has usually to be obtained through the newspapers and their own publicity releases, but all such organizations interested in Germany, Russia, or Spain had their affairs very unfavorably canvassed in the hearings of the Dies Investigating Committee of the House of Representatives. Almost nothing appears about them in the general authorities.

Peace organizations must generally be studied in the light shed by their own publications and by the newspapers, as well as in occasional fitful gleams cast by congressional investigations. The entire class of Political pressure groups, i.e., those whose whole purpose is the attainment of political but non-economic results, is one meriting more study than it has yet received.

Business organizations are on the whole very thoroughly covered by the general authorities, but some more specialized discussions are also available. The entire setup and activities of the United States Chamber of Commerce are analyzed in Child's *Labor and*

*Capital in National Politics* (1930), and a particular field of Business group activities is considered in Schattschneider's *Politics, Pressures and the Tariff* (1935), a study limited to the Smoot-Hawley Act of 1930.

Aside from discussions in the general authorities, the work of labor organizations has very largely to be evaluated from their own publications (which are mainly of a propaganda nature) and from the press, whose treatment of labor matters has at times fallen short of any ideal of equal justice. Reference may further be had to Child, *op. cit.* For a summary of the situation following the creation of the C.I.O. see Levinson's "Labor's Two Houses," *Harper's Magazine*, Feb. 1939, pp. 287–295.

The Nonpartisan League has received by far the most attention from book writers of any Agricultural group. See Gaston's *Non-Partisan League* (1920), Russell's *Story of the Non-Partisan League* (1920), Langer's *Nonpartisan League* (1920), Bruce's *Non-Partisan League* (1921), and Burgess's *Nonpartisan League* (1928). The authors of the two first named were active in organizing the League, those of the next two were politicians actively opposed to it, and the last named work is a study of the *Institut de Droit Comparé de Lyon.* As is often the case, much more has been written of the rise of the group than has been devoted to its subsequent history. Some of the later developments are to be found in Burgess and others in Folwell's *History of Minnesota*, Vol. III (1926). For other farm organizations see authorities in notes pp. 38–39 *supra.*

Professional groups (with the possible exception of social workers) ordinarily get a very good "press." Their journals and official publications tend to be self-flattering but indicative.

Miscellaneous Economic groups of the consumer, user, and ownership types have their own publications, the most favorable example of which is *American Cooperation*, the annual of the American Institute of Cooperation. They receive comparatively little notice from the newspapers or in the general authorities.

Of the groups of government wards the Workers Alliance of America has come in for the most unfavorable publicity, an instance of which is High's "Unemployment a Permanent Career," *Saturday Evening Post*, Dec. 10, 1938, pp. 8–9, 30–36. There is probably more to be said on the other side than is to be found in any publication, though McKean, *op. cit.*, has a brief and eminently fair discussion of the organization which he places under the heading of Labor groups. Pressure groups of the unemployed are rather too new a phenomenon to be discussed in the other general authorities, and the Townsend Clubs are apparently too recent to appear in any of them. For comment on this organization see Harris's "Dr.

Townsend's Marching Soldiers," *Current History*, Feb. 1936, pp. 455–462 and *The Townsend Crusade* (New York, Twentieth Century Fund, 1936).

Religious pressure groups have their own publicity material, some of which is subject to the criticism made above of that issued by Moral groups. This material varies greatly in quality, other instances of it being of the highest character for dependability and sound intelligence. Nothing but careful study or previous accurate knowledge of a group will enable the student to evaluate its publications. Except on the "dry" issue, the Religious groups have tended to have a good but scanty newspaper press; on that the press tended to be voluminous and somewhat abusive. Religious groups show themselves rather critical of each other in their own magazine publications (a tendency which appears at the present time to be increasing) and are subject to periodical attack and defense in the magazines of general opinion. It takes peculiarly careful judgment to determine the truth about any one of them from data so conflicting.

Veterans' organizations have generally tended to get a good newspaper press, except perhaps at the height of controversies regarding the bonus. Magazine and book evaluations have been more unfavorable. Articles in general magazines have assailed them at times, periodicals of liberal and radical opinion have been persistently critical, and several volumes dealing with them are of an exposé nature. All types of comment center around the American Legion. See Duffield's *King Legion* (1931) and Mayo's *Soldiers What Next!* (1934), which latter also contains (pp. 18–40) a brief description of the pension activities of the G.A.R. Gellerman's *American Legion as Educator* (1938), a Columbia University Contribution to Education, is also quite critical. It contains a very thorough bibliography of its subject. Certain very recent developments are dealt with in Riis' "New Pension Grab," *New Republic* (Oct. 6, 1941), pp. 430–432.

The D.A.R. has received the most publicity of any Patriotic Fraternal group. It is by far the best known and is the most commonly attacked for its pressure activities. It is the subject of constant criticism in radically-inclined magazines, and even reasonably impartial organs of opinion have been known to regard some of its policies unfavorably. Duffield, *op. cit.*, contains some incidental discussion of patriotic societies, and an interesting list of organizations and formal objectives is available in Hood and Young's *American Orders and Societies and Their Decorations* (1917). For the modern Ku Klux Klan see Mecklin's *Ku Klux Klan* (1924) and Jefferson's "Roman Catholicism and the Ku Klux Klan" in his *Five Present-Day Controversies* (1924).

The pressure work of Philanthropic organizations rarely receives publicity except incidentally in news reports about the progress of measures supported by them. This is true even of the most militant. Thus the work of the American Association for the Advancement of Colored People was first laid before the public in the fall of 1938 when *Time* discussed it in connection with the progress of the Federal Anti-Lynching Bill. The work of birth control organizations also receives notice on similar occasions of public interest. Especially active organizations in a particular state attain the attention of the general authorities.

The American Council on Education issues annual reports of its activities, while those of the Parent-Teacher Associations are to be learned of largely through reports of the Federal Bureau of Education. Notable among these are Lombard's *Recent Development of Parent-Teacher Associations* (1923), her *Parent-Teacher Associations at Work* (1925), her *Significant Programs of High School Parent-Teacher Associations* (1935), and Reeve and Lombard's *Parent-Teacher Associations 1924–1926,* which last contains a history of the Parent-Teacher movement.

Campaign auxiliaries are rarely mentioned outside the newspapers, although Duffield, *op. cit.*, mentions the Republican Service League.

A curious picture of some activities of obscure patriotic groups, together with some interesting information about the American Civil Liberties Union, is to be found in *Hearings on the Nomination of Felix Frankfurter Before a Subcommittee of the Senate Committee on Judiciary* (1939). A very ominous development involving many of the same little-known groups, is discussed in Strong's *Organized Anti-Semitism in America* (1941).

## *Chapter III*

## OTHER FACTORS INFLUENCING POLITICAL OPINION

**The Atmosphere of Politics.** All of the groups thus far described must function in an intellectual atmosphere which may be called political opinion. This may be the dead, stale air of authoritarianism, such as is found in the complete dictatorship, in which political organisms swiftly wither and die, or it may be the clear free air of the ideal democracy in which they flower and approach their highest development. The former is the condition of static, the latter that of dynamic, *political opinion.* Of course, neither is ever found in absolute perfection, as no dictatorship has ever completely repressed underground movements and no democracy is wholly exempt from restraints on public thought.

Parties and pressure groups affect the surrounding atmosphere of opinion and are, in turn, affected by it. Even the most extreme must reckon consciously or unconsciously on the extent to which the views they preach differ from those current in the community; while for those organizations that have immediate hope of dominating the political scene to avoid shocking generally received opinions is obviously vital. All therefore must to some extent take into account current views and *mores*, shaping their course to some degree by their judgment of what the general community will either tolerate or support.

### I. ESTABLISHED SOCIAL INSTITUTIONS

Various influences go to shape political opinion, prominent among which must be reckoned those of established social

institutions. The home, the school, the church, the press, the stage, the motion picture, the radio — all these act constantly upon the public mind, forming within it certain impressions which the agencies of politics have to accept or at least cannot ignore.

### A. THE HOME AND THE SCHOOL

**The Home.** The first two influences mentioned hardly permit of profitable separate discussion. The reason for this is not any lack of importance but rather a lack of separability. The home influence is not one but various, conditioning the mind according to differing factors of heredity and environment. Section and even locality vary it; racial and national origins impart to it different colors; social and economic conditions render it potent in differing directions. It is these divergent influences acting through the home that must be studied, and attention will be devoted to them later after a consideration of general influences of a more definitely separable nature.

**The School.** The school, taken in the broad sense of education in general, is likewise in the main a nonseparable influence. This again is largely because it does not act itself but allows other influences to act through it. Or perhaps better because it acts negatively rather than positively, not interfering materially with the other influences that exist. Considering the length of time the modern American educational system has in which to shape the minds of its pupils, it is remarkable to how slight an extent it influences their controversial opinions.

This situation exists mainly because influencing political opinions is on the whole outside the purpose of the school. The public school system at least is ordinarily supposed to teach noncontroversial facts and to leave opinions alone. By so doing, of course, it does a great service to the conservatives, that is, to those who hold the common opinion in any given community. Without assistance from the school the

children of Maine naturally grow up Republicans, while those of Alabama become Democrats, the merits of the protective tariff never having been academically considered by the one group nor the possibility of an improvement in the existing situation of the Negro by the other.

New parties, however, cannot be helped by mere silence, and such organizations have been known to use control of the schools to impart their own teachings. It is said that the Populists imposed on the children of Kansas a history textbook that gave more space to the alleged "Crime against Silver" than to the Revolutionary War.

Wars in general, however, are not neglected. This is the one point at which the school system approaches positive indoctrination. It is not that force is praised, as in the totalitarian despotisms; it is simply a matter of the space and time allotted to the subject. At least until very recently so large a part of our school histories was devoted to the wars of the republic that pupils naturally came to feel that these events were of chief importance in the national life.

**College Education.** Education at its higher levels does indeed approach controversial ideas, but by that time the students' opinions are apt to be formed. Any college teacher of the social sciences knows the situation; he may hope to inform as to fact, but he can rarely aspire to affect opinion.

### B. THE CHURCH

There are those who confidently inform us of the "good old times" when clergymen preached nothing but "the Gospel," meaning thereby that they preached on nothing that could possibly have any active relation to the political life of the day. When those times were we cannot tell, for research does not disclose them. The Puritan ministers took a maximum part in the politics of their era, telling governors and legislatures what to do and themselves actively participating in the public business. At the time of the Revolution both Whig and Tory sermons were preached from the most

respectable pulpits. That most eminent theologian, President Dwight of Yale, considered the election of Jefferson to the presidency a delivery of the country over to "Frenchified Atheism" and freely said so in pulpit addresses, as did others of the Federalist clergy of his day. Clergymen arrayed themselves for and against slavery in the great controversy that led up to the Civil War. The Reverend Charles H. Parkhurst, minister of one of the great New York churches, began the revolt against Croker's Tammany in the early nineties by personal investigations of the state of the city, which he gave to the world in scathing sermons. Finally, in our own day, priests, ministers, and rabbis alike concern themselves with such questions as war and peace and the relations of capital and labor.

The notion that the pulpit should not touch on politics is in part the result of wishful thinking by politicians who would prefer fewer variables affecting their occupation; in part of the idea that tariff and other taxation questions are the typical stuff of politics and that in these "the Gospel" can play no part; and finally of a deep-seated distrust of the clerical type of mind, which some feel to be well intentioned but lacking in practical judgment.

In any case, the politicians never have succeeded, and apparently never will succeed, in keeping the clergy from "meddling in their business." Clergymen urge on fevered demands for war, clergymen nourish aspiring plans for peace, clergymen help to adjust the problems of capital and labor, clergymen thunder for and against birth control, clergymen urge and oppose prohibition. All this is aside from and in addition to the previously noted activity of religious pressure groups. Politics functions in an atmosphere tinged by clerical utterances, none of which it can ignore. From the latest papal encyclical down to the last sermon in the church around the corner — all have their influence and all affect political results.

Radical agitators, nevertheless, persistently speak of religion in scornful terms as "the opiate of the people." They state,

for example, that industrialists supported the evangelism of the late Billy Sunday because it quieted the ambitions of their workers for improved conditions of pay and employment.[1] That a pacifying, other-worldly form of religion is possible is of course obvious, but that it is or ever has been at all typical in America the instances above given should suffice to refute. The social dynamism of the American religious ethic is clearly something from whose atmosphere politics cannot expect to escape.

### C. THE PRESS

#### *1. Book Publishing*

Another influence is that of the press, using that term in the broadest possible sense. One is accustomed to seeing it employed in exclusive reference to the newspaper field, but this is but one of three important divisions, all of which have to be reckoned with in the world of politics. Book publishing is the oldest type of press activity, and from this area the winds of controversy blow freely in all directions. It is only fair to say that their direction is radical to a degree disproportionate to the average distribution of public opinion. This seems due clearly to the quick sensibilities and the deep sympathetic nature which are characteristic of the creative mind of writers. The result of their feeling for the underdog has been to drive many to the advocacy of the most radical courses. Communists and "fellow travelers" have been far more common than elsewhere in the writing profession.

#### *2. The Magazines*

There is, of course, an economic reason for the freedom of the book trade. Publishers do not find that books with opposing theses stand in each other's way because one man can buy one book and another, another. In the magazine field they are confronted with a different situation. A magazine

[1] Note also that the I.W.W. attacked the Salvation Army with a parody of one of its songs, declaring that it led the workers away from agitation to improve their present conditions with promises that "there'll be pie in the sky by and by."

is bought or subscribed to for its general nature or reputation which its publisher must take pains to preserve. The result is that each magazine appeals to the ideas and interests of a particular class. This class may be intellectual or it may be social or economic. The general result is the existence of a number of groups of magazines each catering, with differences, to a particular intellectual or social or economic viewpoint. There is a businessmen's group in which one may cite *Liberty*, *Collier's*, and the *Saturday Evening Post*. There is a "cultured opinion" group including the *American Mercury*, *Harper's*, and the *Atlantic Monthly*. There is a liberal or radical opinion group including the *Nation*, the *New Republic*, and the *New Masses*. There are women's magazines, adventure story magazines, pseudo-scientific magazines. Many of these groups have, of course, little or no importance to the politician, but others are trying to affect his world all the time.

One strange result of this situation is the fact that the same publisher may seem to be trying to influence politics in divergent directions. The Curtis Publishing Company puts out the *Saturday Evening Post*, the *Ladies' Home Journal*, and the *Country Gentleman*. Yet differences in editorial opinion on such questions as child labor and aid to the farmers have been at times apparent among these magazines. Each was seeking merely to satisfy its own constituency.

Differences within a given intellectual, social, or economic group are even more understandable, as within the constituency of each there are varying opinions. Thus it is well known that the *New Masses* is communist, while the *Nation* and the *New Republic* are socialist or extreme liberal; the *Atlantic Monthly* is conservative, *Harper's* moderate liberal, and the *American Mercury* reactionary or "Menckenesque." The differences between the businessmen's magazines are mainly those of manner rather than of opinion.

The result of all this is that the influence of each magazine is a wind blowing steadily over a definite area, that of its own circulation. This is not to say that no differences are permitted in the same magazine. Some, like the recently de-

ceased *Forum*, are deliberately seeking to catch an intellectual clientele of diverse opinions. Others have been known to invite contributions from an opposite viewpoint so that they might the more deliberately demolish them in later issues. All have an objective, a particular axe to grind. This is true even of the supposedly free radical magazines, which are perhaps the easiest of all to classify in the general trend of their opinions.

If a magazine is a steady wind, it is also seldom a violent one. Time was when American magazines delighted to initiate campaigns against the evils of Big Business. This was the so-called Era of the Muckrakers. It coincided with the rise of the reform movement at the beginning of the present century and came to an abrupt halt about the year 1911. It ceased apparently because the public tired of it and muckraking was no longer profitable. It was work of a type that is clearly not now to be expected of our established magazines, each of which is making money by catering to its own clientele and without the *sturm und drang* of crusading. As for setting up a new magazine for muckraking, the expense would probably be far too great for anyone without an established fortune, and once begun it could not succeed without advertising, which might have to come from sources vitally affected by its attacks. It is far from certain, moreover, that magazines are not more effective supporting organized movements rather than conducting their own crusades.

### *3. Newspapers*

Newspapers, too, have in the main ceased to conduct crusades as they did at the beginning of the century. Radicals complain that the press is not free, that it does not tell the truth about labor questions, that its news columns cater to its large advertisers.[1] These charges, while not true to the

[1] This last much-stressed complaint is minor compared to the real newspaper evils set forth below. It is worth noting, however, that it has been met by the newspaper *P.M.*, which does not sell advertising space and consequently charges five cents a copy.

fullest extent, have enough truth in them to be a matter of concern to all who take an active interest in American politics. People in general are no longer affected by newspaper editorials or influenced by newspaper leadership.[1] The day in which many people read the editorials is long since gone, and the day when newspaper leadership existed has departed only slightly more recently. What now matters in newspapers is news and the way in which it is presented.

**News Methods.** In dealing with news for its effect on opinion the newspaper has two available methods: omission and emphasis. These might in fact be reduced to one, for what is omission but complete lack of emphasis? In other words, and less technically: the newspaper affects opinion by telling the public what it chooses, by directing greatest attention to the things it chooses, and by failing to mention the things it chooses.

Of course, the area of choice is not complete, and one encouraging symptom is that it is becoming continually less so. One independent newspaper in a given community could always make the rest of the local press give attention to matters they would rather forget. Now the radio and the news weeklies (of which *Time* was the first) have come to act as further checks on press discretion. The man who reads more than one newspaper or even the man who reads one newspaper carefully now stands a better chance of getting all the news than he did a few years ago.

But the question will naturally be asked, "Why don't newspapers print all the news or, if they print it, why is the emphasis placed upon it sometimes misleading?" The answer lies in their economic setup, a factor which has changed vastly since the old days of personal journalism.

**The Great Change in Journalism.** Time was when a man with talent and almost no money could found a successful

[1] If they ever were. As long ago as 1867, at the very height of the great personal journalism, James Parton maintained that it was exclusively news and not at all editorials or other features that sold newspapers. See his very illuminating sketch, "James Gordon Bennett and the New York Herald" in his *Famous Americans of Recent Times* (Boston, Ticknor and Fields, 1867).

newspaper. It took great effort and decades of time, but it could be done. Greeley did it, the elder Bennett did it, Pulitzer did it. To do it now would be quite impossible. The necessary outlay on plant, even for a small city newspaper, is so great that none but those already wealthy can afford it. This means that the ownership of the newspaper press is necessarily in the hands of the capitalist class and that emphasis, suppression, and iteration are almost entirely in its interest.[1]

One result is that the people do not follow their newspapers' lead. This has been made evident again and again in major municipal elections, where candidates opposed by almost the whole press of the community have triumphed in spite of newspaper attacks. It also is overwhelmingly evident in the

[1] "With the turn of the century something new appeared in the country newspaper business. It was the linotype, the mechanical typesetter and along with it came the rotary press, both expensive contraptions and both made necessary by expanding business which came to the editor's door. . . . No longer could a man go to a county seat with $1,500 in cash and a good line of talk and buy or start a newspaper. . . .

". . . Rotary presses, linotypes, stereotyping machinery may join the crossbow . . . upon the ash heap of forgotten gadgets. But the merchandising of news for a long while to come will be affected as it is now with a strong property interest. It will require machinery to assemble the news. It will require capital to distribute the news. And capital today or tomorrow always has a lively sense of its own advantage. Capital is instinctively, for all the noble intentions of us capitalists, class conscious. . . . The owners of newspaper investments . . . feel a rather keen sense of financial responsibility, and they pass their anxiety along to newspaper operatives. . . . The sense of property goes thrilling down the line. It produces a slant and a bias that in time become — unconsciously and probably in all honesty — a prejudice against any man or anything or any cause that seriously affects the right, title, or interest of all other capital, however invested. It is not the advertising department that controls the news. Newspapermen may lean over backward in their attitude toward . . . advertisers . . . and still may be poor miserable sinners when they discuss problems affecting the stability of institutions that are founded entirely upon the economic status quo.

". . . Capital is so fluid that a threat to the safety of any investment seems to be a threat to all investments. Therefore newspapers which represent sizable investments are tempted to shy off and shiver when in Congress, in the legislature, or in the City Hall a man or a group threatens an investment in any kind of patent medicine, in any kind of holding company, in any kind of misbranded food, in any kind of railroad security, in any kind of banking affiliate, good or bad. It is no longer the advertiser who puts on the pressure. It is not even the boss back of the pay roll who begins to quake. It is the whole middle and upper structure of society." William Allen White, "How Free Is Our Press?" 146 *Nation* 693 (1938).

returns of the 1936 and 1940 elections when eighty to ninety per cent of the newspapers opposed Roosevelt.

**The Decline of the Editorial.** Another result has been the decline of the editorial page. In the great days of the older journalism this page was often the direct expression of a vigorous personality and was based on a lifelong experience of journalistic methods. Frequently the personality was that of the newspaper owner, who wrote very largely without feeling the necessity of even self-limitation. At the present time the owners are seldom capable of writing, either by talent or experience, and are more likely to be pleased if the editorials written for them are safe rather than vigorous. From this cause editorial writing has definitely become senescent.

### *4. News Letters and Newspaper Columns*

Certain recent developments have followed from the decline of the editorial. These are the rise of the column of fact and opinion in the regular newspaper press and the revival of news letters. Both are results also of the omission and emphasis policies of the newspapers.

**Stuart News Letters.** News letters are a revived institution. In Stuart times in Great Britain when open news publishing was subject to official censorship, their existence preceded that of the newspaper. Persons wishing the news paid a correspondent in the capital to write them letters telling what was going on. These letters were usually written with a special bias for the perusal of a certain opinion group: Tory, Whig, Jacobite, Presbyterian, what not.

**Modern News Letters.** A belief that a similar situation existed unofficially led to the creation of the modern news letter. It was felt that the decline of the editorial page had almost nullified its value as a guide to opinion, and that propaganda methods learned during the World War had trained statesmen in keeping news out of the papers or in coloring it to suit their own interests.[1] The result was the

[1] For this reason news-letter editors do not permit their reporters to attend press conferences and some even discourage social contacts with high officials.

creation of numerous weekly news letters seeking to give a thorough picture of current developments and even more of current probabilities. Like the news letters of Stuart times, they are mainly concerned with affairs at the seat of government and each set is written for the benefit of a particular group in the community. Since this is a somewhat expensive service, most of them are written for the information of those best able to pay, namely the businessmen, but others are in existence as mention of Communist and noninterventionist letters will tend to show. The movement is not solely American, as can be seen from its success in circumventing the tight unofficial censorship which even in peacetime has at times muffled the press of Great Britain.

**The Columns.** Once the news letters had started, the newspaper press was put to it to find an answer. They turned to the newspaper columnist to supply it. For a long time many editorial pages had carried a column of poetry, quip, and jest written and/or compiled by some person famed for skill in such productions. The practice goes well back into the last century.

Inevitably some of these persons would lapse occasionally into comment, usually more or less humorous, on passing events. Here was a device which could be developed to offset the news-letter competition. While many of the old-style columnists remained, more and more of them began to branch off into opinion writing and "giving the lowdown."

This latter development was given great impetus by the New Deal. So much was happening so very fast in Washington that the ordinary newswriters could hardly keep track of it. Furthermore, it appeared to be the administration's tendency to "slip things over," to get new policies functioning before what was going on was generally known. Finally, there were under-surface factions in the administration fiercely contending to gain the President's ear and the consequent control of policy.

All this encouraged "under-cover" disclosures. At first some of them took the form of anonymous books discussing

New Deal personalities. Some of these were written by regular Washington correspondents of newspapers, and in at least one instance resulted in the discharge of the correspondent from his position. He and others then turned to column writing. Some discharged New Deal officials did the same. These, together with already existing columnists and others, combined to create a profession which has grown more and more and which, while vitally supplementing the regular news columns, has almost entirely displaced the editorial page in the guidance of opinion.

### *5. Cartooning and the Origin of Party Emblems*

**Thomas Nast and His Creations.** Another important opinion guide is of much longer standing in the newspaper field. This is what is known as cartooning. Practically speaking, American political cartooning begins with Thomas Nast (1840–1902), just as European political cartooning begins with Honoré Daumier (1808–1879). Both had predecessors, but their importance is now purely historical. Both Nast and Daumier introduced a new era. Each exerted an influence which is still felt, but Nast was the more fortunate in that he created several first-class political symbols which have been used down to the present day. Whether or not this is because of the greater stability of American political organizations, the fact remains that the originator of the Republican elephant, the Democratic donkey, and the Tammany tiger will not soon be forgotten.

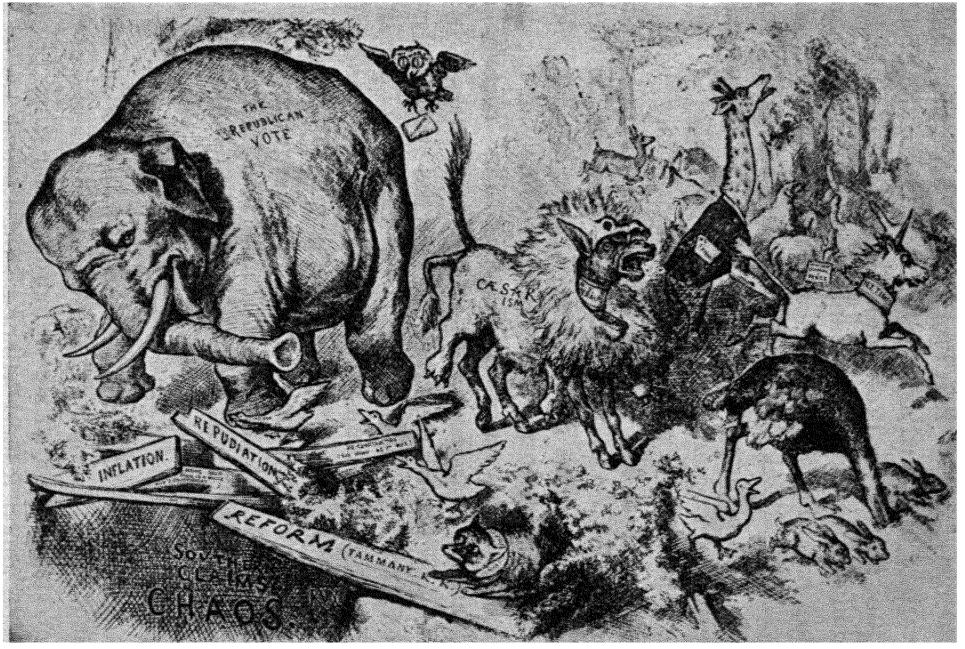
The Tammany tiger was the first of these creations and dates from the Tweed Ring fight of 1871. Two days before the election, *Harper's Weekly* published a Nast cartoon showing Tammany as a tiger in a Roman arena rending the fair form of the Republic. Above sat Tweed clad as an emperor and surrounded by his minions. This was the climax of a long series of anti-Tammany cartoons in which Nast had so bedeviled the Boss that he cried out for someone to "stop them damned pictures!" Attempts at bribery had failed, as

had threats and intimidation, and Nast went on to render a major part in the service of smashing the ring.

Three years later, and again in early November, Nast invented the Republican elephant. The mid-term elections of Grant's second administration were about to go against the Grand Old Party and Nast sensed the result. He accordingly drew a cartoon showing a general panic among the animals caused by the braying of an ass (labeled *New York Herald*) dressed in the lion's skin of "Caesarism." This was as near as Nast, a staunch Republican, could come to admitting that the rumored willingness for a third term of the military man in the White House (General Grant) was hurting the chances of the party. At one side of this picture appears a huge elephant tagged "Republican Vote," which is about to plunge into a deep pit thinly covered by broken party promises. Two weeks later Nast had a prophet's satisfaction in seeing in print his follow-up cartoon showing that the elephant had gone exactly where predicted.

The Democratic donkey was a creature of slower evolution. For a long time Nast had been using the donkey or ass as a symbol to be applied to any person or organization which he disliked and to which he wished to impute stupidity. James Gordon Bennett, Junior, of the *New York Herald* was most often favored with this portrayal, and we have seen his newspaper blessed with it in the cartoon that first gave a permanent delineation to the Republican Party.

In that same cartoon the Democratic Party appears as a fox. But it was not wise to continue a symbolization which implied that the opposition party was more clever than Nast's own. So the time came when he devoted the donkey symbol to the Democratic Party and to the Democratic Party alone. Five years after creating the classic symbol of the Republican Party Nast finally did the same work for the Democratic. In the year 1879 *Harper's* published a cartoon showing the Republican elephant and the Democratic donkey clearly labeled, thereby completing the major party designations which have abided from that day to this.




THE THIRD-TERM PANIC

(First appearance of the Republican elephant)

**Other Symbols.** These traditional symbols mingle in the cartoons with others that are more ephemeral. The Democratic Party is frequently shown as an old maid by opposition cartoonists, and T. R.'s Progressives (while they lasted) were invariably depicted as a bull moose. As for the prohibitionists (not merely the Prohibition Party), the most popular delineation of them has been a lank puritanical gentleman in a long top hat. For portraying economic radicals any kind of wild-eyed Bolshevik will do, while they retaliate in their own press with pictures of bloated Capitalism calculated to turn the stoutest stomach.

**Other American Cartoonists.** Contemporary with the work of Nast was that of Joseph Keppler and Bernard Gillam on the magazine *Puck*. Together they made the lot of the Republican candidates of the early eighties distinctly not a happy one. Gillam in particular scored heavily in the campaign of 1884 by his series of "Tattooed-Man" cartoons depicting Blaine as branded with the Mulligan Letters.[1] By the nineties Gillam was on the other side and did yeoman service for both Harrison and McKinley. His cartoon of Bryan as Don Quixote tilting against the Full-Dinner-Pail windmill is still remembered. In the late nineties began the work of two Hearst newspaper cartoonists — F. Opper, who created the best known characterization of the Trusts, and Homer Davenport, whose Mark Hanna in the checked suit covered with dollar signs was perhaps the most famous of the cartoons of the McKinley era.

After the turn of the century came an upsurge of radical cartooning. The best of the early work in this field was done by Art Young for the (then humorous) magazine *Life* but Young soon joined Robert Minor on the radical *Masses* and together they proceeded to make things hot for all vested with power and authority. The *Masses* survived libel suits and Espionage Act prosecutions only to succumb in late 1917 to an exclusion from the mails by the Postmaster General. Later revived as the *New Masses*, its cartooning has not been par-

[1] See Chap. VI, *infra*.

ticularly distinguished, partly because the talents that supported it had been dispersed among divergent radical groups, partly because its now Communist control was inimical to independent art.

Following the World War a Pulitzer Prize for cartooning was created. Multiple winners of this prize include: Rollin Kirby of the *New York World* (1922, 1925, and 1929), Edmund Duffy of the *Baltimore Sun* (1931, 1934, and 1940), and Nelson Harding of the *Brooklyn Eagle* (1927 and 1928). Other notable cartoonists who were single-time prize winners were D. R. Fitzpatrick of the *St. Louis Despatch* (1926), J. N. Darling ("Ding") of the *New York Herald Tribune* (1924), and John T. McCutcheon of the *Chicago Tribune* (1928). With most of these and many other able cartoonists still actively at work the cartoon influence survives as perhaps the briskest breeze blowing across the field of political opinion.

### D. THE MOVIES, THE RADIO, AND CENSORSHIP OF OPINION

The movies were, of course, the successors to the position shared in our grandfathers' day by the lecture and the theatre. The former has practically disappeared, the latter is confined to the cities. The movies filled the place of both almost wholly until they in turn were partially ousted by radio.

In the last century temperance and anti-slavery lecturers exerted great influence on opinion. Then and later incursions of the theatre sometimes produced great effects in this field — for example, *Ten Nights in a Bar Room* and *Damaged Goods*. In the lecturer's task of informing opinion the movies were never very successful, and this province has been largely lost to the radio. In the theatre's duty of entertaining (and hence incidentally of edifying) by dramatic productions the movies have succeeded beyond their founders' wildest dreams; and this function they have yielded to only a limited extent.

**Informational Movies.** In the private movie industry agencies for informing opinion have been mainly "shorts"

and newsreels. Among federally subsidized pictures mention should be made of the great documentaries such as *The River* and *The Plow That Broke the Plains.* Private producers have evoked nothing comparable to these. Their informational "shorts," when they touch the opinion field at all, are devoted to sugar-coated epitomes of one-hundred-percent American history with due (or undue) emphasis on the love interest. Their newsreels generally are mere flashes of the events of the day, devoting a large part of their time to amusing trifles. *The March of Time* deserves exceptional mention for its program of treating a single topic thoroughly, although it is not always devoid of propaganda.

Charges of bias against the newsreels have been rare but not entirely nonexistent. It seems quite plain that they are capable of misrepresentation in their own interests, as appeared in their unfair reporting of the popular reaction in California to Upton Sinclair's End-Poverty-in-California campaign in 1934. Threatened with increased taxation in case of an "Epic" victory, bogus pictures of alleged radical supporters of Sinclair and of bums and hoboes rushing to the state to share his bounty were displayed as bona fide news items.

**Entertainment Films.** Entertainment or fictional movies have generally avoided influencing opinion, at least in ordinary times. This is now less true than formerly, as the films have taken to reproducing more or less faithfully the novels and plays receiving the greatest popular acclaim. They do not always reverse the lesson as they did in *Oil for the Lamps of China* or spoil the emphasis as they did in *Idiots' Delight.* In fact, if we can hope that *The Grapes of Wrath* may become a precedent for the veracious transcription of great social writing to the medium of the screen, we may look with confidence to a great future for it as a molder of political opinion.[1]

[1] Mention should also be made of great historical and biographical pictures teaching lessons of democracy and tolerance. Instances are *Juarez* and *Abraham Lincoln in Illinois* in the first class, and *Zola* and *Brigham Young, Pioneer* in the second. Whether these will continue remains to be seen, as it is reputably said that they do not pay.

Government propaganda sometimes uses the screen as its agency. Harshly viewed, the great documentaries are an instance of this. Very rarely government acts through official censorship, as in 1937 when the Kansas Board of Review cut Senator Wheeler's remarks against the Court Plan out of *The March of Time*, or more recently when the local censors prevented Chicago citizens from learning of their own slum conditions by banning *The Fight for Life*.

Mostly, however, government action is unofficial and limited to the field of armed preparations and war. The army and navy have afforded large facilities to the making of movies in which the services are made attractive. At times, it is said, this collaboration has been made dependent on the non-production of anti-war films. An extreme case was that of the movies made of the Panay incident, where the highest government authorities were openly stated to have done their utmost to insure widespread and immediate exhibition of the films.[1]

**Censorship.** Radio, like the movies, is not primarily an agency for affecting opinion, and like the movies and the stage

[1] The whole question of propaganda in the films is one that confuses both the movie authorities and their commentators. Witness this excerpt from a column by Theodore Strauss in the *New York Times* for Aug. 3, 1941:

"After burning the midnight oil over the latest pronouncements of Will H. Hays, president of the Motion Picture Producers and Distributors of America, this corner has only the vaguest notions of what Mr. Hays was driving at. In one part of his encyclical Mr. Hays reports that 'the informational, educational and inspirational elements on our screens are growing. This is as it should be.' But in the next breath he declares that 'there are those who would use the films to bemuse, rather than amuse, the American public. The screen has no room for such propaganda.'

"Could Mr. Hays clear the air on what precisely he means by 'such propaganda'? Surely the recent spate of films should provide illuminating examples. On which side of the fence, for instance, should be placed 'I Wanted Wings,' 'Flight Command,' 'Sergeant York,' or even 'Buck Privates' and 'Caught in the Draft' — all of which seek to heroicize or humanize our armed forces? 'The Mortal Storm,' 'Escape,' 'Manhunt,' 'Underground' and 'So Ends Our Night' — do they go among the sheep or the goats? What of a pro-English comedy like 'One Night in Lisbon'? And, to make the question more inclusive, is 'The Grapes of Wrath' a film that is 'educational and inspirational' or is it one that bemuses and therefore has no place on the screen? We do wish that Mr. Hays had made his distinctions more specific. Obviously he is drawing a line somewhere, but where is it?"

it is not free as, for example, the press is free. This is not the place for a general discussion of freedom of public expression, but one cannot avoid noting that, while absence of previous restraints has always been held essential to the liberty of the press, a quite opposite viewpoint has prevailed in regard to the stage, the screen, and the radio.

Two differences are the basis of this result: (1) the difference in *importance* between what is primarily a means for influencing opinion and what are primarily means of public entertainment; and (2), the difference in *impact* between reading about something and actually seeing or hearing it portrayed. Orson Welles would not have started a panic if he had published *The War of the Worlds* in the newspapers.[1]

**The Radio.** Regulation is then permissible, but the radio is suffering from an excess of it. It begins with the federal regulatory act, which denies all intention of censorship and forbids the use of "obscene, indecent, or profane language" and the promotion of lotteries. It sets up a Federal Communications Commission with power, among other things, to renew or deny radio station licenses on the basis of the "public interest, convenience, or necessity." The present practice of the Commission compels stations to seek renewals every six months.

Now what is meant by the "public interest"? Does it imply that the Commission is to pass on the desirability of a station's programs as disclosed by its past record? Just that has been done and sustained by court decision.[2] It is this sort of thing which causes many to speak of government censorship of radio.

[1] For the view that recent decisions of the United States Supreme Court may lead to a holding that motion picture censorship is unconstitutional, see Zechariah Chafee, Jr., *Free Speech in the United States* (Cambridge, Mass., Harvard University Press, 1941), pp. 540–548, where also will be found additional instances of the abuse of censorship. Chafee also believes radio censorship may be held unconstitutional. See *op. cit.*, pp. 381 and 405.

[2] KFKB Broadcasting Assn. *v.* Federal Radio Commission, 47 Fed. (2d) 670 (1931) (renewal refused because station had been used to broadcast medical prescriptions for individuals); Trinity Methodist Church *v.* Federal Radio Commission, 62 Fed. (2d) 650 (1932) (renewal refused because station had broadcast attacks on judges and on racial and religious groups). In the latter case the Supreme Court denied certiorari in 288 U. S. 599 (1933).

This censorship has so far been exercised rarely and only in very extreme cases but its more general use is a possibility never absent from the broadcasters' consideration.

And this is only the beginning. There are also the broadcasting chains, the individual stations, the program sponsors, and the public. Each of these has a potent influence in determining what shall *not* be heard on the air.

**Controversial Broadcasts.** First, the broadcasting chains. These long ago adopted a policy of excluding controversial opinions from commercial broadcasts. This practice has since been adopted by the National Association of Broadcasters so that now it is theoretically impossible to buy time for propaganda purposes. A resolution to this effect, adopted by the Association in 1939, does not appear as yet to be fully lived up to, but doubtless it will tend to be more and more effective as time goes on, especially as it is not to the broadcaster's interest to imperil his position by controversy.

The broadcaster's peril comes from all directions: the Commission, which he must keep satisfied of the desirability of his programs; his program sponsors, who have been known to cancel their advertising because of something else the station has broadcast; the public, who may write letters of protest to him, to his sponsors, or to the Commission. He has every reason, therefore, to conform to the Association's rule.

To this rule there are only two exceptions: "the public forum type of program . . . regularly presented as a series of fairsided discussions of public issues," and "political broadcasts . . . in connection with a political campaign." In the former case "control of the fairness of the program rests wholly with the broadcasting station or network"; in the latter, broadcasters are compelled by federal statute to sell time to all candidates for the same office on the same terms. In a presidential year the broadcasters insist firmly on a refusal to sell time for political purposes before the national conventions.[1]

[1] A discussion of the use of radio at national conventions and in presidential campaigns will be found in Chapters X and XI, *infra*.

**News Broadcasting.** "News shall be presented with fairness and accuracy," says another Broadcasters' resolution adopted at the same time as the foregoing. "News broadcasts shall not be editorial," "analysis and elucidation" shall be "free from bias. News commentators as well as other broadcasters shall be governed by these provisions." This rule also had been coming into practice for some time before it was finally announced. It resulted in the temporary retirement of some of the most positive and pungent of the news critics.

In the field of political opinion the radio is then not "a wind that bloweth where it listeth." "Not so, but quite otherwise," as Reggie Fortune would say. "The wind of freedom still blows in America. But, while we celebrate this still cherished attribute of our land, the poor stuffy radio business sits on a lonely hill and moans, 'Blow some my way!'" [1]

## II. GROUP PREDILECTIONS

In dealing with group predilections we find again that certain influences are largely nonseparable, prominent among them being those of heredity and home environment. These may first be said to be nonseparable from each other, or perhaps more accurately to be identical in the sense that there can be no hereditary opinions except such as are instilled by the home atmosphere. People are not born Republicans or Democrats, although at times it seems that way to everyone, even including the person himself.[2] But heredity and home environment are nonseparable in the larger sense already mentioned above, the sense of being merely a medium through which act the influences of local and sectional feeling, of

[1] Last quotation from "Not on the Air!" by Carroll O'meara, *Forum*, June 1940.

[2] In 1912 the Roosevelt Progressives used to tell with great gusto the tale of the farmer and his pumpkins. "But why do you pile your pumpkins in that inconvenient place back of the barn?" he was asked. "My father piled his punkins thar and so did his father and his father before that. What wuz good enuf for them is good enuf for me." The reader will catch the delicate innuendo that old party allegiances rested on no more rational basis.

racial and national origin, and of social and economic condition.

### A. LOCAL AND SECTIONAL FEELING

Whether local and sectional feeling is ever an ultimate explanation for any opinion situation may be fairly doubted, but politics does not always deal in ultimates. We know that certain sections of the country tend to be Republican and others Democratic, that in a given state counties show the same divergence, within the county the towns and cities, and within them in turn the wards, precincts, or other voting districts. Knowledge of these predilections is the politician's first need in determining which areas will probably go for and which against him.

There is sometimes no apparent reason for these tendencies. In the Maine county the writer knows best there was, for instance, a town which for long stood out sharply against the surrounding Republican background by being Democratic. It appeared to be a farming town among the farming towns around, all of which were rigidly Republican. It had slightly more industrial life than some of them which, though infinitesimal it was, would in that section and in the normal course tend to make for Republicanism. Yet it was Democratic.

We can only suggest that this and other similar local survivals are probably historic, a reminder of long-since forgotten personalities or influences. Once there was a reason why the town voted the way it did; now it does so largely from force of habit. In this it probably does not differ greatly from its neighbors, who vote the other way. Living and visible causes also work through habit and are not necessarily more reasonable than historic ones merely because they are more easily known.

Local feeling is, of course, often based on perfectly explicable reasons. These are usually the racial, national, social, or economic causes which remain for our further consideration. The same is true of the sectional feelings that characterize the larger areas of our national life.

### B. RACIAL AND NATIONAL ORIGIN

**The Irish.** Perhaps the earliest distinct racial group to come to America (other than the Anglo-Saxon) was the Irish. Arriving in great numbers annually by the 1840's, they settled largely in the great cities and became in the main industrial laborers. As such they were easily drawn into the Democratic Party, which championed the cause of the common or working man. On the other hand they were repelled by the Whigs, who comprised the wealthier and more aristocratic classes in the North and showed a tendency to encourage nativist and anti-Catholic movements. The Irish were the earliest American racial group whose religion was dominantly Roman Catholic. They also showed great ability in the work of political organization, an ability which has recently attained its highest apotheosis in the personality of Mr. James A. Farley, Chairman of the Democratic National Committee and Postmaster General of the United States, 1933–1940.

**The Alleged Catholic Vote.** For these reasons the Irish became for a time the leaders and bellwethers of almost the entire immigration coming from the Catholic countries of Europe. For a while it was customary to assume that Catholicism was as safely a part of the Democratic Party as the Solid South. In 1884 this was assumed by the Reverend Dr. Burchard, much to the discomfiture of James G. Blaine.[1] But in recent times this assumption has proved to be false. Once the Republicans adopted the expedient of affording political opportunities to various immigrant groups, the idea of a solid foreign Catholic vote was swiftly shattered. Everywhere that the policy of offering some of the nominations to these groups has been tried, even racial solidarity has disappeared. It is common to cite the Irish as an exception, but it is not unlikely that this is merely because the Republicans have not offered a sufficient inducement — which may be practically impossible in view of the power wielded by the Irish group within the Democratic Party.

[1] See Chap. VII, *infra*.

**Other Races.** Outside of the Catholic group there are several racial elements to be considered. The bulk of the German immigrants to this country came over after 1848, many as a result of the failure of the revolutionary movements of that year. They were imbued with liberal and radical philosophies which placed them in immediate opposition to the then slavery-controlled Democratic Party. When Republicanism arose most of them went into it with great enthusiasm. This unity was somewhat broken by the favor shown prohibition by the Republicans of some states, but it was renewed in 1920 because of German opposition to Wilson's League of Nations. Since then it has been somewhat static. The Germans are not all Republicans [1] — witness Senator Robert F. Wagner of New York — but other things being equal, a German is more likely to be a Republican than he is to be a Democrat.

The Scandinavian immigration began to come heavily soon after the Civil War, at a time when the imputation of treason still hung heavy on the Democratic Party. The first comers of this immigration had served in the Union armies fighting to save the West for the free agriculture which the Scandinavians came to carry on. Under the leadership of these veterans the whole group was easily led into the Republican Party but have not, on the whole, stayed there. This, however, is due largely to economic conditions and will be dealt with under that heading.

The Negro also was once safely Republican for reasons made obvious by history. Outside the South these have been broken down by economic causes having very largely to do with matters like the W.P.A. "I know Lincoln freed the slaves," says the sophisticated colored voter, "but he ain't runnin' in this election." Inside the South, for social reasons, the Republican allegiance is stronger, though it comparatively seldom gets a chance to express itself in the form of a vote. The Communists are angling for the Negro with their platform of social equality and self-determination or inde-

[1] The Catholic group among the German immigrants at first followed the temporary trend of their co-religionists into the Democratic Party.

pendence for the Black Belt, and by persistently nominating a colored candidate for Vice President. In 1936 they received 3112 votes in ten southern states. In 1940 they were on the ballot in only four of these states, in which they received 2008 votes.

The Jews have never shown great political solidarity, although they have had a somewhat high percentage of membership in radical parties. This tendency, however, is only less true of the Germans and is fully as true of other immigrants from Russia and the Baltic states from which so many Jews came. The European background of governmental oppression and economic destitution fully explains both cases.

### C. SOCIAL AND ECONOMIC CONDITION

**In the South.** The South is the one region where social and economic causes seem most inextricably mixed. The southern Negro, as we have seen, is Republican largely for social reasons. But why is the southern white Democratic? Is it because he considers that Republican victory carries with it a real threat of Negro equality, or is it that the cotton trade is injured by protective tariffs? Candid observers feel compelled to reply, "Both," and to add that the same historic reasons have tended to maintain party allegiances on both sides. The South is the one area where the Civil War is by no means forgotten.

**Economic Influences in the West and East.** In the Bryan era the Rocky Mountain states were won to the Democratic cause by the hope of Free Silver, and they have been influenced in the same direction by the silver purchasing program of the administration of President Roosevelt.[1] The grain-raising states to the east have been the scene of chronic unrest ever since the Civil War, largely because of the unsatisfactory place of the farmer in the American economic system. This unrest has shattered the Republican allegiance of the Scandi-

[1] For the effect of the silver issue in particular states in this area see *Rocky Mountain Politics* (Thomas C. Donnelly, editor; Albuquerque; University of New Mexico Press, 1940); especially pp. 16–17, 110, and 206–207.

navians and has driven them into various agrarian parties. The industrial East has tended to be Republican on the tariff issue, but this has been modified by a very considerable conviction among laboring men that the G.O.P. is a capitalistic party and hence inimical to their interests.

**Social Influences There.** Social causes are not wholly absent in the North and West. In many states persons belonging to economic groups little benefited by protectionism — as, for instance, the small farmers of Maine and Vermont — have tended to belong to the Republican, as being "the more respectable party." This is partly due to long-persisting feelings dating from the time of the Civil War, partly to anti-prohibition stands taken by the Democratic Party in some states, and partly also to a feeling going back to the time of the Irish immigration that the Democrats constitute the party of the foreigner. Similar feelings cause many who have not greatly profited by the existing economic system to look down on radicals.

## III. THE RESPONSIBILITY OF THE EDUCATED MAN

Rational reasons for a political belief are by no means necessarily those which determine the mind of the individual. Whether they determine political opinion will depend upon how many of the individuals constituting it take pains to look for such reasons. Upon educated men who can and should act in various ways as leaders of the community rests the greatest responsibility. They cannot escape from the influence of either social institutions or group predilections, but they can evaluate them and know them for what they are. So doing, they may seek to act reasonably and in the public interest. In this hope lies the only security of the Republic.

## *AUTHORITIES AND EVALUATIONS*

Much of the material of this chapter lies in the department of personal experience and observation and to that the reader himself must turn. This is especially true of the sections on the Home and

the School and on the Church, where there is practically no published material which is of any great use.

On the Press, reference must first be made to the newspapers and magazines themselves which form our primary source. Secondary sources include Sinclair's *The Brass Check* (1920) and Seldes' *Freedom of the Press* (1935) and *Lords of the Press* (1938), expressing the radical viewpoint; Villard's *Some Newspapers and Newspapermen* (1923), the liberal; and Walker's *City Editor* (1934), the conservative. Interesting results may be obtained by comparing Villard with Sinclair and Walker with Seldes, since each pair is about contemporary and displays contrasting points of view. For a particular phenomenon in the magazine field see Regier's *The Era of the Muckrakers* (1932), and for one in that of the newspaper see Carlson and Bates' *Hearst, Lord of San Simeon* (1936). Another development is dealt with in Lundberg's "News-Letters: A Revolution in Journalism," *Harper's Magazine*, April 1940, an earlier instance of which finds mention in Macaulay's *History of England*. The cartoon is dealt with in Maurice and Cooper's *History of the Nineteenth Century in Caricature* (1904) and in Murrell's *History of American Graphic Humor* (2 vols., 1933 and 1938). See also Payne's *Life of Nast* (1904); Barnard's "The Political Zoo Has a Birthday" in the *New York Times*, Nov. 6, 1927; and *Art Young: His Life and Times* (1940).

The movies again form their own primary source, with such secondary sources as Ames' "The Screen Enters Politics," *Harper's*, March 1935, and DeMille's *Hollywood Saga* (1939). Reference to particular activities is also to be found in Carlson and Bates, *op. cit.* For excellent current comment, reference should be made to the Sunday movie pages of the *New York Times*.

The radio also is its own chief reference, but for a complete picture and a collection of all the authorities recourse may be had to Summers' *Radio Censorship* (1939). The most recent discussion is O'meara's "Not on the Air!" *Forum*, June 1940. The radio page of the *New York Times* is useful for current developments.

The material on Group Predilections lies all about us awaiting the eye of the attentive observer. The writer is glad of this opportunity to acknowledge especial indebtedness to *Party Principles and Practical Politics* (1928) by the late Stuart Lewis, probably the only textbook on politics ever written by a practical politician. Its chapter on "Parties of Today," though now becoming obsolete, includes a complete discussion of the present topic. A detailed discussion of economic causes will be found in Holcombe's *Political Parties of Today* (1924). For the influence of the racial problem in the South see Lewinson's *Race, Class and Party* (1932).

# *PART II*

# A HISTORY OF AMERICAN PARTIES

# *Chapter IV*

## THE BEGINNINGS

### I. COLONIAL POLITICS

Before the Revolutionary period America had politics but no parties. The religious divisions of the seventeenth century were not productive of political parties because the dominant religious group in each colony carefully excluded its opponents from the franchise and thus from all participation in political life. Baptists, Quakers, and Jews were generally refused the vote, as were Catholics almost universally. Colonies extending the suffrage to all Christians were thought to be exceedingly liberal.

The conflict of the colonists with the royal governors furnished the principal political interest of those times. The lower house of the assembly and the governor re-enacted on a small scale the old English conflict between the House of Commons and the King. As the people were almost unanimous in supporting their representatives, while the governor relied on the support of the home government, this produced no parties.

### II. REVOLUTIONARY PARTIES

**Whig and Tory.** The Revolutionary crisis produced the first real American parties. Taking their names from the similar parties in England, the friends of King George were called Tories; his foes, Whigs. The Tories naturally comprised many men of the greatest wealth and the highest social position, including the entire official class in the royal and proprietary colonies and most of the Episcopal clergy. Ex-

treme conservatives generally took this side, together with some (the Scotch Highlanders in North Carolina, for example) whom grievances against dominant groups in their own colony turned against the patriots.

**Radical Whigs.** Throughout the Revolutionary period the Whigs were divided into two groups which, although without names or separate organization, may for convenience be called Radical and Conservative. The former comprised in the main the artisan and laboring classes and, in New England and Virginia, a large part of the small farmers. Boston and, to a lesser extent, New York and Philadelphia were its strongholds; its leaders bold agitators like James Otis, Samuel Adams, John Hancock, and Patrick Henry. Most of these men were young, ambitious, and without much property. They were the nerve of the Revolution, but not its bone and sinew.

**Conservative Whigs.** The bone and sinew were to be supplied by a more moderate element. The great majority of the propertied class, including some of the great landowners, nearly all those of moderate fortune, a large part of the merchants and traders, and many of lesser wealth and position, were not to be hastily moved into rebellion. They opposed parliamentary taxation but did so as long as possible by peaceful means. The great Revolutionary statesmen were of this group: Washington and Franklin and John Adams; Rutledge and Dickinson and Jay. Even Jefferson could hardly be considered a Radical. Hamilton, strangely enough, might be so considered, as the peculiarity of the New York situation (that of a colony without a charter) caused him to begin his career as a patriot with speeches about the abstract rights of man.

## III. CONFEDERATION POLITICS

The result of the Revolution destroyed one party and divided the other. Some of the Tories took refuge in foreign banishment, mainly in Canada. Some remained to bear the loss of their cause in silence. A few were hanged.

**Division of the Whigs.** Once the pressure of war was removed, the Whigs broke up into their component groups. Struggles ensued which might be described alternatively as being between the causes of liberty and order or of poverty and property. The Articles of Confederation had been formed by colonies possessed of strong local feeling, engaged in active revolt against the only central authority they had ever known. Naturally they set up a weak central government, leaving very extensive powers to the states. No objection appears to have been made to this at the time by either Whig faction. As time went on, however, this government proved too weak to conserve property interests, maintain freedom of trade, and pay the public debts. Even the interest on foreign loans fell in arrears, while commerce was hampered by tariff barriers set up not only by foreign governments but also by those of the several states.

The Conservatives, representing the business interests of the country, were under these circumstances the first to realize the need for strong central government. This the Radicals did not see. Being largely of the poorer class in the community, the burdens of the usual post-war depression had fallen upon them very severely. They set up a cry for relief through unlimited paper money and were successful in more than half the states. Conservative opposition, based on the rights of property, elsewhere prevented this but produced a crisis in which violence was resorted to in more than one instance.

Shays' Rebellion (1786–1787) brought matters to a head. When the news spread through the Confederation that an uprising of penniless farmers, bent on preventing the seizure of their lands for debt, had seriously imperiled the government of Massachusetts, it had a profound effect on the opinions of all owners of property. Several previous attempts to increase slightly the powers of the federal government had failed of adoption. Within eight months of the defeat of Shays the present Constitution was laid before the states.

The Constitution was the product of a Convention called by the Congress of the Confederation. This convention was

very largely composed of Conservatives, partly because the state legislatures that appointed the delegates were themselves elected on the basis of property qualifications, and partly because recent events had produced a Conservative reaction.

**Federalist and Anti-Federalist Parties.** Though containing numerous compromises, the Constitution as finally adopted by the convention was a stronger document than had previously been even hinted. At once the Radical leaders sprang into action to prevent its ratification by the states. The fight for it was led by members of the convention and its supporters were known as Federalists. The opposing group — the Anti-Federalists — was most numerous in the backwoods and agricultural districts, while in the centers of population the Federalists predominated.

After a year's struggle (September 1787–September 1788) ratification was accomplished, but only by a very narrow margin. Patrick Henry was with the greatest difficulty overborne in Virginia by the influence of Washington and the arguments of Madison and Marshall. Hamilton alone converted a hostile majority in the New York convention. The Federalists won in Massachusetts by convincing Samuel Adams that the Constitution was really for the interest of the working man. New Hampshire also was closely contested.

*The Federalist* was a by-product of this struggle. This was a series of essays, written mainly by Hamilton and Madison and designed to explain the Constitution and to answer the Anti-Federalist attacks upon it. Whether *The Federalist* was of great importance in the ratification campaign has been doubted, but its importance as a contemporary exposition of the meaning of the Constitution by two of the greatest men among its framers is beyond all question.

## IV. THE FEDERALIST SUPREMACY

**The First Election.** With the adoption of the Constitution the Anti-Federalists disappeared as a party. Some of their leaders were elected to the first Congress,[1] and two of

[1] See Table 5, p. 94, *infra*.

them received a joint total of seven electoral votes in the presidential election. This was held under the awkward provisions of the original Constitution whereby each elector voted for two persons, the one receiving a majority to become President and the next highest Vice President.[1] With two states (Rhode Island and North Carolina) not yet in the

TABLE 1. ELECTORAL VOTE IN THE PRESIDENTIAL ELECTION OF 1788–1789

| *Candidates* | *How Cast* | | | |
|---|---|---|---|---|
| | *Federalist* | *Anti-Federalist* | *Favorite Sons* | |
| George Washington | 52 | 7 | 10 | |
| John Adams | 34 (New England, N. J., Pa., Va.) | | | |
| Scattering | 18 | 7 | 10 | |
| Actually cast | 52 | 7 | 10 | |
| Not voting | | | | 4 (Md., Va.) |
| Electors chosen | 52 | 7 | 10 | 4 |
| Failure to choose | | 8 (N. Y.)* | | |
| Not in union | | 10 (R. I., N. C.) | | |
| Party strength | 52 | 25 | | |

| *How Chosen** | | |
|---|---|---|
| *State-wide Vote* | *Districts* | *Legislature* |
| 25 | 15 | 33 |

* The Constitution (Art. II, Sec. 1, Clause 2) provides for the appointment of electors by each state "in such manner as the legislature thereof may direct." It was a failure of the two houses of the legislature to agree on a method that prevented a choice by New York in this election. In general there have been three ways of choosing electors: by state-wide vote, i.e., election at large from the whole state; by districts, i.e., election of some or all of the electors from individual districts determined by the legislature; and by vote of the legislature itself. After some early fluctuations the state-wide method gradually triumphed. By 1836 it had been adopted by all states except South Carolina, which persisted in legislative election until the Civil War. Thereafter the use of any but the state-wide election mode has been entirely exceptional.

[1] These provisions governed every election down to and including 1800. In that year their clumsy working nearly elected as President a man the voters had never intended. As a result, the system was changed before the following presidential election.

Union and one (New York) failing to choose electors, Washington received the entire 69 electoral votes cast, while John Adams with 34 obtained the Vice Presidency. The rest were scattered among other Federalists of more or less prominence and several "favorite sons" of no importance outside their own states.[1]

**Hamilton and Jefferson.** Washington appointed a small cabinet of able men. The most important among these advisers were Hamilton as Secretary of the Treasury and Jefferson as Secretary of State. Their diversity of views became the foundation for a new division of parties. Hamilton had been one of the earliest to see the need for a strong central government and one of the leaders in bringing it about. He had now arrived at a state of mind in which he was inclined to subordinate liberty to order and to make the government strong by an alliance with the moneyed class. Jefferson's work as author of the Declaration of Independence and of various progressive statutes in Virginia had been all on the side of freedom. When appointed by Washington he was in France where, since 1784, he had been serving as American minister. There he had witnessed at close range the evil effects of a most decadent despotism and had missed seeing the worst results of weak government at home. He had become more than ever an uncompromising supporter of popular rights and was possessed by a conviction that in the agricultural class lay the nation's real strength.

Even before Jefferson took up his duties in the Cabinet, a breach had occurred in the ranks of the Federalists. Hamilton, desirous of placing the national credit on a sound basis, proposed that the government recognize its liability for the existing national debt at its face value and pay some four-fifths of the existing debts of the several states on the ground that they had been incurred in fighting the Revolution. This arrangement was distinctly favorable to the northern interests The debts, both state and national, were largely owed tc northern capitalists, the wealth of the South being mainly in

[1] See Table 1.

slaves and in agricultural land. Of the states in that region only one (South Carolina) had large obligations outstanding. Madison proposed paying the speculators, who had bought up the national debt at a discount, the highest market price their securities had commanded, the balance to go to the original holder. This was defeated but received considerable support from the South and West. Hamilton's measure regarding the national debt passed, but the House of Representatives definitely refused his state debt proposals.

At this juncture he resorted to a political deal. Through Jefferson's mediation he proposed to Madison that the passage of the Assumption Bill be traded for a southern location of the new national capital. Madison assented, the bill was passed,[1] and the capital was located on the Potomac.

Hamilton soon proposed the creation of a Bank of the United States to take care of the government's funds and to institute a nation-wide currency. The opposition declared that such a money monopoly would be unconstitutional. Jefferson so advised the President but the bill passed [1] and received Washington's signature.

**The New Party Alignment.** As a result of these contentions party lines were now becoming defined. Hamilton's supporters retained the name Federalist. John Adams phrased their ideal as the rule of "the rich, the well born, and the able." Their strength lay in the moneyed class of the more commercial states. Jefferson's supporters were called Republicans in protest against the alleged monarchical and aristocratic tendencies of their opponents. They opposed the capitalist alliance, their own strength lying mainly in the agricultural class with some assistance from the urban laboring group, the latter as yet comparatively unimportant in numbers and largely prevented from voting by property qualifications. The Federalists were for a so-called "loose construction" of the Constitution, which would extend the powers of the Federal government, while the Republicans favored "strict construction," which would keep that govern-

[1] Votes shown in Table 5, n. ‡.

ment weak with many important matters outside the scope of its authority.

**Washington's Second Election.** At the end of Washington's first term the two parties united to cause his reelection. In a straight party fight for the Vice Presidency the Federalists won, retaining Adams in office by a majority of 22 electoral votes.[1] A sectional division appeared, with the Potomac

TABLE 2. ELECTORAL VOTE IN THE PRESIDENTIAL ELECTION OF 1792

| *Candidates* | *How Cast* | | |
|---|---|---|---|
| | *Federalist* | *Republican* | *Not Voting* |
| George Washington | 77 | 55 | |
| John Adams | 77 (New England, N. J., Del., Md., S. C.) | | |
| George Clinton | | 50 (N. Y., Pa. [1], Va., N. C., Ga.) | |
| Scattering | | 5 (S. C. [1], Ky.) | |
| Electors chosen | 77 | 55 | 3 (Md., S. C.) |

| *How Chosen* | | |
|---|---|---|
| *State-wide Vote* | *Districts* | *Legislature* |
| 23 | 38 | 74 |

as the boundary. North of it the Republicans carried only New York; south of it the Federalists only South Carolina. The Republicans gained a majority in the House of Representatives.[2]

**Influence of the French Revolution.** Before Washington's second inauguration came the outbreak of the Napoleonic Wars (1793). In this conflict the Republicans favored France as a democratic republic engaged in a death struggle against aristocratic monarchies. The Federalists leaned toward England, whose government many of them considered the best form for American imitation. The French soon lost popular support because of the absurdly extreme tactics of their am-

[1] See Table 2. [2] See Table 5.

bassador, Genêt. He sought in various ways to involve the country in war with Great Britain and also instigated the formation of so-called Democratic clubs. The extreme radicals among the Republicans gathered in these organizations and aped the speech and manners of the Jacobins and other similar societies which were then committing such tremendous excesses in France. At the same time alien libelers, refugees from the revolutionary turmoil in Europe, raged in pamphlets and newspapers against the Federalists.

Developments both at home and abroad caused moderate men to turn against the Republicans. Washington himself became slightly partisan, and Jefferson thought it best to retire from the cabinet. The conservative reaction was furthered by the fright given the aristocratic and capitalist elements by the Whiskey Insurrection in western Pennsylvania (1794). Washington accused the Democratic clubs of fomenting this movement, and the Federalists hastened to call all their opponents Democrats. In the face of such obloquy the clubs disappeared, having contributed much toward perfecting the Republican organization. Meantime the Federalists regained control of the House of Representatives,[1] and Hamilton retired from office at the height of his popularity early in 1795.

**The Election of John Adams.** Again foreign affairs turned the political tide. The Jay Treaty settled some of the outstanding disputes between America and Great Britain on terms very little favorable to this country. For this arrangement the Federalists were held responsible. The last Republican resigned from the cabinet, which was now filled with mediocre supporters of Hamilton. The latter then engaged in an intrigue to displace John Adams, the Federalist choice for Washington's successor, with a more manageable candidate. This initiated a party split and lost the Federalists the Vice Presidency, Adams being elected President over Jefferson, the Republican candidate, by a margin of only three electoral votes.[2]

[1] See Table 5. [2] See Table 3.

TABLE 3. ELECTORAL VOTE IN THE PRESIDENTIAL ELECTION OF 1796

| *Candidates* | *How Cast* | |
|---|---|---|
| | *Federalist* | *Republican* |
| John Adams | 71 (New England, Middle States, Va. [1], N. C. [1]) | |
| Thomas Jefferson | | 68 (Pa., Md., the South) |
| Thomas Pinckney | 59 | |
| Aaron Burr | | 30 |
| Scattering | 11 | 37 |
| No second choice | 1 | 1 |
| Total votes cast | 71 | 68 |

| *How Chosen* | | |
|---|---|---|
| *State-wide Vote* | *Districts* | *Legislature* |
| 25 | 55 | 59 |

Adams was a man of uncompromising character and unpleasing manners, very little fitted for political leadership. Washington's cabinet members, whom he retained in office, took orders from Hamilton rather than from the President, and the same was true of many of the Federalists in Congress. From this division, results disastrous to the party eventually followed.

For the moment these were postponed by developments in the foreign situation which aided the Federalists. Dissatisfied with American neutrality in the war and the Jay Treaty rapprochement with England, the French Revolutionary government adopted a high-handed policy. The Executive Directory told American envoys that bribes would be required before a hearing would be accorded them. The rejection of this demand was followed by a breach of diplomatic relations and by active war on the sea (1798–1800).

**The Alien and Sedition Acts.** War enthusiasm swept the country and the Federalists took advantage of it to proscribe their opponents. They struck first at the refugees by an act increasing the residence requirement for naturalization and

by the Alien Act allowing the President to deport any foreigner. Then they turned against the native born. In a Sedition Act they undertook to punish by fine and imprisonment all who should "print . . . any false, scandalous and malicious . . . writings against the government" or any of its departments.[1] Hamilton and Marshall alone among the Federalist leaders condemned this extreme action. In practice the Alien Act served merely to frighten some foreigners into leaving the country. It was never put into operation. The Sedition Act, on the other hand, was used and abused by Federalist judges (notably by Justice Chase of the Supreme Court) until the revulsion of public opinion caused further prosecutions to be dropped.

**The Virginia and Kentucky Resolutions.** As always, extremity on one side begot extremity on the other. The Republicans, feeling that they were being persecuted by all departments of the Federal government, turned for protection to the states. Jefferson, while he repelled a suggestion of secession, sought to use state authority as a check. Resolutions drafted by him and adopted by the Kentucky Legislature declared the Alien and Sedition Acts void on the basis of the power of each state to judge that the Federal government had exceeded its constitutional authority. Somewhat milder propositions framed by Madison were adopted by Virginia. The former resolves concluded illogically in an appeal to the states to request repeal from Congress, while the latter, logically but quite vaguely, called upon the states jointly "to interpose" for the protection of liberty. Every state north of the Potomac replied unfavorably, stressing the power of the federal courts to pass on the validity of statutes. Vermont alone definitely attacked the "compact" theory of the Constitution upon which the resolutions were based. The states south of the Potomac returned no answers. Provoked at their nonsuccess, the Kentucky legislators, in the following year (1799), while asserting their desire to maintain the Union, reiterated their protest against the legislation in ques-

[1] For vote on this Act see Table 5, n. §.

tion and reaffirmed the "compact" theory in words containing the ominous word "nullification."

Public opinion was now on its final turn toward Republicanism. The Federalist leaders had shown some ability as rulers but little as politicians. They could not guide the public mind. Just at this time, too, a fierce factional quarrel broke out among them. The extremists led by Hamilton wished to prolong the war with a view to the conquest of Louisiana from Spain, France's ally. Adams and the moderate group (among whom Marshall was now prominent) were for peace on the acceptable terms which France was ready to offer. The latter prevailed in spite of opposition in the cabinet, but with the result that the party was thoroughly split on its entrance into the campaign of 1800.

**The Election of 1800.** Both parties nominated candidates by a caucus of their members of Congress, the Republicans choosing Jefferson and Aaron Burr; the Federalists, Adams and C. C. Pinckney. Burr (with the aid of the recently organized Tammany Society) carried New York for the Republicans. When Pinckney failed to do as much for the Federalists in his home state of South Carolina the election went definitely against them.

The result was close, however, and every Republican elector carefully voted for Jefferson and Burr. This produced a tie in the electoral college,[1] which was still functioning under the rule against discrimination between presidential and vice-presidential candidates. The election was thrown into the expiring House of Representatives, the Federalist majority[2] of which was now compelled by the Constitution to choose between its two principal opponents. Here the extremists, getting out of Hamilton's control, sought to thwart the intention of the voters by electing Burr, who temporized with the movement without giving definite pledges. At the same time careful negotiations with Jefferson's friends assured the Federalists that his intentions were not so extreme as had been believed. Satisfied finally that there would be no general

[1] See Table 4. [2] See Table 5.

## TABLE 4. ELECTORAL AND CONGRESSIONAL VOTES IN THE PRESIDENTIAL ELECTION OF 1800

| *Candidates* | *Electoral Vote — How Cast* | | |
|---|---|---|---|
| | *Republican* | *Federalist* | *Not Voting* |
| Thomas Jefferson | 73 (N. Y., Pa., Md., the South) | | |
| John Adams | | 65 (New England, N. J., Pa., Del., Md., N. C.) | |
| Aaron Burr | 73 | | |
| Charles C. Pinckney | | 64 | |
| Scattering | | 1 (R. I.) | |
| Electors chosen | 73 | 65 | 1 (Md.) |

*How Chosen*

| *State-wide Vote* | *Districts* | *Legislature* |
|---|---|---|
| 25 | 27 | 87 |

### CONGRESSIONAL VOTES

FIRST BALLOT

| *State* | *Individual Votes* | | | *Vote by States* | | |
|---|---|---|---|---|---|---|
| | *Jefferson* | | *Burr* | *Jefferson* | *Burr* | *Divided* |
| | *Fed.* | *Rep.* | *Fed.* | | | |
| N. H. | | | 4 | | 1 | |
| Vt. | | 1 | 1 | | | 1 |
| Mass. | | 3 | 11 | | 1 | |
| R. I. | | | 2 | | 1 | |
| Conn. | | | 7 | | 1 | |
| N. Y. | | 6 | 4 | 1 | | |
| N. J. | 1 | 2 | 2 | 1 | | |
| Pa. | | 9 | 4 | 1 | | |
| Del. | | | 1 | | 1 | |
| Md. | 1 | 3 | 4 | | | 1 |
| Va. | 2 | 14 | 3 | 1 | | |
| N. C. | 3 | 6 | 1 | 1 | | |
| S. C. | | | 5 | | 1 | |
| Ga. | 1 | | | 1 | | |
| Ky. | | 2 | | 1 | | |
| Tenn. | | 1 | | 1 | | |
| | 8 | 47 | 49 | 8 | 6 | 2 |

THIRTY-SIXTH BALLOT

| State | *Individual Votes* | | | | *Vote by States* | | |
|---|---|---|---|---|---|---|---|
| | *Jefferson* | | *Burr* | *Not Voting* | *Jefferson* | *Burr* | *Blank* |
| | *Fed.* | *Rep.* | *Fed.* | *Fed.* | | | |
| N. H. . . | | | 4 | | | 1 | |
| Vt. . . . | | 1 | | 1 | 1 | | |
| Mass. . . | | 3 | 11 | | | 1 | |
| R. I. . . | | | 2 | | | 1 | |
| Conn. . . | | | 7 | | | 1 | |
| N. Y. . . | | 6 | | 4 | 1 | | |
| N. J. . . | 1 | 2 | | 2 | 1 | | |
| Pa. . . . | | 9 | | 4 | 1 | | |
| Del. . . . | | | | 1 | | | 1 |
| Md. . . | 1 | 3 | | 4 | 1 | | |
| Va. . . . | 2 | 14 | | 3 | 1 | | |
| N. C. . . | 3 | 6 | | 1 | 1 | | |
| S. C. . . | | | | 5 | | | 1 |
| Ga. . . . | 1 | | | | 1 | | |
| Ky. . . . | | 2 | | | 1 | | |
| Tenn. . . | | 1 | | | 1 | | |
| | 8 | 47 | 24 | 25 | 10 | 4 | 2 |

## TABLE 5. PARTY LINES IN CONGRESS DURING THE FEDERALIST SUPREMACY

| *Congress Number* | *Date* | *Senate* ‖ | | *House* ‖ | |
|---|---|---|---|---|---|
| | | *Federalist* | *Anti-Federalist* | *Federalist* | *Anti-Federalist* |
| 1 | 1789-91 | 22† | 0 *Republican* | 53* | 12‡ *Republican* |
| 2 | 1791-93 | 17 | 13 | 37* | 33 |
| 3 | 1793-95 | 18 | 12 | 48 | 57* |
| 4 | 1795-97 | 19 | 13 | 54* | 52 |
| 5 | 1797-99 | 21 | 11 | 58* | 48§ |
| 6 | 1799-1801 | 19 | 13 | 64* | 42 |

‖ Members at opening of each Congress.

* Speaker elected by this party.

† Rhode Island and North Carolina were not yet in the Union.

‡ This House passed Hamilton's Assumption Bill: Yeas 34; Nays 28; and his United States Bank Bill: Yeas 39; Nays 20.

§ This House passed the Sedition Act: Yeas 52; Nays 48.

purging of the civil service in order to create positions for Republicans and that no sharp reversal of policy in regard to finance and commerce would take place, many Federalists refrained from voting on the thirty-sixth ballot and thereby threw the election to Jefferson. The Constitution was soon amended to provide that electors should vote on separate ballots for President and Vice President.

## V. JEFFERSONIAN REPUBLICANISM

When it was plain that the election was lost, the Federalists tried to save what they could for themselves. As Jefferson phrased it, they sought to "retreat into the Judiciary as a stronghold." Adams filled existing vacancies with new Federalist appointments, of which Marshall's elevation to the Chief Justiceship was the most important. Furthermore, the retiring or lame-duck Congress created a great many new judgeships which were hurriedly filled with Federalists. The act establishing the more important of these positions was quickly repealed by the Republicans, who also repealed such of the Alien and Sedition legislation as had not expired of its own limitations. Certain minor judicial officers were, however, unaffected by the repeal. Among these was a certain William Marbury, whom Adams had appointed on the last day of his term to be a Justice of the Peace for the District of Columbia. This was done with so much haste that Marbury's official commission was not sent him but was left lying in the office of the Secretary of State. Madison, whom Jefferson had appointed to that cabinet position, refused to deliver the document. Marbury proceeded to bring a mandamus proceeding in the Supreme Court of the United States to compel such delivery, thereby precipitating a collision between Marshall and Jefferson who were already on terms of incipient enmity.

In *Marbury* v. *Madison* the opinion of the court was delivered by Marshall in a somewhat extraordinary form. He proceeded first to declare the plaintiff's right to recover his commission by mandamus, and then to hold unconstitutional

the federal statute by which the Supreme Court was authorized to make use of that writ in these circumstances. This last was, of course, the only real point decided, all that went before being dicta unnecessary to the result. The Republicans resented what they considered as Marshall's impertinent criticism, which was naturally pleasing to the Federalists. The point really decided does not seem to have aroused any degree of public disapproval.

**The Chase Impeachment.** The dicta in the decision, however, seem to have given a fillip to a movement already under way among the Republicans to deprive their opponents of the control of the judiciary. The Sedition Act cases had been the original provocation for this, but further aggravation appeared in partisan harangues from the bench which persisted even after Jefferson's accession to office. The latter dropped a hint to a majority leader in the House of Representatives (the Federalists having lost control of both houses at the same time as they lost the Presidency) [1] and impeachment proceedings were commenced against that most obnoxious of Federalists, Mr. Justice Chase. His partisan charges to grand juries and his notoriously unfair conduct in conducting trials under the Sedition Act furnished the main points of accusation. With moderation and good management a conviction might well have been attained, but the case was badly mishandled. The impeachment prosecution was entrusted to John Randolph of Roanoke. Randolph was no lawyer and was principally noted for his unbridled tongue. Under his leadership the prosecution gave the impression of a general attack on the courts. It failed of its object and Randolph fell back on an attempt to pass a constitutional amendment making the judges removable by Congress. This also failed, and the position of the courts as being in a sense outside party politics became definitely established.

**The Louisiana Purchase and Jefferson's Reelection.** While this was going on, foreign affairs had taken a turn very advantageous for the Republican administration. A truce in

[1] See Table 12, p. 117.

the war between England and France (1802–1803) had momentarily eased the pressure of European events. At its end, Jefferson greatly increased his popularity by the Louisiana Purchase. The Federalists in Congress were insane enough to rage against an accomplishment that was in the best Federalist tradition. Even Hamilton could not stay them in a course which threw away their last chance of gaining support from the new West (Kentucky, Ohio, and Tennessee), a region already prejudiced against "the Aristocrats." Jefferson's reelection in 1804 was overwhelming, Federalist electors being chosen only in Connecticut, Delaware, and Maryland.[1] Not one of these was elected by state-wide popular vote. "In the states south of the Potomac, the Federalist party was becoming only a political reminiscence." [2]

TABLE 6. ELECTORAL VOTE IN THE PRESIDENTIAL ELECTION OF 1804

| *Candidates* | *How Cast* | |
|---|---|---|
| | *Republican* | *Federalist* |
| Thomas Jefferson, President<br>George Clinton, Vice President | 162 | |
| Charles C. Pinckney, President<br>Rufus King, Vice President | | 14 (Conn., Del., Md. [2]) |
| Total vote | 162 | 14 |

| *How Chosen* | | |
|---|---|---|
| *State-wide Vote* | *Districts* | *Legislature* |
| 68 | 55 | 53 |

**The Death of Hamilton.** Perhaps happily for him, Hamilton did not live long to witness a ruin he could not prevent. After the Federalists were driven from power his influence was mainly limited to the politics of New York. Here he performed a patriotic service which shortly cost him his life.

[1] See Table 6.

[2] Henry Moore Bates, "Federalist Party" in *Cyclopedia of American Government* (New York, D. Appleton and Co. 1914), Vol. I, p. 724.

Burr, who had been dropped from the Jeffersonian ticket in 1804 because of his intrigues with the Federalists, was again playing his old game in an attempt to become Governor of New York. The Federalists there and in New England were inclined to use him in a plot to set up a northern confederacy. To prevent this, Hamilton opposed Burr's campaign and accomplished his defeat. Raging with anger, Burr picked a quarrel and fatally wounded Hamilton in a duel on the heights of Weehawken (1804). So died the great Federalist leader. His successors displayed neither ability nor principle.

**John Randolph and the Quids.** Nevertheless, Jefferson's second term witnessed a slight Federalist reaction. The Republican majority in Congress had become so large as to be unmanageable and factional fights began to break out. The worst of these grew out of a kind of personal quarrel between John Randolph of Roanoke, the leader of the House, and Madison, the Secretary of State. It began to be rumored that the latter was Jefferson's chosen successor. This angered Randolph who preferred Monroe, one of the negotiators of the Louisiana Purchase and then acting as a kind of "roving ambassador" in Europe. Randolph tried to pin on Madison responsibility for the compromise settlement of the Yazoo frauds, whereby speculators who had obtained huge land grants by bribery were allowed to retain a portion of their ill-gotten gains. The President supported Madison, and the factional warfare went to such a point that Randolph declared himself definitely in opposition and formed the Quids (from the Latin *tertium quid*, a third something), who are sometimes reckoned as the first third party. This comprised a group of southern conservative Republicans opposed to the centralizing tendencies that now began to appear in Jefferson's leadership. For a short time they were of at least as much importance in Congress as the now greatly outnumbered Federalists,[1] but the power of the administration was too much for them. Randolph's supporters gradually fell away and he was left alone, raging with his vitriolic tongue against all sides in politics.

[1] See Table 12.

**Burr's Conspiracy.** Some of the Quids became involved in the schemes of Aaron Burr, who was now out of office, bankrupt, desperate, and ready for anything. What these schemes were is not clearly known. Burr told varying tales to various people and was seemingly "looking for something to turn up." He was tampering with army officers in the West and engaged in organizing what might have become either an insurrection or a foreign expedition, or both, when word came that the President had issued a proclamation against him. Sinking his cases of arms in the Mississippi, he made for the border in disguise. Arrested almost in sight of safety, he was brought back to Richmond and stood trial there before Chief Justice Marshall on a charge of treason. Quids and Federalists united to defend him as an object of administration persecution. Marshall strained the judicial power by issuing a subpoena for the President (who refused to come) and construed the law of treason so narrowly as to make a conviction impossible. After the trial, Burr ceased to be of any public importance. The principal effect of the proceeding had been to deepen Jefferson's dislike for his principal opponents, prominent among whom he rated the Chief Justice.

**Non-Importation and Embargo Acts.** Meanwhile, foreign events again intruded themselves on the American political scene. The renewal of the European war had led to aggressions against American trade by both sides. Refusing to turn to the Federalist device of a strong navy to protect commerce, Jefferson attempted to starve the contending nations into respect for American rights. A Non-Importation Act and an Embargo Act were hastily passed in 1806–1807.[1] The former sought to exclude British manufactures, while the latter undertook to keep American ships off the seas and to prevent the export of American goods. While these measures might have succeeded if persisted in, their effect on trade was disastrous. They ruined legitimate foreign commerce and made smuggling a recognized industry. Politically they served to solidify the Federalist allegiance of the commercial and

[1] For the vote on the Embargo in the House see Table 12, n. †.

shipbuilding interests, both in their New England stronghold and in the debatable Middle Atlantic states, and to weaken the unity of the Republicans, already badly rent by personal jealousies. With Clinton and anti-Clinton factions fighting in New York, McKean and Duane factions in Pennsylvania, and Quids and administration Republicans in Virginia, the election of 1808 furnished a golden opportunity for the Federalists.

TABLE 7. ELECTORAL VOTE IN THE PRESIDENTIAL ELECTION OF 1808

| *Candidates* | *How Cast* | | |
|---|---|---|---|
| | *President* | | |
| | *Republican* | *Federalist* | *Not Voting* |
| James Madison | 122 (Vt., N. Y., N. J., Pa., Md., the South) | | |
| Charles C. Pinckney | | 47 (N. H., Mass., R. I., Conn., Del., Md., N. C.) | |
| George Clinton | 6 (N. Y.) | | |
| Electors chosen | 128 | 47 | 1 (Ky.) |
| | *Vice President* | | |
| George Clinton | 113 | | |
| Rufus King | | 47 | |
| Scattering | 15 (Vt., N. Y., Ohio) | | |
| Electors chosen | 128 | 47 | 1 |

| *How Chosen* | | |
|---|---|---|
| *State-wide Vote* | *Districts* | *Legislature* |
| 66 | 41 | 69 |

**Madison's First Election.** With their usual political ineptitude, the Federalists missed their chance. Overestimating their strength, they ran a straight ticket instead of making a deal with any of the Republicans. As a result, Madison, Jefferson's chosen successor, defeated several divided enemies who, united, might have prevailed against him. Some Monroe votes were cast in Virginia, some Clinton electors were chosen in New York, the Federalists staged a general come-

back, winning electoral votes in North Carolina and carrying counties in Ohio. But it was not enough. The disciplined administration forces, having quieted the squabble in the crucial Pennsylvania election by a compromise, got majorities everywhere but in Delaware and in four states of New England.[1] The Republicans had won but were compelled to mark their victory by a retreat. New England leaders, infuriated by the effect of the embargo on commercial interests there, were beginning to talk the language of the Virginia and Kentucky Resolutions. Prominent Republicans in that area told the President his alternatives were civil war, foreign war, or granting some freedom to foreign commerce. The last alternative was adopted, limiting the embargo to England and France only, subject in each case to suspension for good behavior.

**"Kicked into a War."** In spite of these concessions, foreign affairs did not improve. England was stupid and arrogant; France, clever and tricky. America rapidly drifted toward war with the nation that was causing the most harm by harassing our commerce at sea and stirring up the Indians on the western frontier. Meantime, the President and his Secretary of State, Monroe, who had been appointed as a kind of final liquidation of the Quids, were apparently without any policy except a constant softening down of the embargo and maintenance of the Non-Importation Act. Weak as this seemed, it was on the verge of success, for England began to feel the loss of the American market. But the patience of the American people was exhausted. The election of 1810 sent up to Congress a great number of new southern and western members (with Clay and Calhoun as their leaders) determined on a more belligerent policy. With the aid of the Federalist minority, which was interested only in embarrassing the administration, these young War Hawks, as they were called, put through measures of military preparation. They eventually "kicked the President into war" just as England repealed her Orders in Council, which had been a principal

[1] See Table 7.

cause of American complaint.[1] The financing of the war was much hampered by the action of the Republicans in allowing the First United States Bank to expire in 1811, at the end of its chartered term. The contemporary preparedness measures had been inadequate, and the executive leadership of the country was inept and averse to war, Madison himself having gone with the tide, largely in order to assure his own continuance in office.

**The Election of 1812.** The Federalists in 1808 had blamed Jefferson for failing to protect American rights. They now blamed Madison for going too far to protect them and united with the rebellious New York Republicans behind their leader, De Witt Clinton. In spite of important Federalist defections to a straight ticket in New York and Virginia, Clinton made a good run, carrying several important Mid-Atlantic states. The West and South, however, remained

TABLE 8. ELECTORAL VOTE IN THE PRESIDENTIAL ELECTION OF 1812

| *Candidates* | *How Cast* | | |
|---|---|---|---|
| | *President* | | |
| | *Republican* | *Federalist* | *Not Voting* |
| James Madison . . . | 128 (Vt., Pa., Md., the South, the West) | | |
| De Witt Clinton . . . | | 89 (New England, Mid-Atlantic States) | |
| Electors chosen . . . | 128 | 89 | 1 (Ohio) |
| | *Vice President* | | |
| Elbridge Gerry . . . | 128 | 3 | |
| Jared Ingersoll . . . | | 86 | |
| Electors chosen . . . | 128 | 89 | 1 |

| *How Chosen* | | |
|---|---|---|
| *State-wide Vote* | *Districts* | *Legislature* |
| 70 | 53 | 95 |

[1] For the vote for the declaration of war see Table 12, n. ‡.

firmly Republican, as did Vermont and Pennsylvania. The latter state may be fairly said to have saved Madison the election.[1]

**Federalist Opposition to the War.** This defeat practically ended the efforts of the Federalist Party to regain control of the national government. A course of constitutional opposition to the war would have made this at least a possibility, but the leaders of the party had ceased to think in any such terms. Already in 1811 Josiah Quincy had declared that the admission of states carved out of the Louisiana Purchase would justify the secession of New England. Even in that section, moderate men like John Quincy Adams had left a party so obviously tending toward disunion. As a result of this extreme tendency, the unfavorable course of the war, which would normally have been disastrous to the Republicans, was in the end of little use to the Federalists. A party that was skating around the thin edge of treason, refusing to aid the national government with either money or men, some of whose members furthermore were actively pushing a trade with the enemy, could only succeed if the nation perished. That this failed to happen was no fault of the Federalists. In the dark days of late 1814, when the end of the war in Europe had released the veterans of the Peninsula for use in America, the Federalist leaders met at Hartford in a convention which was openly acclaimed as a step toward a new government for New England. The cooler heads among them prevented actual secession proposals, and some of the younger Federalists opposed holding the meeting. Daniel Webster appeared as a leader of these moderates. But even moderate Federalism had reached the point of favoring nullification of laws deemed unconstitutional, among which they rated any measure of military conscription. Both the resolutions of the Hartford Convention and Webster's contemporary speeches in Congress affirm this doctrine. So far had long exclusion from power driven the followers of Hamilton from the ideas of their founder.

[1] See Table 8.

**The Republican Trend toward Centralization.** But power is as great a modifier of principles as the lack of it. This was proved by the course of the Republicans. Once in office they had found states rights and decentralization much less desirable than they had thought, the Hamiltonian machinery of government much more useful than they had believed. It was Jefferson's gradual tendency toward centralization that had largely motivated the revolt of the Quids. The strictest sect of Republicans in the South could not but shudder at the proposals of his presidential message of 1808 for the use of surplus federal revenue for the construction of roads and canals and for aid to education. In this Jefferson had outrun his followers. It is significant that the proposals were not adopted and that in 1811 the United States Bank was allowed to expire by force of its own charter limitations. But the effect of the war on the opinions of the party conducting it was notable. Madison's message for 1815 called not only for increased military defense but also for rechartering the Bank, protection to manufactures, construction of roads and canals, and the creation of several national institutions of learning. Two of the more important of these proposals were shortly written into law.

**Rechartering the Bank.** The first of these was the Bank. Already, in the previous session of Congress, a bill for its renewal, instituted by the Secretary of the Treasury, had been passed only to be vetoed because of the addition of provisions making it of little value in financing the war. Now the Treasury proposals were accepted, Madison and Clay avowing their conversion to the constitutionality of such a measure, and Calhoun (who introduced the bill) declining to discuss that phase of it as a "useless consumption of time." On the other side was a minority of Federalists and strict Republicans led by Webster and Randolph. Webster based his objection on questions of detail while Randolph, in his incipient insanity, raved against all supporters of the bill as possessed of corrupt motives. Despite these attacks, the bill passed after a sharp fight in the House, by a vote of 80 to 69.

**The Tariff of 1816.** The second important proposal to receive action was the protective tariff. Previous tariff measures had been either for revenue or in retaliation for American wrongs on the seas. In 1816 for the first time a tariff was enacted mainly for purposes of protection.[1] The rise of manufacturing in the period of nonintercourse with Europe during and just before the War of 1812 had succeeded where the arguments of Hamilton had failed in converting minds to the protective idea. Jefferson was for it, Madison was for it, Calhoun was for it. Sections of the country where manufacturing had not yet appeared hoped to share in its future development. Never were both affirmative and negative votes on a bill more thoroughly scattered over the Union. Opposition as well as support appeared where one might least expect it. If nearly half the South Carolina delegation in the House went for the bill, Webster and more than a third of the Massachusetts representatives went against it. It was not yet plain just whom the new developments would hurt or help. In the South the mad genius of Randolph was alone in divining the impossibility of manufacturing with slave labor. In the North many a capitalist still thought his best interest lay in encouraging foreign trade.

**The Last Defeat of the Federalists.** The background of opinion was shifting — the one certainty being that nationalism was in the saddle. That fact alone prevented all hope that a party with a recent record like that of the Federalists could control the government. In 1815 their leaders, bearing the demands of the Hartford Convention, had been met by the news of the Treaty of Ghent and the Battle of New Orleans and had quietly slunk off home, never again to appear as menacing figures in national politics. Their last stand in a presidential election came in 1816 and was particularly unimpressive. Against Monroe, the last and only mediocre member of the Virginia dynasty, they were able to capture but three states and 34 electoral votes.[2] They continued in Congress in never better than a-one-to-two minority until the

[1] For the vote in the House see Table 12, n. §.

[2] See Table 9.

breakup of the Republicans,[1] but never again did they enter a presidential campaign.

TABLE 9. ELECTORAL VOTE IN THE PRESIDENTIAL ELECTION OF 1816

| *Candidates* | *How Cast* | | |
|---|---|---|---|
| | *President* | | |
| | *Republican* | *Federalist* | *Not Voting* |
| James Monroe | 183 | | |
| Rufus King | | 34 (Mass., Conn., Del.) | |
| Electors chosen | 183 | 34 | 4 (Md., Del.) |
| | *Vice President* | | |
| Daniel Tompkins | 183 | | |
| John Howard | | 22 (Mass.) | |
| Scattering | | 12 (Conn., Del.) | |
| Electors chosen | 183 | 34 | 4 |

| *How Chosen* | | |
|---|---|---|
| *State-wide Vote* | *Districts* | *Legislature* |
| 93 | 32 | 96 |

**The Era of Good Feeling.** Their continuance in Congress furnished a backlog for any opposition which the strict Republicans might care to furnish their young nationalistic leaders. Clay and Calhoun overcame this combination to pass a measure for the construction of roads and canals, only to have Madison in the last moments of his term veto it on the ground that, while desirable, it needed validation by a constitutional amendment. Monroe took the same position and for the time being the agitation for "internal improvements" was allowed to drop. A temporary lull ensued in politics which was known as the Era of Good Feeling. The old issues were dead, the new not yet quite born. If states passed legislation striking at the new United States Bank, if protective legislation, as always, resulted in greater demands

[1] See Table 12.

for protection, some of which were successful, neither event caused any new party alignment. The former development, however, did make business for the Supreme Court.

**"Real Politics" and the Supreme Court.** We have said that Jefferson's failure to purge the bench by impeachment placed the courts in a sense outside politics. This statement must be understood with proper limitations. No President can be wise to overlook in appointing judges to the Supreme Court what Theodore Roosevelt has called their "real politics," i.e., their basic philosophical beliefs about government, society, and the Constitution. Presidents may and do appoint justices from the opposite party with good results. They can hardly expect to do so from an opposite constitutional faith.

At first even party lines were rather strictly regarded. Washington's and Adams' appointees were substantially all Federalists, and this partially motivated the Jeffersonians in their repeal of the Judiciary Act of 1801 and in their later attack on the courts. It soon became plain, however, that party allegiance was not the most important matter. The Republican Presidents appointed man after man from their own party to the Supreme Court, only to have them concur in centralizing decisions. "It will be difficult," Jefferson wrote to Madison in 1810 while a vacancy existed on the Court, "to find a character of firmness enough to preserve his independence on the same bench with Marshall." But for the animosities occasioned by Marbury *v.* Madison and the Burr Trial, Jefferson might have reflected that his own drift toward nationalistic ideas had been considerable and was not the result of the domination of any master mind. Republicans on the Court might therefore without subservience suffer like changes. In Monroe's first administration these were signalized by decisions upholding the constitutionality of the United States Bank and declaring state laws void as contrary either to the restrictions on state authority in the Constitution or to the power delegated to Congress over interstate and foreign commerce.

**Jefferson vs. Marshall.** Again Jefferson raged. "The Judiciary of the United States," he wrote in 1820, "is the subtle corps of sappers and miners constantly working underground to undermine the foundations of our confederated fabric." [1] In private letters referring to such attacks, the Chief Justice was no less sharp. "For Mr. Jefferson's opinion as respects this department, it is not difficult to assign the cause. He is among the most ambitious, and I suspect among the most unforgiving of men. . . . He looks, of course, with ill will at an independent Judiciary. That in a free country . . . any intelligent man . . . should think that the Constitution is not a law for the Court . . . would astonish me if I had not learned from observation that with many men the judgment is completely controlled by the passions." "The attack upon the Judiciary is in fact an attack upon the Union." [2] The results of this conflict of opinion were seen in unsuccessful proposals in Congress to limit the jurisdiction of the Supreme Court, to require a concurrence of five out of its seven judges to hold a state law void, and to replace it by the Senate as a final court of appeal.

**New Factions and Leaders.** None of these proposals progressed very far, but they served to indicate a revival of states rights feeling within the Republican Party. It soon had the support of a definite faction known as the Radicals. This group, like the Quids before it, was drawn from the strict constructionist element in the South. It had for its leader William H. Crawford of Georgia, the Secretary of the Treasury, and it was also somewhat favored by President Monroe. The more centralizing group, by far the majority of the party, was openly led by Clay, the Speaker of the House, and less obviously (because of their official positions) by John Quincy Adams, the Secretary of State, and Calhoun, the Secretary of War. In the background of this political

[1] Quoted in Charles Warren's *Supreme Court in United States History* (Boston, Little, Brown & Co., 1922), Vol. 1, p. 546.

[2] Marshall to Story, July 13, 1821, quoted in Albert J. Beveridge's *Life of John Marshall* (Boston, Houghton Mifflin Co., 1919), Vol. IV, pp. 363–365.

situation was the rising personal popularity of Jackson, the hero of New Orleans. Like most military men, he was nearly without political opinions. He had acquired a strong aversion for Clay, who had attacked him in Congress for his raid on Spanish Florida, but regarded Calhoun as his friend, not knowing that the latter had urged the same views in cabinet consultations.

**The Slavery Situation.** While these alignments were developing, the slavery question burst upon the country "like a fire bell in the night." A great change had been gradually taking place in the public opinion of the South. Where formerly outspoken condemnations of slavery and hopes for deliverance from this curse were freely voiced, they were now less and less heard though no one as yet undertook openly to contradict them. A number of reasons contributed to lessen such talk. In the lower or "deep" South slavery had, since the invention of Whitney's cotton gin in 1794, become superficially at least a paying proposition. Cotton agriculture was flourishing and the planters could not see how they could carry on without slave labor. In the upper South, where slavery did not pay in agriculture, a rather lively anti-slavery agitation went on, mild in tone and unsuccessful in result because of its inability to suggest any way of ridding the country of the Negroes if they were freed. There and in the North the prevailing opinion was that slave and free Negro populations were alike curses to be avoided if in any wise possible.

**The Missouri Compromise.** Agreeing in view but differing in situation, these two sections did not see eye to eye on the Missouri question that rose in 1819–1820. Here was a state carved out of the Louisiana Purchase, ready to enter the Union and desiring the institution of slavery. Most of it lay north of a line drawn westward from the Ohio River which, since the adoption of the Ordinance of 1787, had been the upper limit of slavery beyond the Allegheny Mountains. Northern Republicans and Federalists united to demand that slavery should be excluded from Missouri. Southern Republicans of all factions joined to oppose this.

It was not debated as a moral question. From Reid of Georgia to Tyler and Randolph of Virginia, the most extreme southern spokesmen admitted slavery to be a disastrous thing. But they thought it less disastrous if diffused; they feared that if no outlet were made for the surplus slave population, the upper South might be threatened both with bankruptcy and with servile insurrection; and they confidently asserted that restrictions upon a state entering the Union were unconstitutional. Clay enunciated this position, and upon it the agreement of all the southern leaders was firm. The North in general radically disagreed on the constitutionality question and was determined that slavery should not have free sway beyond the Mississippi to the obvious exclusion of free labor. A threatening deadlock was broken by a compromise (for which Clay got the credit) admitting Missouri as a slave state and excluding slavery from the rest of the Louisiana Purchase to the north of 36° 30′, the parallel of her southern boundary.[1] This left among the existing territories of the United States only Arkansas[2] and Florida open to slavery.

**Monroe's Second Election.** This crisis had amazingly little immediate effect on presidential politics. Monroe was the last of the political leaders who had seen service in the Revolution, and it was generally felt that he was entitled to a second term. The fact that he was not a great man with a positive policy made it easier to take this sentimental ground. Accordingly, the Federalists did not contest his reelection, and the anti-slavery effort to elect De Witt Clinton made little ground outside New York. Federalist and Republican electors alike voted for Monroe, and but for the mental crotchets of William Plumer of New Hampshire he would have been unanimously chosen in the official vote. This recalcitrant gentleman was not moved by any idea that Monroe should not be honored equally with Washington but, as he wrote in 1821, acted "from a sense of duty and regard for my own reputation," having discovered in the President "a

[1] For the vote on the Compromise in the House see Table 12, n. ‖.

[2] Then including most of Oklahoma.

want of foresight and economy." He cast his electoral vote for John Quincy Adams.[1]

TABLE 10. ELECTORAL VOTE IN THE PRESIDENTIAL ELECTION OF 1820

| *Candidates* | *How Cast* | | |
|---|---|---|---|
| | *President* | | |
| | *Republican* | *Federalist* | *Not Voting* |
| James Monroe | 218 | 13 (Mass., Del., Md.) | |
| Scattering | 1 (N. H.) | | |
| Total votes cast | 219 | 13 | |
| Electors died | | | 3 |
| Electors chosen | 219 | 13 | 3 |
| | | *Vice President* | |
| Daniel Tompkins | 218 | | |
| Scattering | 1 | 13 | |
| Total votes cast | 219 | 13 | |
| Electors died | | | 3 |
| Electors chosen | 219 | 13 | 3 |

| *How Chosen* | | |
|---|---|---|
| *State-wide Vote* | *Districts* | *Legislature* |
| 106 | 57 | 72 |

Mr. Plumer was not alone in believing that the time for retrenchment had come. The Panic of 1819 made it a promising issue and it was seized upon by the Radicals in Congress. Under the guise of enforcing measures for the reduction of the army, they pounced upon proposals made by Calhoun as Secretary of War and refused to ratify Monroe's appointments to military office. A cabinet row followed which almost cost Crawford, their leader, his position as Secretary of the Treasury. Calhoun was weakened at the same time by the declaration of the South Carolina Legislature in support of a favorite son rival for the Presidency. Although the latter died

[1] See Table 10.

within a year, this may have been one of the circumstances that persuaded Calhoun to be satisfied with the Vice Presidency in 1824. He, as well as Clay and Crawford, had been hurt at the North by the sectional schism caused by the Missouri question. Jackson, who was substantially "outside politics," had not been affected by it, while John Quincy Adams had retained whatever popularity he had at the South by declaring that to exclude slavery from a new state against its will would be unconstitutional. He tried to obtain the appointment of his rivals to foreign missions, but they all politely declined the honor.

**The American System and the Tariff of 1824.** Clay now returned to Congress after a brief period in private life and took steps to put through an ambitious program which, under his leadership, came to be known as the American System. This consisted in the protection of manufacturing industry by tariffs and the development of its home market by means of internal improvements. Monroe's constitutional scruples stood in the way of the latter, but he was led to sanction a harbor improvement measure and also an act authorizing surveys for the construction of roads and canals. To this and to the tariff increase, opposition was strongest in New England and in the South. The former issue divided both sections and might therefore not be taken as particularly significant. The tariff divided New England also, showing that the conflict for dominance there between the manufacturing and foreign trading interests was as yet undetermined. But the opposition of the South to the bill was almost solid. Kentucky, Missouri, and Delaware were the only southern states the majority of whose delegations favored it, and from Virginia to Louisiana it received practically no support. The deep South had learned that to the slave-cotton economy, protected industry was a hindrance, not a help. What was perhaps equally important was that she had learned to question the constitutionality of protection. Daniel Webster supported this view in what has been sometimes referred to as his "classic exposition" of the free trade doctrine. In these

tariff debates of 1824 John Randolph alone went beyond this to menace action against the Union. But then he had already threatened everything "short of actual insurrection" against the Survey Bill, and it was coming into common realization that he was quite mad.[1]

**The Election of 1824.** All the states rights opposition from Jefferson to Randolph was now gathering behind Crawford, who also had the benefit of Monroe's presidential influence toward the coming nomination. On an informal platform of democracy, economy, and reform, the Georgian at the head of these Radicals was easily the first in the field until he was stricken with paralysis at the very beginning of the active campaign. Even then the group behind Crawford was strong enough to gain him the nomination in a kind of rump caucus from which more than two-thirds of the Republicans in Congress absented themselves.

This body had little or no influence on the country. Legislatures, state conventions, and mass meetings had already placed Jackson, Adams, and Clay in nomination. The first named, running purely as a military hero, had strong support in the middle and western states; the second, solidly supported by New England Federalists as well as Republicans, also had support very generally distributed throughout the country except in the deep South; the last was a factor in the middle and western areas, where his American System was especially popular. Crawford was a danger to these candidates only in New York (where he had the support of the powerful Albany Regency under the leadership of Martin Van Buren), his home state of Georgia, and the upper South, where the influence of the Virginia dynasty, actively wielded by all its members, merely sufficed to hold their own state in line. Jackson's popularity brought him in first in the electoral college, but the four-way division of the vote prevented the constitutionally required majority.[2] This failure threw the election into the House of Representatives, where Adams'

[1] For the vote on the Tariff in the House see Table 12, n. ¶.

[2] See Table 11.

widely distributed support stood him in good stead in a situation in which each state vote counted as a single unit. But this alone was not enough. No candidate commanded a majority of state delegations, and the decision between the two leading candidates — Jackson and Adams — lay definitely with the followers of Clay.

Before their decision was pronounced a number of events complicated the situation. First, the Kentucky legislature "instructed" its congressional delegation (including Clay) to vote for Jackson in the election impending. Next, Senator Thomas H. Benton, from the Clay State of Missouri, announced what he called "the Demos Krateo Principle" — that the House of Representatives was morally obligated to choose the man receiving the highest electoral vote. Finally,

TABLE 11. POPULAR, ELECTORAL, AND CONGRESSIONAL VOTES IN THE PRESIDENTIAL ELECTION OF 1824

| *Candidates* (*All Republicans*) | *Popular and Electoral Votes* | |
|---|---|---|
| | *President* | |
| | *Popular Vote** | *Electoral Vote* |
| Andrew Jackson | 155,872 | 99 |
| John Quincy Adams | 105,321 | 84 |
| Henry Clay | 46,857 | 37 |
| William H. Crawford | 44,282 | 41 |
| Totals | 352,062 | 261 |
| | *Vice President* | |
| John C. Calhoun | 256,435 | 182 |
| Nathan Sanford | 36,795 | 30 |
| Scattering | 53,783 | 48 |
| Elector not voting for Vice President | 5,049 | 1 |
| Totals | 352,062 | 261 |

* This is the first presidential election for which anything like complete data exists as to the popular vote. Its importance in this election is easily overrated, however, as about a quarter of the electors were still chosen by legislatures. The methods of choice were as follows:

| *State-wide Vote* | *Districts* | *Legislature* |
|---|---|---|
| 141 | 49 | 71 |

*Congressional Votes*

| State | *Individual Votes* | | | | *Vote by States* | | |
|---|---|---|---|---|---|---|---|
| | *Adams* | | *Jackson* | *Crawford* | *Adams* | *Jackson* | *Crawford* |
| | *Fed.* | *Rep.* | *Rep.* | *Rep.* | | | |
| Me. | 1 | 6 | | | 1 | | |
| N. H. | 1 | 5 | | | 1 | | |
| Vt. | | 5 | | | 1 | | |
| Mass. | 9 | 3 | | | 1 | | |
| R. I. | | 2 | | | 1 | | |
| Conn. | 2 | 4 | | | 1 | | |
| N. Y. | 6 | 12 | 2 | 14 | 1 | | |
| N. J. | | 1 | 5 | | | 1 | |
| Pa. | 1 | | 25 | | | 1 | |
| Del. | | | | 1 | | | 1 |
| Md. | 5 | | 3 | 1 | 1 | | |
| Va. | | 1 | 1 | 19 | | | 1 |
| N. C. | | 1 | 2 | 10 | | | 1 |
| S. C. | | | 9 | | | 1 | |
| Ga. | | | 1 | 7 | | | 1 |
| Ohio | | 10 | 2 | 2 | 1 | | |
| Ind. | | | 3 | | | 1 | |
| Ill. | | 1 | | | 1 | | |
| Mo. | | 1 | | | 1 | | |
| Ky. | | 8 | 4 | | 1 | | |
| Tenn. | | | 9 | | | 1 | |
| Ala. | | | 3 | | | 1 | |
| Miss. | | | 1 | | | 1 | |
| La. | | 2 | 1 | | 1 | | |
| Totals | 25 | 62 | 71 | 54 | 13 | 7 | 4 |
| | 87 | | | | | | |

a notoriously dull-witted Jackson Congressman sponsored the charge that the Clay votes were for sale to the highest bidder, the upset price being the appointment of their leader as Secretary of State. No serious attempt was made to substantiate this, but great damage had already been done. This stupid gentleman had invented (or there had been invented for him) a tale justifying the old saying that half truths are worse than whole lies. Clay's friends had sounded out Adams' intentions, not specifically as to any appointment for their leader but generally as to whether he "might serve himself by

supporting Adams." Adams even more indefinitely replied that under the circumstances "he should naturally look to the west for much of the support that he should need." If after this some of Clay's supporters thought he would head the cabinet and said so openly, we can be more surprised at their indiscretion than at their line of thought. They were right, as the event proved. If also (as was never proved) they had intimated that Jackson might have their support at the same figure, the charge would have been very nearly true.

**End of the Jeffersonian Republicans.** In any case, the Clay men elected Adams, Clay became Secretary of State, and Jackson's friends promptly raised the cry of "corrupt bargain" and prepared to "vindicate" their hero at the next election. Their efforts may fairly be said to have put an end to whatever was left of the unity of the Jeffersonian Republican Party. The death of its founder in 1826 left it, practically speaking, no longer existent. In its place were vague personal factions called, during the then current administration, "Jackson men" and "Adams men," or, more barbarously still, "Jacksonites" and "Adamites." These groups were the embryo forms of the Democratic and National Republican parties.

Let us then at this point bid goodby to Jefferson and his first Republican party. It had not accomplished many of the things which its friends desired and its opponents feared. What may be called, according to individual discretion, either the corrupting or the moderating effect of power had prevented it from ruthlessly doing away with all the Hamiltonian institutions. And where it had discarded this machinery in some instances, as in the case of the United States Bank, bitter experience had compelled its restoration. Theory or no theory, the Federal power had not greatly decreased under Republican control of the government.

Nevertheless, a great deal had been gained by placing the Republicans in power. If they had not quite produced "government by the people," they had produced "government for the people." Their feeling was with the common man, even if their leaders were mainly aristocrats. No more

do we hear of the rule "of the rich, the well born, and the able." And by progressively broadening the suffrage in the various states throughout the period of their domination, the Jeffersonians as a party had laid the foundations of the period of greater democracy that was to succeed them.

TABLE 12. PARTY LINES IN CONGRESS DURING THE JEFFERSONIAN PERIOD

| *Congress Number* | *Date* | *Senate* | | *House* | |
|---|---|---|---|---|---|
| | | *Republican* | *Federalist* | *Republican* | *Federalist* |
| 7 | 1801–3 | 18 | 14 | 69* | 36 |
| 8 | 1803–5 | 25 | 9 | 102* | 39 |
| 9 | 1805–7 | 27 | 7 | 116* | 25 |
| 10 | 1807–9 | 28 | 6 | 118* | 24† |
| 11 | 1809–11 | 28 | 6 | 94* | 48 |
| 12 | 1811–13 | 30 | 6 | 108* | 36‡ |
| 13 | 1813–15 | 27 | 9 | 115* | 67 |
| 14 | 1815–17 | 26 | 12 | 122* | 61§ |
| 15 | 1817–19 | 34 | 10 | 128* | 57 |
| 16 | 1819–21 | 36 | 10 | 145* | 42‖ |
| 17 | 1821–23 | 41 | 7 | 158* | 25 |
| 18 | 1823–25 | 44 | 4 | 187* | 26¶ |

* Speaker elected by this party.

† This House passed the Embargo Act: Yeas 52; Nays 48.

‡ This House passed the Declaration of War against England: Yeas 82; Nays 44.

§ This House passed the Tariff of 1816: Yeas 88; Nays 54.

‖ This House passed the Missouri Compromise: Yeas 90; Nays 87.

¶ This House passed the Tariff of 1824: Yeas 107; Nays 102.

## VI. JACKSONIAN DEMOCRACY AND THE WHIG REACTION

**Adams' Administration.** Adams attempted to continue the practice of his recent predecessors by putting all prominent leaders in the Cabinet, but neither Crawford nor Jackson would accept an appointment from him. He retained a number of Monroe's advisers and refused to remove any of them, even when some used their patronage to aid the forces of Jackson. He personally refused to make any removals for political purposes and remained inflexible in his resolution in

the face of assurances from his friends that it would produce his defeat in 1828. He gained very little credit for this scrupulousness, the charge of "corrupt bargain" in the case of Clay's appointment serving to obscure all facts in the field of patronage.

Together Adams and Clay attempted a strong nationalistic policy but met with little success. The South was alarmed by the concatenation of an attempted slave insurrection in Charleston with the application to Congress by six northern states for national colonization of the Negroes abroad as a remedy for the slavery problem. She feared that Adams' unlimited reliance on the Federal power might lead him in the direction of this idea. At the same time she bitterly objected to the administration's proposals to send representatives to a Congress of American nations at Panama, which would have involved diplomatic relations with the black republic of Haiti.

**Consolidation of Factions.** The administration policy had as its only important effect a consolidation of the opposition groups. Among these the Federalists were no longer to be reckoned, as they had made final terms with Adams before his election and were now in no wise distinguishable from the general body of his supporters. There remained therefore the Crawford Radicals and the personal followers of Calhoun and Jackson. All these tended to coalesce behind Jackson on the issues of states rights, strict construction, and opposition to the United States Bank. This union was largely brought about by Van Buren, the skillful Crawford leader in New York who now saw in the continued illness of the Georgian the hopelessness of his former cause, and by Calhoun himself. Van Buren had now become Jackson's political adviser, a position which Calhoun could never attain. The latter was affected by a strong states rights drift in his own state, motivated by an agricultural depression which the planters dominant there attributed to the tariff. On this latter issue there was no unity of opinion in the combination, and hence it contained very grave possibilities of disintegration.

**The Tariff of Abominations.** For the time being, however, the whole group acted on the tariff in a way which did very little credit to any of its members. Planning to force the Adams men in Congress to vote against the new tariff bill, the pro-Jackson middle-state and western protectionists insisted on high rates for their own products and on the raw materials needed by the New England manufacturers, while the southerners voted persistently against any decrease. When the vote on final passage came, however, nearly half the New England members supported it, thereby passing against almost unanimous southern negative votes that monstrosity commonly called the Tariff of Abominations.[1] Calhoun went home to South Carolina to find his fellow citizens of the opinion that Randolph had been right in maintaining that resistance to a protective tariff was justified. With the hope of keeping them within bounds for the time, Calhoun wrote, published, but did not for the moment avow, the *South Carolina Exposition.* In this treatise, which had the endorsement of the legislature of his state, Calhoun undertook to demonstrate on the basis of the Virginia and Kentucky Resolutions that the tariff was void as an excess of power and could be arrested in its operation by the legislature of any state. With Jackson's election in prospect, Calhoun hoped that this doctrine would not have to be applied in action. Jackson's tariff stand had been ambiguous in 1824, and his opinions in general seemed to have traveled in a states rights direction since then.

**The Election of 1828.** Jackson made no public declaration, however, and the campaign of 1828 was fought on the basis of the "corrupt bargain" charge and the Demos Krateo theory. The resulting overwhelming election of the Jackson and Calhoun ticket [2] Benton describes as "a triumph of democratic principle, and an assertion of the people's right to govern themselves." This was true in a far larger sense than the formal issues implied. The broadening out of the electorate to manhood suffrage and the rapid growth of the West,

[1] For the vote in the House see Table 17, *n.* †.
[2] See Table 13.

a region where men were on a basis of social and economic equality to a degree never before realized, had increased the political importance of the common man. He had attained power to dominate governmental affairs but he was not as yet aware of his strength. His hearty admiration for Jackson brought this latent power into action. The downfall of the able but unsuccessful and unpopular Adams administration established popular control on a firm basis.

TABLE 13. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1828

| *Candidates* | *President* *Popular Vote* | | |
|---|---|---|---|
| | *Democratic* | *National Republican* | *Electoral Vote* |
| Andrew Jackson . . . . | 647,276 | | 178 |
| John Quincy Adams . . . | | 508,064 | 83 |
| Totals . . . . . | 647,276 | 508,064 | 261* |
| | | *Vice President* | |
| John C. Calhoun . . . . | 632,218 | | 171 |
| Richard Rush . . . . . | | 508,064 | 83 |
| William Smith . . . . . | 15,058 (Ga.) | | 7 |
| Totals . . . . . | 647,276 | 508,064 | 261 |

* All electors chosen by state-wide vote except 11 chosen by districts in Maryland and 11 chosen by the South Carolina Legislature.

Jackson's inaugural address was in the main a moderate States Rights document, although it spoke favorably of internal improvements and somewhat ambiguously about the protective tariff. It threatened a "reform" of the civil service. The Cabinet members were all Jackson or Calhoun men and, what was thought equally important, all definite opponents of Henry Clay. Van Buren was made Secretary of State, but even he stood second in influence to an informal "kitchen cabinet" upon which Jackson relied far more than on any regular group of official advisers. Prominent in this was Amos Kendall, who, equally with his contemporary Thurlow

Weed, was the prototype of the great political manager, illustrated in later periods by Mark Hanna and James A. Farley.

**The Spoils System.** With the aid of these advisers, Jackson instituted a purge of the civil service of a type previously quite unknown in national politics. The somewhat similar practices of the Albany Regency in New York served as a precedent. The phrases "Turn the rascals out!" and "To the victors belong the spoils" comprise the entire civil service rules of this administration. For a time the plunder was fairly shared between Jackson and Calhoun supporters. Such actions were justified on the ground that long continuance in office begot indifference to the public interest and that official duties were simple enough for any intelligent man to perform. There could be no vested interest in public trusts.

This and other policies of the new Democratic Party (for beginning with the election of 1828 the combination that elected Jackson may properly be so called) were doubtless undesirable in both their present and their future effects. The progressive degeneration of the civil service resulting from the practices which Jackson introduced was such that Parton wrote in 1859, "the fact of a man's holding office under the government is presumptive evidence that he is one of three characters, namely, an adventurer, an incompetent person, or a scoundrel" [1] — and the situation was hardly improved by the events of the Civil War and of Reconstruction. But things must sometimes become worse before they can become better, and that the people should govern themselves badly is seemingly an inescapable preliminary to their governing themselves well. The Republic had necessarily to break the leading strings of the long-dominant political group which was mainly representative of the more eminently respectable classes of the older states.

**The Issues of Jackson's Administration.** Such a transfer of power was not likely to be quietly accomplished or easily

[1] James Parton, *Life of Andrew Jackson* (New York, Mason Brothers, 1860), Vol. III, p. 220.

submitted to. Nor was the prospect for tranquillity enhanced by the explosive ferocity of Jackson's nature, which in matters small and great was frequently in evidence. Add to this the fact that in his administration two great and furiously contested issues (nullification and the United States Bank) were rapidly approaching a head, and one can judge of the gravity of the political situation.

While the removals were going on, an ominous debate took place in the Senate. Hayne of South Carolina, a Calhoun lieutenant, undertook to isolate New England by intimating that it sought to use the federal powers to the detriment of the agricultural interests of the South and West. Webster defended his section in reply and attacked the southern tendency to states rights doctrines. Replying in turn, Hayne avowed it and rested his position on the Virginia and Kentucky Resolutions and the *South Carolina Exposition*. Further debate followed in which Webster compelled Hayne to make this position increasingly clear, established its tendency toward disunion, and then demolished it thoroughly. Nothing came of the debate immediately, but it was plain that dangerous lines of division were being formed.

That these lines were beginning to divide Jackson's supporters became evident at the famous Jefferson birthday dinner of 1830 when Jackson gave the toast, "Our Federal Union, it must be preserved!" and received the answering sentiment from Calhoun, "Liberty more precious than Union!" The division became irreparable, as far as these two leaders were concerned, when Crawford, now a doddering invalid, indirectly revealed that Calhoun as Secretary of War in Monroe's administration had favored punishing Jackson for his Florida raid. This, together with a personal squabble involving the wives of prominent officials, resulted in a general cabinet breakup in which Calhoun's friends were disposed of and Van Buren resigned to run for the vice presidency in 1832. Jackson, however, had not fully departed from his states rights course. He vetoed some measures for internal improvements (to which in fact he appeared less and less

favorable) and favored economy and a slight reduction of the tariff. The resulting legislative measure, while it systematized and improved the Tariff of Abominations, did not change its protective nature. Its passage convinced Calhoun that South Carolina must stand alone. He now called for the application of the principles of the *South Carolina Exposition* and fought and won the 1832 election in that state on the nullification issue.

**The Election of 1832.** While South Carolina was driving toward solitary disunion, the rest of the country was fighting a campaign over the United States Bank. Jackson had repeatedly sent in messages attacking this institution, but Congress had taken no action. The Bank's authority had several years to run, and Jackson apparently had no greater intention of doing anything about the matter than he had about the single-presidential-term amendment which he had also repeatedly urged upon Congress. Most unwisely the opposition, led by Clay, made the issue an immediate one by passing a bill extending the bank's charter.[1] Jackson vetoed it. Clay promptly took the issue to the people and, actively supported by the Bank, fought the election of 1832 on the recharter question. Other issues were mentioned such as the tariff, internal improvements, the spoils system, and Jackson's alleged disregard for the authority of the Supreme Court, but none of them appears especially to have influenced the result. Jackson was triumphantly reelected.[2] Clay had committed the absurdity of supposing that a popular electorate could be brought to sympathize with a monopoly corporation.

**The Anti-Masonic Party.** A peculiar feature of this election was the appearance in national politics of a new party organization. It was natural that the people, on first coming to power, should be guilty of some excesses and subject to some delusions. The immaturity of the electorate is evidenced by its elevation of Jackson to office as a military hero, pure and simple. It is also illustrated by the sudden rise to importance of the Anti-Masonic Party.

[1] See Table 17, n. ‡.

[2] See Table 14.

## TABLE 14. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1832

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *President* | | |
| | *Democratic* | *National Republican* | *Anti-Masonic* |
| Andrew Jackson | 707,000 | | |
| Henry Clay | | 329,000 | |
| William Wirt | | | 255,000 |
| Totals | 707,000 | 329,000 | 255,000 |
| | *Vice President* | | |
| Martin Van Buren | 616,000 | | |
| John Sergeant | | 329,000 | |
| Amos Ellmaker | | | 255,000 |
| William Wilkins | 91,000 (Pa.) | | |
| Totals | 707,000† | 329,000† | 255,000† |
| | *Electoral Vote* | | |
| | *President* | | |
| | *Democratic* | *Republican* | *Anti-Masonic* | *Nullification* |
| Andrew Jackson | 219 | | | |
| Henry Clay | | 49 | | |
| William Wirt | | | 7 (Vt.) | |
| John Floyd | | | | 11 (S. C.) |
| Totals | 219 | 49 | 7 | 11* |
| | *Vice President* | | | |
| | *Democratic* | *Republican* | *Anti-Masonic* | *Nullification* |
| Martin Van Buren | 189 | | | |
| John Sergeant | | 49 | | |
| Amos Ellmaker | | | 7 | |
| William Wilkins | 30 | | | |
| Henry Lee | | | | 11 |
| Totals | 219 | 49 | 7 | 11 |

* All electors chosen by state-wide vote except 11 chosen by districts in Maryland and 11 chosen by the South Carolina Legislature.

† While Jackson's supporters were generally distributed, Clay had no support in the deep South except in Louisiana, and Wirt had no support south of Pennsylvania or west of Ohio. Three of the Maryland electors failed to vote.

This group came into existence in the following manner. In 1826, just at the time of the disintegration of the Jeffersonian Republican Party, one William Morgan, who was about to publish a book disclosing the secrets of Masonry, disappeared. Some said the Masons had paid him well to suppress his work and leave the country, others that they had murdered him. The latter opinion received the most credit in western New York, the region where the disappearance took place. Young dissatisfied politicians, such as Thurlow Weed, William H. Seward, and Millard Fillmore, took advantage of this belief to organize a new political party opposed to secret societies, of which Masonry was then the only one of major importance. The movement overspread New England and the Mid-Atlantic states and westward into Ohio. In Pennsylvania it seized on the dawning political talents of Thaddeus Stevens, but elsewhere than there and in the state of its origin it was entirely lacking in leaders of any real importance.

On the part of its New York founders it is difficult to credit the Anti-Masonic Party with being anything more than a "sharp dodge." If it could not be proved that Weed had called the body found near Oak Orchard "a good enough Morgan until after the election," the statement was quite in the spirit of his general party management. The nature of this management and the supreme stupidity of the group that could be induced to follow it was amply proved by its choice for the Presidency of William Wirt, a man who told them frankly that he had been a Mason and had seen no harm in the order until he was approached in regard to the nomination. All along Weed, as chief party leader, had been playing a kind of double game, using the Anti-Masons to elect National Republican candidates in New York and seeking to do the like in the national field. It was only when efforts to make a choice acceptable to the Clay organization had failed that Wirt was nominated, and even then coalition electoral tickets were adopted in the most important states. As nearly as the figures can be disentangled, Wirt had 255,000 popular votes to 329,000 for Clay and 707,000

for Jackson. Vermont alone accorded Wirt her presidential electors.

Weed led the mass of his party into the Whig coalition of 1834, thereby attaining the major party leadership which had doubtless from the first been his objective. Thaddeus Stevens maintained the Pennsylvania Anti-Masons as a successful state party until the late thirties, when they gradually faded away, coalescing with the Whigs. Their leader temporarily retired from politics. Their conduct appears on the whole to have been characterized by more sincerity than was the case in New York or in the nation. Nationally, credit is principally due to the Anti-Masonic Party for the invention of the national convention system, a matter to be fully discussed later in connection with party nominations.[1]

**The Nullification Crisis.** While the Anti-Masonry delusion was running its course, the nullification and Bank issues had each come to a final crisis. South Carolina, which had cast its eleven electoral votes for a Virginia Nullificationist named John Floyd, was preparing to carry her extreme doctrines into effect in spite of the noncooperative attitude of the other southern states. She took action to annul the operation of the tariff laws within her boundaries, to forbid all recourse to the federal courts to enforce such laws, and to threaten secession if attempts were made to put them in execution by force. Jackson met this with a public proclamation denouncing the nullification theory and with private threats to hang Calhoun if its execution were attempted.

Both sides flinched from the conflict. Jackson's supporters, although they submitted a Force Bill to Congress, also proposed a measure halving the tariff. Calhoun's South Carolina adherents postponed the operation of their own program to see what Congress would do. Clay, as was becoming his custom, jumped into the breach with a compromise. This one reduced the tariff gradually to a 20 per cent ad

[1] A later and minute "Anti-Secret Society Party" known as the American Nationalists cast 539 and 700 votes respectively, in the elections of 1876 and 1880. It was confined to the Middle West and North Atlantic states.

valorem level by 1842. Calhoun and Jackson supporters alike united to write this into law, opposition to the compromise coming solely from former Federalists like Webster, and John Quincy Adams, who was now a member of the House.[1] The Force Bill for coercing the recalcitrant state passed at the same time, with half the members of the Senate not voting. John Tyler of Virginia was alone in voting Nay. The South Carolina convention thereupon rescinded its previous measures and with one last defiant nullification of the Force Bill stood finally adjourned. "Both sides claimed the victory, and with some reason."[2] The net result was that while the crisis had augmented the Union feeling in the country at large, it had given the extreme states rights element in the South a leader in Calhoun and a theory in nullification.

**Formation of the Whig Party.** This issue once disposed of, the Bank then had swift justice. Jackson struck at it by removing the federal deposits and placing them in state banks (1833), and at the end of its chartered term (1836) the Bank itself ceased to be a national institution. The removal of the deposits caused a great turmoil in the Senate. Nullifiers and states rights men of all shades joined with National Republicans to denounce "King Andrew," who by his arbitrary procedure was reducing the Republic to a despotism. Hatred of Jackson outweighed all differences of principle, and in 1834 these varied factions coalesced with Weed's Anti-Masons to form the Whig Party. This was the name by which the foes of King George had been called during the Revolution; it was now the name under which their patriotic successors could all unite to resist a foe in their opinion no less dangerous to liberty. English party nomenclature was held also to justify the usage. At an anti-administration meeting in the Masonic Hall in New York on April 1, 1834, where the title was first suggested, it was also argued that Jackson's supporters should be called Tories. The term, on the basis of English practice,

[1] For the vote in that body see Table 17, n. §.

[2] William MacDonald, *Jacksonian Democracy* (New York, Harper & Brothers, 1906), p. 167.

might properly be applied "to the slavish supporters of Government; those who sustain all its acts, the grossest encroachments on the Constitution, and the liberties and franchises of the Public. A Whig . . . means one who prefers liberty to tyranny — who supports . . . the rights and immunities of the people, as ascertained by . . . the Constitution . . . against the predominance of . . . executive power." [1]

Such a combination could not be possessed of much unity, and in 1836 it even proved incapable of agreeing upon a presidential nomination. Clay, seeing the impossibility of victory, refused to run and swung the bulk of the northern Whigs behind General William Henry Harrison, who had first been proposed by the Pennsylvania Anti-Masons. The southern Whigs in the main backed Hugh L. White, a strict constructionist Senator from Jackson's home state of Tennessee. Webster ran in Massachusetts and had some support in Pennsylvania, which before the election deserted him for Harrison. South Carolina voted for another states rights candidate, one Willie P. Mangum. It is significant that her vice-presidential votes went for John Tyler of Virginia, who alone in the Senate had voted against the Force Bill, and that he was also supported by the Whig voters in every southern state except Kentucky.

**Van Buren's Election.** Granted that unified support of one man by all the opposition to Jackson was impossible, as it probably was, this device of regional candidacies was doubtless the best available. Anything like complete success in their several areas would have permitted a combination of votes on one candidate in the electoral college or, failing this, would have thrown the election into the House of Representatives. Such success was not inconceivable against Van Buren, Jackson's designated successor, who was noted for his personal tact and his skill in political management but had no particular hold on the popular imagination. This proved unnecessary, however, as Jackson's popularity was great enough to be transferable. South Carolina went her lonely way. Webster's popularity sufficed to carry his own state, while

[1] *Richmond Whig*, April 8, 1834.

White carried his and Georgia, the old Radical states rights stronghold. Harrison cut a swath through the western and border states and carried Vermont, but in most of the country Jackson's nominee overbore the Whig candidates. The tendency to "vote for Jackson" (which, according to his opponents, continued long after he was dead) sufficed in this election to hold in the Democratic column most of the South, nearly all New England, and the more important Mid-Atlantic states. Only the western and border sections could be said to be even fairly divided between the parties.[1]

TABLE 15. POPULAR, ELECTORAL, AND SENATORIAL VOTES IN THE PRESIDENTIAL ELECTION OF 1836

| *Candidates* | *President* | | | | |
|---|---|---|---|---|---|
| | *Popular Vote* | | *Electoral Vote* | | |
| | *Democratic* | *Whig* | *Dem.* | *Whig* | *Nullification* |
| Martin Van Buren | 762,978 | | 170 | | |
| William Henry Harrison | | 548,966 | | 73 | |
| Hugh L. White | | 145,396 | | 26 | |
| Daniel Webster | | 41,287 | | 14 | |
| Willie P. Mangum | (No popular vote) | | | | 11 (S. C.) |
| Totals | 762,978 | 735,649 | 170 | 113 | 11* |
| | *Vice President* | | | | |
| Richard M. Johnson | 732,717 | | 147 | | |
| Francis Granger | | 564,401 | | 77 | |
| John Tyler | | 171,248 | | 36 | 11 |
| | | | | 47 | |
| William Smith | 30,261 (Va.) | | 23 | | |
| Totals | 762,978 | 735,649 | 170 | 113 | 11 |

*Election of Vice President by the Senate*

| *Johnson* | | *Granger* | *Not Voting* |
|---|---|---|---|
| *Dem.* | *Whig* | *Whig* | *Whig* |
| 27 | 6 | 16 | 3 |
| Totals . . 33 | | 16 | 3 |

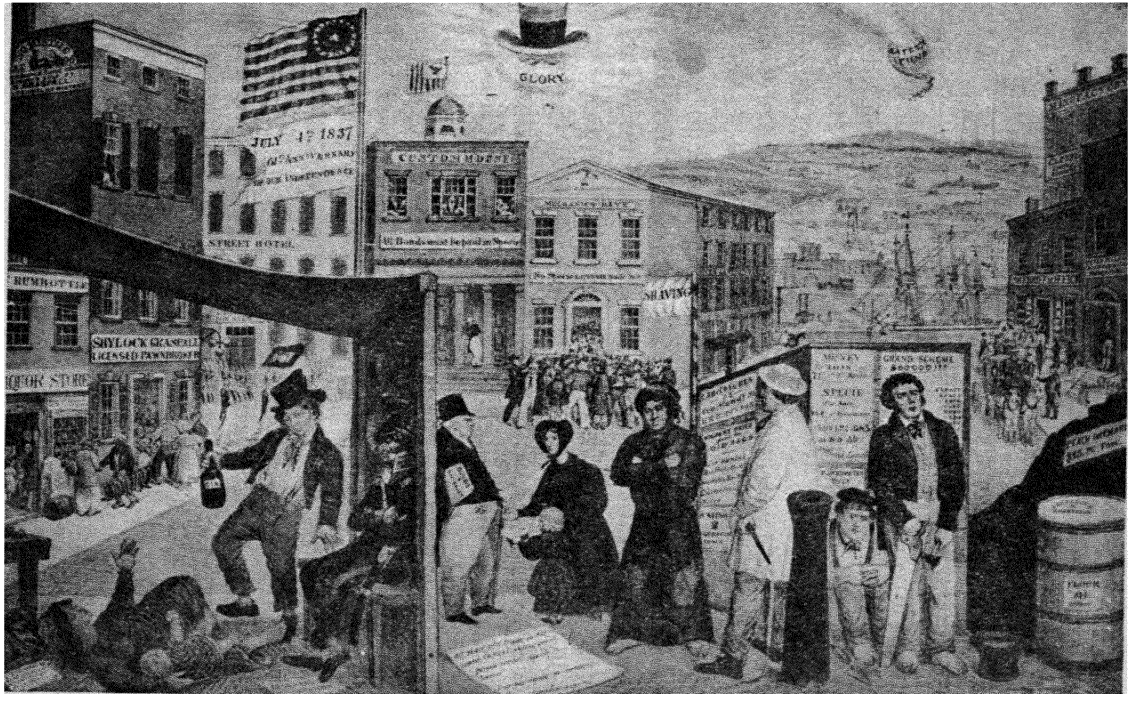
* All electors chosen by state-wide vote except 11 chosen by the South Carolina Legislature.

[1] See Table 15.

**The Panic of 1837 and Its Effects.** Van Buren was hardly in office when the Panic of 1837 burst upon the country. As is usual in such disasters, the explosion was the end result of a prolonged period of overspeculation (this time mainly in western lands) and was preceded and assisted by agricultural depression at home and by commercial disasters abroad. As is also usual, the speculative trend had reached its height before the government took measures to check it, and then they only contributed to bring on the crash. Jackson's "specie circular" of July 1836 (requiring payment for federal land in coin only) and his anti-Bank policy generally were seized upon by the Whigs as the sole causes of the depression, which continued to be severe well into the forties. The former was doubtless one of several precipitating causes of something which would not in any case have been long delayed, but the latter hardly deserves much blame in this connection. The United States Bank, which had been continued as a state institution, went down in the crash to total failure. There seems no reason to believe that its continued control of the finances of the country would have done anything to check a speculative furor in which it had all along participated.

Regardless of causation, however, an administration in which a panic occurs will be blamed for it and for all its results. It must be admitted that Van Buren's sole proposal for improving the situation, that of entirely withdrawing the government funds from banks and entrusting them to a system of federal subtreasuries, while it offered security against loss of national funds in the future did nothing to alleviate the present situation of the country. The proposal was hard fought through two Congresses but was finally enacted into law.[1] It caused minor splits in both parties. Calhoun and some other extreme southern states rights leaders in the Whig Party were pleased by the complete severance of the government's connection with banks and (after a short time when they were separately counted in Congress as Subtreasury Whigs) [1] returned to the Democratic Party. A scattering o

[1] See Table 17




THE TIMES BY E. W. CLAY, A CARICATURE OF THE PANIC OF 1837
(From Murrell's *A History of American Graphic Humor*, Vol. I)

minor Democratic leaders espoused the cause of the state banks, which stood to lose the government deposits, and (after being briefly reckoned separately as Conservative Democrats)[1] became Whigs. The Democrats lost the complete control of Congress which they had held ever since 1828 and this was but a prelude to further defeats to come.

In the 1840 campaign the Whig combination met in its first national convention. Here, through the astute management of Thurlow Weed, General Harrison prevailed over Clay and General Winfield Scott, who was, like Harrison, a hero of the War of 1812. Clay was passed over to conciliate the former Anti-Masons (as he was a member of the proscribed order) and because he stood for a definite program. The northern Whigs were quite commonly favorable to the ideas of the American System and a national bank, which this program comprised, but although Calhoun had returned to the Democrats, some at least of the remaining southern Whigs were fully as extreme as he in their states rights views. Among these was John Tyler, who, in deference to his popularity in the South as evidenced in the election of 1836, was now nominated to balance the Whig ticket.

Against this combination the Democrats from the beginning stood no chance. That they did not realize this was because of an undue trust on their part to the power arising from the possession of the federal offices and from thorough and coherent organization. They ran Van Buren for reelection on a thoroughgoing anti-Clay platform,[2] not realizing the impossi-

[1] See Table 17.

[2] This is rated by Kirk H. Porter in his *National Party Platforms* (New York, The Macmillan Co., 1924) to be the first platform adopted by an American political party. Edward Stanwood's *History of the Presidency* (Boston, Houghton Mifflin Co., 1924) gives as the first party platform the declaration of principles adopted by the Young Men's Convention called to endorse the National Republican nomination in 1832. The difference appears to be merely over the academic point whether a platform can be adopted by any but the nominating group.

It is notable that the Democratic platform of 1840 remained verbatim a portion of all subsequent platforms of that party down to the time of the Civil War. New planks were added but the old ones remained unchanged on the ground that "Democratic principles are unchangeable in their nature when applied to the same subject matter."

bility either of pinning the Clay principles upon the Whigs as a body or of continuing in office a President whom the country held responsible for a depression.

As for the Whigs, they avowed no principles and needed to avow none. They had stolen what may be called "the Jackson formula" of nominating a military hero and marred it in the stealing. Jackson was undoubtedly a great, if not always a wise, man, one whose character made notable impressions upon even his strongest opponents, one whose reputation has grown with the years while those of his opponents have generally declined. Harrison's military career displayed only moderate ability. Since retiring from it, he had been repeatedly driven to seek office as a refuge from ill success in private life and he had never distinguished himself in any of the positions so attained. He was at the time of his nomination living quietly on his farm at North Bend, Ohio, and supporting himself by holding the local office of county recorder.

**The Log Cabin Campaign.** The Democrats thought themselves entitled to sneer at such a candidate, little realizing that it was no longer safe to sneer at a candidate for being common. When the *Baltimore American* remarked that if Harrison were given a log cabin and a barrel of hard cider he would not want to go to the White House, the Whigs broke out in a rash of parades each one with a log cabin on wheels and a barrel of hard cider outside its door. They seized upon the Democratic jibe and used it with telling effect. They contrasted the simple tastes of their hero with those of the aristocratic Van Buren who, they alleged, was accustomed to drink none but the finest wines and to dine off gold plate. The country rang with cries of "Tippecanoe and Tyler too," and in the first and most successful "hoop-la" campaign in American history the old Indian fighter was triumphantly elected.[1]

**Death of the First Harrison and Its Results.** Harrison appointed a strong Whig cabinet, prominent in which were Webster as Secretary of State, John Bell of Tennessee as Secretary of War, and John J. Crittenden of Kentucky as Attorney

[1] See Table 16.

General. He called Congress into special session but did not live to meet it. The rush of greedy office seekers was too much for the health of the superannuated general. He died in the first month of his term, leaving to his successor the task of satisfying the desires of their diverse and disunited party.

TABLE 16. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1840

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Whig* | *Democratic* | *Liberty** |
| William Henry Harrison, Pres.<br>John Tyler, V. P. | 1,275,016 | | |
| Martin Van Buren, Pres.<br>Richard M. Johnson, V. P. | | 1,129,102 | |
| James G. Birney, Pres.<br>Francis Lemoyne, V. P. | | | 7,069 |
| Totals | 1,275,016 | 1,129,102 | 7,069 |
| | *Electoral Vote* | | |
| | *President* | | |
| | *Whig* | *Democratic* | *Nullification* |
| William Henry Harrison | 234 | | |
| Martin Van Buren | | 49 | 11 (S. C.) |
| Totals | 234 | 49 | 11† |
| | 234 | 60 | |
| | *Vice President* | | |
| John Tyler | 234 | | |
| Richard M. Johnson | | 48 | |
| Littleton W. Tazewell | | | 11 (S. C.) |
| James K. Polk | | 1 (Va.) | |
| Totals | 234 | 49 | 11 |

* See *infra*, p. 141.

† All electors chosen by state-wide vote except 11 chosen by the South Carolina Legislature.

What little chance there was of this was destroyed by the highhanded proceedings of Henry Clay. The Kentuckian had been infuriated when Harrison obtained the nomination,

had refused the appointment as Secretary of State that went ultimately to Webster, and now acted as if he were the generally acknowledged leader of the Whig Party. This was not true as far as the President was concerned. He had never followed Clay and would not do so now. The result was chaos. The Whigs speedily passed a bill abolishing the subtreasury system and then proceeded to get into a frightful tangle over a national bank measure to take its place. Twice by narrow Senate margins they passed bills intended to carry

TABLE 17. PARTY LINES IN CONGRESS DURING THE JACKSONIAN PERIOD

| *Senate* | | | | | | *House* | | | |
|---|---|---|---|---|---|---|---|---|---|
| *Congress Number* | *Date* | *Adams Men* | | | *Jackson Men* | *Adams Men* | | | *Jackson Men* |
| 19 | 1825–27 | 26 | | | 14 | 105* | | | 97 |
| 20 | 1827–29 | 20 | | | 28 | 94 | | | 119*† |
| | | *National Republicans* | | | *Democrats* | *National Republicans* | | | *Democrats* |
| 21 | 1829–31 | 22 | | | 26 | 74 | | | 139* |
| | | | *Anti-Masons* | | | | *Anti-Masons* | | |
| 22 | 1831–33 | 21 | 2 | | 25 | 58 | 14 | | 141*‡ |
| | | | | *States Rights Dem.* | | | | *States Rights Dem* | |
| 23 | 1833–35 | 20 | | 8 | 20 | 43 | 53 | 17 | 147*§ |
| | | *Whigs* | | | | *Whigs* | | | |
| 24 | 1835–37 | 25 | *Conservative Democrats* | *Sub-Treasury Whigs* | 27 | 98 | *Conservative Democrats* | *Sub-Treasury Whigs* | 145* |
| 25 | 1837–39 | 18 | 3 | 1 | 30 | 107 | 13 | 11 | 108* |
| 26 | 1839–41 | 22 | | | 28 | 118 | | | 124*‖ |
| | | | | *States Rights Whigs¶* | | | | *States Rights Whigs¶* | |
| 27 | 1841–43 | 28 | | 2 | 22 | 133* | | 6 | 102 |
| 28 | 1843–45 | 28 | | 1 | 25 | 80 | | 1 | 142*†† |

* Speaker elected from this party.
† This House passed the Tariff of Abominations: Yeas 105; Nays 94.
‡ This House passed the bill renewing the charter of the United States Bank: Yeas 107; Nays 86.
§ This House passed the Clay Compromise Tariff: Yeas 132; Nays 65.
‖ This House passed the Subtreasury Act: Yeas 124; Nays 107.
¶ The States Rights Whigs were the personal supporters of President Tyler.
†† This House passed the Texas Annexation Bill: Yeas 120; Nays 98.

out the nationalistic ideas of Clay. Twice these bills were vetoed because they had not been modified sufficiently to satisfy the states rights views of Tyler. The last veto precipitated an actual "contest of veracity," all of the cabinet save Webster resigning and the Clay supporters averring that the President had broken a pledge to sign the bill. Like many such allegations, this was probably the result of a careless misunderstanding — but all unity of the Whig Party was at an end. Clay managed to get through a protective tariff measure, the compromise tariff period having expired. That was the sum of the Whig achievement in legislation. Tyler now had recourse to States Rights Whigs and Democrats for his official advisers. By the end of his term Calhoun had become Secretary of State and almost Prime Minister. By that time also a new and alarming issue had come to the fore in American politics, a position which it was to maintain for a long period to come.

## VII. RISE OF THE SLAVERY ISSUE

During the 1820's a vast change had come over the feeling in the South in regard to slavery. A number of causes tended to place "the peculiar institution" in a thoroughly entrenched position as the unchangeable basis of southern civilization. The lower or deep South found cotton prices holding up in the face of constantly increased production; the upper South found a new economic interest (to replace its ruined agriculture) in supplying the cotton states with slaves. The always mild and innocuous abolition societies were disappearing before the growth of the American Colonization Society, whose ideal was the purchase or voluntary manumission of the slaves and their return to Africa. The fact that the society's activities during the decade definitely proved the idea to be unfeasible was of no importance as against the support it received from the interests that might have been hurt by abolition.

Certain events in the twenties and early thirties tended to crystallize the southern feeling against anti-slavery agitation. First in time were the slave insurrection projected in 1822 by

Denmark Vesey, a free Negro of Charleston, and the proposal to abolish slavery in the District of Columbia, made in 1828 by a Pennsylvania Congressman and endorsed by the legislature of his state. First in importance were the initiation of the violent phase of northern abolition agitation with the publication of the *Liberator* by William Lloyd Garrison, and Nat Turner's Negro insurrection in Virginia, both of which occurred in 1831.

Southerners generally attributed this bloody massacre to the influence of Garrison's unsparing denunciations of slaveholders, although no evidence to back such allegations appeared. There was a momentary tendency in Virginia to consider the desirability of emancipation, but after a proposal to submit the question to popular vote met with defeat in the legislature of 1832, all thought of it vanished very quickly. The abolitionists themselves, especially Garrison, were partially responsible for this effect. The unmitigated virulence of their language, their apparent inability to "hate the sin but love the sinner," their unsparing condemnation of slaveholders generally regardless of their actual lack of responsibility for an institution into the control of which they had merely been born, all went far to solidify southern opinion. Events like the Vesey and Turner insurrections accentuated this further and convinced the southern whites that they were sitting above a powder mine which the least spark might set off and blow them all to destruction. They consequently came to demand that freedom of speech should be denied the abolitionists, and that their views should not be promulgated in any form, such promulgation constituting a vital danger to the southern states.

At first these demands met with considerable support in the North, a state of things perhaps the more easily understood if we realize the usual unpopularity of those who are regarded as extreme radicals and the ease with which the belief is accepted that they ought to be suppressed. This was accentuated, in the case of the abolitionists, by the tendency of Garrison and others among them to extreme opinions of all

kinds, and by the facility with which they could be represented to be in favor (as some of them actually were) of complete Negro equality. "Do you want your daughter to marry a nigger?" was for long considered a complete answer to any anti-slavery agitator.

**Anti-Abolition Riots.** With such means available for stirring up the mob, the thirties became a period of violence against abolition leaders. It was a time when hostile action was easily aroused against any unpopular group — Negroes, Catholics, foreigners, and now abolitionists. Their constant attempts to hold meetings in the larger cities were generally productive of riots, in two of which (in New York and Philadelphia) buildings and other property of considerable value were destroyed. In another (in Boston), Garrison was dragged through the streets at a rope's end, to be rescued finally and lodged for his own safety in the city jail. The destruction of abolition presses was a favorite sport. This occurred in Boston, in Cincinnati (where the mob made determined efforts to kill James G. Birney, the editor of an abolition paper called *The Philanthropist*), and in Alton, Illinois (where similar attempts against Elijah Lovejoy, another abolition editor, were successful).

An alarming feature of the times was the tendency of public officials to approve this and similar violence. A Missouri judge — most appropriately named Lawless — charged a St. Louis grand jury that the lynching of a Negro for killing a white man "was the act . . . of the multitude . . . ; the case then transcends your jurisdiction — it is beyond the reach of human law." The Attorney General of Massachusetts attacked the memory of Lovejoy at a public meeting in Boston and received a crushing reply from a young abolitionist attorney named Wendell Phillips. Legislatures passed resolutions condemning the abolition agitation. Against those adopted in Illinois two young representatives recorded their protest. One of these was Abraham Lincoln.

The violence included destruction of abolitionist publications sent through the mail to southern cities. Attempts to

induce Amos Kendall, then Postmaster General, to order such papers excluded from the mails were answered by a very understandable hint that postmasters in the South might use their own discretion. Jackson urged Congress to authorize such exclusion, but a bill introduced by Calhoun was voted down in the Senate because of constitutional objections. At about the same time the lower house became involved in a furious row over the subject of anti-slavery petitions.

**Anti-Slavery Petitions.** From the very beginning of the government under the Constitution a certain number of anti-slavery petitions had been received by both houses. Many of them called for abolition of slavery in the District of Columbia a matter rather clearly within the federal competence; some for the general abolition of slavery, a thing very certainly outside it. They had been in a routine manner printed, referred to committee, and unfavorably reported. The process had attracted practically no attention, but now it had become too mild to satisfy the feelings of the South, firmly fixed on suppressing all discussion of the subject. In 1835 the House of Representatives initiated the practice of laying all anti-slavery petitions on the table without according them the slightest hearing. The next year (while the Senate was evolving the ingenious device of receiving such petitions but "rejecting their prayers," i.e., refusing the action they requested) the House adopted the so-called "gag resolution," whereby all such petitions, "without being either printed or referred," were automatically laid upon the table. This resulted in a perennial battle for "the repeal of the gag" on the part of a bloc of northern members led by John Quincy Adams — a group not of abolitionists but of men who felt that free speech should not be denied in order to protect any institution. The effect of the gag resolution was exactly the opposite of that at which the South was ostensibly aiming. It increased the number of anti-slavery petitions, it riveted upon them the attention of the whole country, and it drew to their support a great many northern voters who were in no wise interested in the cause of abolition. By the time of its final repeal in

1844 it had done a great deal to attract national attention to the slavery issue.

**Slavery in the 1836 Election.** While affairs were reaching his pitch it was natural that the slavery question should begin o be dragged into presidential elections. In the 1836 campaign a Whig newspaper in Virginia informed the voters that in the North "those who favor abolition outnumber those that do not. Vote for a Northern President from a free state, and when the test comes, he will support the abolitionists. Virginia has never voted for a Northern President." [1] Van Buren was denounced as "a tricky Yankee" who had supported Negro suffrage in New York and had opposed the admission of Missouri as a slave state. On the other side it was alleged that Harrison had made a speech in 1833 in which he stated that he looked "forward to a day, not very distant, when a North American sun would not look down upon a slave," [2] and had advocated national purchase and colonization of the Negroes. His supporters cited a later speech in which he had described the conduct of the abolitionists as "weak, injudicious, presumptuous, and unconstitutional." White was accused of favoring suffrage for free Negroes, but the accusation was denied by his friends. Van Buren resorted to personal letters to reassure his supporters on his position in regard to slavery. In so doing he was seemingly successful, as he carried all but three southern states, most of them against a southern Whig candidate. The nature of his assurances he stated in his inaugural address: "I then declared that . . . 'I must go into the Presidential chair the inflexible and uncompromising opponent of every attempt on the part of Congress to abolish slavery in the District of Columbia against the wishes of the slaveholding States, and also with a determination equally decided to resist the slightest interference with it in the States where it exists.'" As to the abolitionists he remarked that "a reckless disregard for the consequences of their conduct" had exposed them "to popular indignation."

[1] *Wheeling Gazette*, quoted in the *Richmond Whig*, April 7, 1835.
[2] *Richmond Inquirer*, Sept. 6, 1836.

**The Liberty Party.** The same charges were repeated in the campaign of 1840, with additions caused by Van Buren's approving the sentence of a court martial which had admitted the testimony of Negroes and by the unearthing of the fact that Harrison had once belonged to one of the mild southern abolition societies of the pre-Garrison period. And now an anti-slavery political party was formed. The abolitionists had split over Garrison's opposition to all participation in the activities of a government that supported slavery. The so-called "New Organization," which had departed from his leadership, formed the Liberty Party and nominated James G. Birney for the Presidency. The Democrats, in their first national platform adopted in this campaign, declared that Congress had no power "to interfere with . . . the domestic institutions of the several states" and denounced "all efforts by abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto." This plank became a regular feature of all pre-Civil War Democratic platforms. The Liberty Party cast but 7069 votes against well over a million for each major party, but it was notable that it received some support in every free state except Indiana. Its greatest strength was in western New York, in eastern Massachusetts, and in Ohio, where it was sustained by the rising political abilities of Salmon P. Chase.

In his inaugural Harrison thought it necessary to deprecate the efforts of the abolitionists. "The attempt of those of one State to control the domestic institutions of another can only result in feelings of distrust and jealousy, the certain harbingers of disunion, violence, and civil war. . . . Experience has abundantly taught us that the agitation by citizens of one part of the Union of a subject not confided to the General Government . . . is productive of . . . injury to the very cause that is intended to be advanced."

**The Texas Question.** Presidents and platform framers were alike mistaken in supposing that they could settle the slavery issue by silencing the abolitionists. This assumption

ignored the expansive element in slavery. More and more land was needed for the wonderfully profitable cultivation of cotton by slaves. The cotton country extended westward across the Mississippi and reached the then western boundary of the United States on the eastern borders of Texas. From there it spread over into that region, then a part of Mexico. The Mexican authorities undertook to abolish slavery. The American settlers protested and obtained a partial suspension of the decree, but slavery in Texas seemed doomed. Shortly thereafter the internal disorders of the Mexican Government prompted the settlers to rise and establish an independent slave state (1836). They successfully maintained their freedom, seeking at the same time annexation to the United States Jackson, with cautious reluctance, recognized the independence of Texas and entered into friendly diplomatic relations. Van Buren refused to go further and by the positiveness of his position thoroughly discouraged the Texan negotiators. Both realized the danger of war with Mexico and (Van Buren especially) of sectional discord over the extension of slavery.

Tyler was less cautious, and his policy was encouraged by wily diplomacy on the part of Texas. The young republic entered upon diplomatic relations with Great Britain and informed Washington that "the subject of annexation was not open to discussion." This startling event was swiftly followed by news more startling still. Abolitionists in Texas were said to be negotiating with the English Government to obtain financial aid for the abolition of slavery. There was comparatively little truth in the report, and Benton charged that its concoction was paid for by the State Department out of its contingent fund. It proved extraordinarily effective, however, especially as complaints to Great Britain brought admissions of a general policy of hostility to slavery. Annexation negotiations rapidly attained treaty form, and a final agreement was concluded shortly after Calhoun became Secretary of State. He inadvisedly met the British admissions with an argument that slavery was for the good of the Negro and that American interests required its continuance in Texas.

Clay's reaction to this was prompt. Within five days of the signing of the treaty he denounced it in his so-called "Raleigh Letter." It would cause war with Mexico, it would cause discord among the states. He did not favor annexation at any such price.

This was not as bold an action as might at first appear, and it also did not turn out to be as safe as Clay supposed he had made it. He and Van Buren were understood generally to be the sure candidates of the major parties in 1844, and they had agreed to eliminate the Texas issue by issuing statements hostile to it. But the publication of Van Buren's letter against annexation was met by a letter of Jackson's for it. All but one of the Senate Whigs stood firm behind Clay for rejecting the treaty, while Van Buren's stand was taken by only 7 out of 22 Democrats in that body. Its 16-35 defeat threw the whole Texas question into the election of 1844, where it resulted in the ultimate discomfiture of both of the previously favored candidates.

Clay, indeed, had no trouble in obtaining his party's nomination. He was even accorded a declaration of party principles affirming some, if not all, of his own basic political ideas. "A well-regulated currency"; a protective tariff; "distribution of the proceeds of the sales of public lands; a single term for the presidency; a reform of executive usurpations"; efficiency in administration — such were the terms of this shortest of platforms. It will be noted that the Texas issue was not mentioned.

Van Buren's position as the sure Democratic candidate had been shaken by his Texas letter. Other aspirants were seeking the nomination. Prominent among these were Tyler, Calhoun, and Lewis Cass of Michigan, who had been Secretary of War under Jackson and was now bidding for the Presidency with an open letter favoring the annexation of Texas.

Tyler was swiftly disposed of as being no Democrat; Calhoun withdrew in order not to divide the annexationists; it seemed clear that the struggle in the convention would be between Van Buren and Cass. The former obtained a clear

majority, but this did not suffice because of the party's insistence on the two-thirds rule. After seven ballots, delegates began to vote for James K. Polk of Tennessee, a former Speaker of the House of Representatives. On the ninth ballot a sudden "stampede" made him the first dark-horse candidate in American party history. This wholly unexpected nomination was followed by the adoption of a platform which favored the annexation of Texas, a policy to which the nominee already stood openly committed.

The southern delegates had eliminated Van Buren and obtained the adoption of an annexationist platform. In so doing they had committed the Democratic Party to the cause of slavery extension, a committal that was not to be broken while slavery endured. With one major party definitely on the pro-slavery side and the other consequently unable longer to ignore the question, the period of the rise of the slavery issue closes, and with it the Beginning Era of American political history.

## *AUTHORITIES AND EVALUATIONS*

There is no single satisfactory history of American political parties. Among early works confined mainly to the period covered by the present chapter may be mentioned Holmes' *Parties and Their Principles* (1859). More recent and marked for the thoroughness of their information are Hopkins' *History of Political Parties in the United States* (1900) and the "Historical Sketch of American Political Parties" contained in Woodburn's *Political Parties and Party Problems in the United States* (2nd ed., 1914). Practically all texts in the field of Political Parties carry historical treatments which may be compared with the present chapter if differing viewpoints are desired. Other general treatments worthy of note include Sloane's *Party Government in the United States of America* (1914), Robinson's *Evolution of American Political Parties* (1924), and Beard's *American Party Battle* (1928). Works relating to the Presidency or to presidential campaigns are of value if their episodic nature and peculiar stress on one class of political phenomena are steadily kept in mind. Notable in this field are Stanwood's *History of the Presidency* (which evolved from his *History of Presidential Elections* [1884] and went through five editions between 1892 and 1924), Bishop's *Presidential Nominations and Elections* (1914 — popular, but containing interesting cartoon

and anecdotal material), and Porter's *National Party Platforms* (1924). This last is the prime reference for all party platforms before its date, although much the same matter is also available in Stanwood and in McKee's *National Conventions and Platforms of All Political Parties* (1906). These last contain detailed election figures from the earliest recorded periods. McKee also carries information concerning party divisions in Congress, which are only readily available here, in Hopkins' work mentioned above, and in McLaughlin and Hart's *Cyclopedia of American Government* hereinafter cited. The research student will find all that is to be known of early election results in *Niles' Register* and the *Whig* and *Tribune Almanacs*. The presidential election figures in the last two sources named are digested in Greeley's *Political Handbook for 1860*. Party divisions in Congress are indicated in these almanacs and may also be determined by reference to the list of members at the beginning of each *Congressional Globe* (later *Congressional Record*). Important voting divisions are shown by maps in Paullin's *Atlas of Historical Geography of the United States* (1932), which also gives maps of political majorities *by counties* in all presidential elections. Popular treatments of the period now under consideration are to be found in Cook's *Torchlight Parade* (1929) and Kent's *Democratic Party* (1928). For the Democratic side reference may also be made to Agar's *The Pursuit of Happiness* (1938). Some interesting points likely to be elsewhere overlooked are available in Norton's *Political Americanisms* (1890) and in Smith's *Dictionary of American Politics* (1924).

Students wishing to orient the history of political parties in relation to American history in general will find a plethora of available sources. Among modern historical works distinguished mention should be given to Beard's *Rise of American Civilization* (1930) and Adams' *Epic of America* (1931). In its own specialized field like mention should be made of Weinberg's study of *Manifest Destiny* (1935). A brief vade mecum is available in Montgomery's *Students' American History*, which has been through many editions.

For more detailed study recourse may be had first to multiple-volume works dealing in great detail with general history. Among these an early standard work dealing primarily with the period here under discussion is McMaster's *History of the People of the United States* (1883–1913). A somewhat more modern treatment is to be found in the "American Nation Series" (1906). For this chapter special reference should be had to the following volumes therein: Bassett's *Federalist System*, Channing's *Jeffersonian System*, Babcock's *Rise of American Nationality*, Turner's *Rise of the New West*, Hart's *Slavery and Abolition*, and Garrison's *Westward Expansion*. Use may also be made of the individual histories of parties and factions to be

found in McLaughlin and Hart's *Cyclopedia of American Government* (1914) (a work also valuable for its data on presidential elections and party divisions in Congress), and in the more recent *Dictionary of American History* (1940).

Biography should also be a resource of the thorough student. With certain recent exceptions the object of the individual biography is too often mere laudation of a personal hero and as such must be guarded against by all careful enquirers. Group biography is not open to quite the same stricture in all cases, but it is still subject to the same fault, especially where the work is the collective product of many writers, each of whom selects his own subject. With this and the concomitant caution (almost too obvious to be necessary) that biography of the "debunking" type is not necessarily sounder, it should be constantly remembered that biography often takes in significant facts that history has somehow missed, and that anyone wishing to form a sound idea of past events for himself will always do well to go straight to the biographies of the chief protagonists. There is no need here to list the numerous valuable biographies, individual and collective, available to the scholar in the field of American politics. But mention should be made of a very few without which one's idea of the period treated above is necessarily incomplete.

We should list among individual biographies Beveridge's life of *Marshall* (1916–19), Parton's lives of *Jefferson* (1874) and of *Jackson* (1860), and Henry Adams' life of *John Randolph* (1882) in the "American Statesmen Series." (The series generally should be used with caution because of its anti-Democratic bias.) Collective biographies frequently take the form of lives of the Presidents, of which Agar's *American Presidents* (1933) is a recent instance. Outstanding in the general field is the *Dictionary of American Biography* (1928–37), the liberal use of which is recommended for adequate understanding of the historical background of American politics. Parton's *Famous Americans of Recent Times* (1867) contains good sketches of the great pre-Civil-War orators.

Special attention is called to Farrand's *Framing of the Constitution* (1913), Beard's *Economic Interpretation of the Constitution* (1913) and his *Economic Origins of Jeffersonian Democracy* (1915), and Warren's *Supreme Court in United States History* (1922, 1926) as throwing light on particular phases of political development. For voting qualifications in the colonies see McKinley's *Suffrage Franchise in the Thirteen English Colonies in America* (1905), and for general economic backgrounds of this and the subsequent chapters see Faulkner's *American Economic History* (1931). On the origin of the Whig Party, Simms' *Rise of the Whigs in Virginia* (1929) is very informative, as is Cole's *Whig Party in the South* (1913).

# *Chapter V*

## THE MIDDLE PERIOD: DOMINANCE OF THE NEGRO QUESTION

### I. THE SLAVERY ISSUE, THE PATH TO DISUNION

The nomination of Polk by the Democrats on an annexationist platform placed Henry Clay in a very embarrassing position. A southern man and an object of the deepest enthusiasm on the part of many proponents of slavery, he was yet no believer in that system and had seemingly definitely committed himself against its expansion in the Texas instance. On the other hand, he had already denounced the abolitionists and now, in an effort to avoid the imputation of desiring their support, he took a fatal step. In his so-called Alabama Letters he declared that he would "be glad to see" the annexation of Texas "without dishonor, without war, and upon just and fair terms." He did not think "that the subject of slavery ought to affect the question one way or the other."

**The Election of 1844.** This he claimed not to be in contradiction of his Raleigh letter, but in any case it alienated a great many anti-slavery Whigs. The vote for Birney, again the Liberty Party candidate, increased nearly 900 per cent over that of 1840, and unfortunately for Clay about a quarter of it was cast in the ever-crucial state of New York. Birney received 15,000 votes there, while a plurality of little over 5000 sufficed to give the state's electoral vote and with it the Presidency to Polk. The support of the two major candidates was very evenly distributed over the whole country, Clay's strength being greatest in industrial New England and in the

upper South, where he carried even Tennessee, the home state of Polk and Jackson. The great majority of the states were closely contested and it was notable that the Liberty Party, though still unable to carry as much as a single county, increased everywhere in the North and cast some votes in every free state.[1]

TABLE 18. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1844

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Democratic* | *Whig* | *Liberty* |
| James K. Polk, Pres. / George M. Dallas, V. P. | 1,337,243 | | |
| Henry Clay, Pres. / Theodore Frelinghuysen, V. P. | | 1,299,062 | |
| James G. Birney, Pres. / Thomas Morris, V. P. | | | 62,300 |
| Totals | 1,337,243 | 1,299,062 | 62,300 |
| | | *Electoral Vote* | |
| Polk and Dallas | 170 | | |
| Clay and Frelinghuysen | | 105 | |
| Totals | 170* | 105 | |

* Including 11 electors chosen by the South Carolina Legislature.

**The Annexation of Texas and the Mexican War.** Tyler now hastened to accomplish the annexation of Texas before Polk took office. This was done by Democratic votes, the Whigs, northern and southern, voting almost solidly against it.[2] The Annexation Bill carried a provision (originated by a young Democratic Congressman from Illinois named Stephen A. Douglas) that any territory claimed by Texas north of the line of the Missouri Compromise should be barred to slavery.

The annexation was immediately followed by a breach of diplomatic relations with Mexico. Attempts at further negotiation failing, the Polk Administration at length accepted the

[1] See Table 18.

[2] For the vote in the House see Table 17, n. ††.

advice of General Zachary Taylor, the American commander in Texas, and ordered him to advance to the Rio Grande, the boundary claimed but never occupied by the Texan republic. The movement provoked hostilities which kindled rapidly into war. For this the Whigs blamed the President and throughout the conflict denounced him as its author. This was done with especial cogency by Abraham Lincoln, then a Whig Congressman from Illinois. The Whig stand apparently met with the nation's approval, for in the mid-term congressional elections the Democrats lost the control of the House, which they had held since 1843.[1] In the meantime they had greatly reduced the tariff,[2] acting in compliance with a slightly indefinite plank in their 1844 platform.

**The Wilmot Proviso.** The Mexican War gave American politics new heroes and renewed the slavery issue in another form. Generals Taylor and Scott, by their Mexican conquests, became at once promising presidential timber and the conquests themselves supplied the question whether slavery should be permitted in the new territories once they had been annexed to the United States. This arose comparatively early in the war. Polk, desirous of ending the conflict, obtained the introduction in the House of a measure appropriating $2,000,000 for the purchase of Mexican territory but was met by an amendment (the so-called Wilmot Proviso) forbidding slavery in the territory to be so purchased. This proposal, introduced by a Pennsylvania Democrat, was inserted and passed the House on an almost straight sectional division,[3] but the adjournment of the session of 1846 prevented its receiving Senate action.

Ominous signs of dissension immediately appeared in the New England branches of both major parties. In the Whig convention in Massachusetts the so-called Conscience (or anti-slavery) wing of the party nearly obtained the adoption of a plank implying that opposition to slavery was a paramount duty. This proposition, advanced by Charles Sumner,

[1] See Table 23, p. 169. [2] For the vote in the House see Table 23, n. †.
[3] See Table 23, n. ‡.

Wendell Phillips, and John Quincy Adams, was defeated only through the exertion of Webster's overwhelming influence In New Hampshire matters went still further, party lines were completely broken, and one independent anti-slavery Democrat was chosen to each House of Congress over the regular candidates of both parties.

During the following two years wrangling continued in Congress over the adoption of the Proviso or some substitute therefor, the division becoming almost completely sectional except that some northern Democrats opposed the restriction. No measure attained final passage, the result being that when the Mexican Cession of 1848 was received Congress had adopted no rules governing slavery within the acquired territory. The whole question was thrown into the presidential campaign of that year.

**The Election of 1848.** There were many indications, however, that this or any other issue would not be of decisive significance in the election. The country was delirious with its victory in the late war and was strongly inclined to elect General Taylor, the more picturesque of its two chief heroes, on any platform or on none. His candidacy was bid for both by such Whig leaders as Thurlow Weed and by the small and already waning Native American Party which increased foreign immigration had caused to appear in Congress. For himself, the General at first stated his unfitness for the position, but soon, encouraged by endorsements from nonpartisan mass meetings and conventions, he reached the point of declaring that he would run anyway, regardless of what was done by the parties. Finally Weed, who had won the General's confidence by being the first to suggest his candidacy, induced him to declare himself a Whig and to state that he would leave all questions of policy to Congress.

Meantime the two other parties had had their conventions. The Liberty Party nominated for the Presidency John P. Hale of New Hampshire, the new anti-slavery Senator from that state. The Democrats suffered a party split. The disgruntled Van Buren faction in New York came out for the Wilmot Proviso

and bolted first the state and then the national convention. The latter had ignored the territorial issue in its platform and nominated Cass for the Presidency, who had declared that the slavery question in the territories ought to be left to the inhabitants.

The Whigs now nominated Taylor over Clay, Scott, and Webster. For the Vice Presidency they chose Millard Fillmore, who had recently carried the crucial state of New York as candidate for Controller. He was now placed on the ticket to satisfy the Clay faction. As Taylor's declared principle was to leave all to Congress and as the convention itself adopted no platform, the Whigs once more deserved the title of the party without platform or principles.

Under these circumstances the anti-slavery Whigs and Democrats united to form a new party pledged to preventing the further extension of slavery. In this they were joined by the old Liberty Party, which now withdrew its candidates from the field. The new organization, which was called the *Free Soil Party*, nominated for the Presidency Van Buren, a former Democrat, and for the Vice Presidency Charles Francis Adams, a former Whig, and took its stand on the principle of the Wilmot Proviso, the exclusion of slavery from the territories of the United States. It was infinitely stronger and more politically important than the Liberty Party had ever been. Where that party had been mainly made up of impractical abolitionists with hardly a competent politician among them, the Free Soil organization enlisted such practical abilities as those of Hale of New Hampshire, Sumner of Massachusetts, and Samuel J. Tilden of New York. Where the Liberty Party had freely described its purpose as "the overthrow of Slavery" and had boldly denounced the fugitive slave clause in the constitution as "null and void," the Free Soilers merely called themselves "the opponents of Slavery-extension" and limited their stand on the matter strictly to the exclusion of slavery from the territories. Some few abolitionists refused to adapt themselves to this more moderate position and, calling themselves the Liberty League and the

National Liberty Party, supported Gerrit Smith, a prominent reformer and philanthropist from upstate New York. He was also endorsed by the Industrial Congress, a meeting of organized labor, on a platform of free land for actual settlers and the exemption of homesteads from seizure for debt.

Neither sincere pro-slavery nor anti-slavery men could care much for the position and candidates of either major party. Calhoun sneered at Cass's territorial ideas as "squatter sovereignty," but neither party had done anything positive to alienate the slaveholders and southern defections were not in evidence. In the North, on the other hand, the Barnburners' [1] secession was fatal to Cass's election. Van Buren outran the Democratic candidate in New York, thereby giving

TABLE 19. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1848

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Whig* | *Democratic* | *Minor Parties* |
| Zachary Taylor, Pres.<br>Millard Fillmore, V. P. | 1,362,242 | | |
| Lewis Cass, Pres.<br>William O. Butler, V. P. | | 1,223,795 | |
| Martin Van Buren, Pres.<br>Charles Francis Adams, V. P. | (Free Soil) | | 261,263 |
| Gerrit Smith, Pres.*†<br>Charles E. Foote, V. P.*<br>William S. Waitt, V. P.† | Industrial Congress† and Liberty League* | | 2,556 |
| Totals | 1,362,343 | 1,223,795 | 263,819 |
| | | *Electoral Vote* | |
| Taylor and Fillmore | 163 | | |
| Cass and Butler | | 127‡ | |
| Totals | 163 | 127‡ | |

*† Gerrit Smith was the candidate of two organizations, the Industrial Congress † and the Liberty League,* each of which had its own candidate for Vice President. Votes were cast for these candidates in New York and Ohio only.

‡ Including 9 electors chosen by the South Carolina Legislature.

[1] The Van Buren faction in New York was so called from an old tale of a Dutch farmer who burned his barn to get rid of the rats.

that state and its decisive electoral votes to Taylor. Pennsylvania also went Whig, largely in resentment of the lowering of the tariff in 1846. The two major parties waged close contests everywhere, the Democrats regaining control of both houses of Congress.[1] The Free Soil Party cast 290,000 votes, covering all the free states and penetrating the upper South as far as North Carolina.[2] In spite of all gains, however, the presidential result was no victory for any principle but was a triumph rather for what had now become the Whig tradition of military nominees.

**The Compromise of 1850 and Its Effects.** Certainly the election did nothing to settle the issue of slavery extension, which was daily becoming more and more fiercely contested. Regardless of party lines, the majority in the South demanded a share of the Mexican cession for slavery, while the northern majority in the same manner was insisting on the principle of the Wilmot Proviso. Many northerners were going further to demand the abolition of slavery in the District of Columbia, while from the South came a growing cry for a more effective fugitive slave law as their losses of slaves were increasing because of escapes aided by the abolitionists. All of these demands came to a focus in fiery congressional debates and in roll calls in which the growing disunity of the two sections became increasingly apparent. Threats of secession were met by promises of resistance. At this moment Clay came forward with another — and the last — of his great compromises.

By this proposal California was to be admitted as a free state, the rest of the Mexican cession was left open to slavery on the "squatter sovereignty" basis, the slave trade (but not slavery itself) was to be forbidden in the District of Columbia, while the Fugitive Slave Law was to be greatly strengthened. To these propositions Webster lent the great weight of his personal support. They were opposed by Calhoun and a group of southern extremists known as Fire Eaters, as well

[1] See Table 23.

[2] Also the merest handful of votes was cast for Van Buren in Louisiana and Texas. See Table 19 for the complete votes of this election.

as by northern anti-slavery men of every stripe. Calhoun now maintained the right of a citizen to carry his property, including slaves, anywhere in the territories of the United States, while Seward, the new Whig Senator from New York, startled Congress by contending that the fugitive slave clause of the Constitution was void as being contrary to a "higher law." This, from the man upon whom the President was supposed to rely most for guidance, seemed a great menace to the whole plan.

Death intervened, however, to change the situation. Again the Whigs lost their aged military hero, to be replaced by a civilian of different opinions. Fillmore, under the influence of Clay, signed each of the compromise measures as they came severally from Congress, where they had been passed individually by the combining of the active supporters of each with a small group which supported the whole. Two of the measures thus enacted embodied principles which were to have great effects in the future: (1) the territorial acts for Utah and New Mexico,[1] providing that when ready for statehood they should be admitted "with or without slavery, as their Constitution may prescribe"; and (2) the new Fugitive Slave Law, which allowed any Negro to be seized and sent South without opportunity to testify in his own behalf, and which rewarded the commissioner hearing the case doubly if he decided against freedom.

Following the adoption of the Compromise of 1850, a new era of good feeling for a time withstood attempts at disturbance by extremists both for and against slavery. In the deep South there was a temporary dissolution of national party lines, and state elections were fought under the banners of the Unionist and Southern Rights parties. The former were everywhere victorious. In the same way, attempts by the abolitionists to stir up opposition to the new Fugitive Slave Law were discountenanced by the northern moderates. These results were on the whole beneficial to the Democrats, who had been more inclined to support the whole compromise

[1] For the House vote on the latter measure see Table 23.

than had the other major party. The Whig and Free Soil votes fell off, both parties suffering a severe loss of congressional seats in the mid-term elections.[1] State-wide prohibition of intoxicating liquor made its appearance as a political issue, Maine, Massachusetts, and Rhode Island adopting it in the early fifties. In the national field politics underwent a period of stagnation, the slavery issue being in abeyance and the old questions of tariff, bank, and internal improvements no longer arousing any enthusiasm.

**The Election of 1852.** Under the circumstances, the major party conventions of 1852 resolved themselves into a mere search for candidates who were "sound on the goose," as the cant phrase then was for those whose views on slavery would antagonize no one. Fierce struggles occurred in both conventions. The Democrats on the forty-ninth ballot nominated Franklin Pierce of New Hampshire, an obscure "dark horse," over such men of national prominence as Cass, the candidate in 1848; Douglas, the Chairman of the Senate Committee on Territories; and Buchanan and Marcy, who had been members of the Cabinet of President Polk. On the fifty-third ballot the Whigs nominated another military hero, General Scott, over President Fillmore and Daniel Webster, his Secretary of State. Both major parties endorsed the Compromise, "the Fugitive Slave Law included," as a settlement of the slavery question. The Free Soilers attacked the Compromise and nominated John P. Hale of New Hampshire, but were greatly weakened by the return of the Van Buren faction in New York to the Democratic Party. The Democrats were substantially united, while among the Whigs many southerners disliked the candidate and many northerners disliked the platform. Webster refused to support Scott. Independent tickets pledged to "Black Daniel" received some votes in both Massachusetts and Georgia. Small votes were cast in Georgia and Alabama for a Southern Rights nominee, and in Massachusetts, New Jersey, and Pennsylvania for a Native American candidate.

[1] See Table 23.

The outstanding results of the election were a resounding triumph for the Democrats and a thorough affirmation of popular support for the Compromise. Pierce carried all but four states, and the Free Soil Party received 135,000 less votes than in 1848.[1] The Whigs were thoroughly beaten and fell into approximately a one-to-two minority in both houses of Congress.[2]

TABLE 20. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1852

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Democratic* | *Whig* | *Minor Parties* |
| Franklin Pierce, Pres. / William R. King, V. P. | 1,601,474 | | |
| Winfield Scott, Pres. / William A. Graham, V. P. | | 1,386,578 | |
| John P. Hale, Pres. / George W. Julian, V. P. (Free Soil) | | | 156,149 |
| Daniel Webster, Pres. | | 7,481 | |
| Jacob Broom, Pres. (Native American) | | | 2,685 |
| George M. Troup, Pres. (Southern Rights) | | | 2,300 |
| Totals | 1,601,474 | 1,394,059 | 161,134 |
| | *Electoral Vote* | | |
| Pierce and King | 254 | | |
| Scott and Graham | | 42 | |
| Totals | 254* | 42 | |

* Including 8 electors chosen by the South Carolina Legislature.

The presidential election of 1852 in a sense marks the close of an era. It was the last in which the Whig Party participated by making a separate nomination. It was also the last in which appears any of the older leaders who had been dominating politics ever since the twenties. Jackson had died in 1845, John Quincy Adams in 1848, Calhoun in 1850, Clay and Webster died in 1852. Van Buren was in retirement, and Benton had lost his seat in the Senate for opposing the Com-

[1] See Table 20. [2] See Table 23.

promise. Their places were filled by younger men such as Douglas among the northern Democrats, Chase among the Free Soilers, and Seward among the northern Whigs. The southern Whigs were led mainly by Crittenden of Kentucky and Bell of Tennessee, while the southern Democrats had evolved a unity of purpose on the basis of extreme pro-slavery principles which made particular leadership largely unnecessary. Some of the old leaders had resisted the spoils system, but the new ones accepted it entirely. It was shortly extended (1856) to include a turnover of offices every four years, even though the same party remained in power. It is significant that major revelations of bribery and corruption in state and national politics occurred about and shortly after this time.

**The Kansas-Nebraska Bill and Its Results.** The quiet of politics did not last through the first year of Pierce's term. Then the slavery extension question was again and finally stirred up by a proposal, sponsored by Douglas as Chairman of the Senate Committee on Territories, to extend the "squatter sovereignty" principle, as exemplified in the acts constituting Utah and New Mexico, to the unorganized portion of the Louisiana Purchase. Douglas called this idea "popular sovereignty." Its proposed application meant that an area bounded roughly by the Missouri River, the Canadian border, and the Rocky Mountains would be opened to acquisition by slavery. After very stormy debates the bill embodying this proposal and organizing the region into two territories, called Kansas and Nebraska, passed both houses by slight majorities [1] and was approved by the President.

The immediate political result of the Kansas-Nebraska law was an outburst of anti-slavery feeling which shattered party lines. A desire for the formation of a new party committed primarily to checking the spread of slavery pervaded the whole North, finding its first expression in the states of the upper Mississippi-Ohio valley. Here in the summer of 1854 was formed the new Republican Party, named for the party of Jefferson, whose ideals were now generally acclaimed. It

[1] See Table 23, *n.* ¶, for vote in the lower House.

was formed by a coalition of Anti-Nebraska Democrats, Conscience Whigs, and Free Soilers, and it stood squarely on the old Free Soil principle of excluding slavery from the territories. Throughout the Midwest it absorbed the Whig Party, which was there almost entirely anti-slavery in feeling, and in 1854 it carried every free state in that area except Illinois. It appeared also in Maine in that year, forming an alliance with the temperance forces whereby it defeated both old party organizations.

**The Rise of Nativism.** Elsewhere partisans were less ready to abandon their old organizations to oppose the extension of slavery. While they were hesitating they were struck by another blow from an entirely unanticipated quarter. For a long time so-called "nativist movements" had vexed local and state politics, particularly those of New York. The natural human feeling against any large group of "outsiders" had led to strife in the centers of population where foreigners were most inclined to settle. Anti-foreign and anti-Catholic riots on one or another pretext had occurred from the thirties onward, and the feelings thus displayed soon found a vent in politics. As early as 1837 a nativist movement had elected a Mayor of New York with the cooperation of the Whigs, who promptly absorbed it into their party. Thus began the Whig record for nativism, the unconscious trend of a conservative and somewhat aristocratic party to be hostile to newcomers in the community.

Seward had been almost alone in combating this within the party. In 1840, during his term as Governor of New York, he had been instrumental in freeing the schools of New York City from exclusive Protestant control, a bid for support which the Democrats sought to offset in their national platform for that year. They referred to Jefferson's condemnation of the Alien and Sedition Acts and declared firm opposition to an increase in the period required for naturalization, an idea which the nativists had borrowed from the old Federalists. This declaration (carried from platform to platform down to the time of the Civil War) was of the utmost use in luring newcomers into the Democratic Party.

The Whigs, on the other hand, continued their cooperation with anti-foreign movements. When the nativists organized the American Republican Party in 1843–1844 it was Whig assistance that enabled it to sweep the New York City elections and to send six members to Congress.[1] Reorganized as the Native American Party, it lost control of the city and of all but one of its congressional seats in 1846[1] and soon disappeared, its last act being to "recommend" Zachary Taylor for the Presidency in 1848.

**The Know-Nothing Party.** Now (1852–1854) an anti-foreign, anti-Catholic secret society known as the "Order of the Star-Spangled Banner" swept across the land, working underground in much the manner of the modern Ku Klux Klan. The increasing immigration caused by the Irish famine of 1845–1846 and the unsuccessful continental revolutions of 1848 had given it a basis for agitation. Many older, wealthier, and more conservative persons (nearly all of whom were Whigs) considered this immigration a menace. Many workers feared alien labor competition. Behind all was an unreasoning fear of Catholicism. Probably the conservatives thought this agitation safer than that about slavery, which had already called forth threats of disunion from both North and South. The result was the formation of an organization which was a combined political party and secret order, pledged to elect none but natives to office, demanding a great extension in the residence requirement for naturalization, and bitterly hostile to the Catholic Church. It was officially known as the American Party but its followers were generally called Know-Nothings because of its secrecy policy, their standard answer to all questions being, "I know nothing."

**The Whig Breakup.** This organization carried Delaware and Massachusetts in 1854, destroying the Whig Party in the former state. Elsewhere in the East the Whigs saved themselves temporarily by fusions, in Pennsylvania with the American Party itself, but more commonly with the temperance forces. The Republicans in Maine and in the West

[1] See Table 23.

had resorted to the same expedient, one result of these fusions being that prohibitory legislation was extended over all New England, New York, Delaware, and several western states before the end of Pierce's term. In 1855 the southern Whigs and those in California went over to the American Party almost in a body, while the eastern Whigs broke up — Seward, Thurlow Weed, the great political manager, and Horace Greeley, the famous editor of the *New York Tribune*, leading the bulk of the Conscience Whigs into the Republican camp, while most of the conservative or Cotton Whigs joined the American Party. By 1856 the slight and melancholy remnants of the once great Whig vote were almost entirely confined to the lower Mid-Atlantic states and to Missouri. The Democrats also suffered losses but were everywhere able to preserve their party organizations.

**Democratic Defeats.** Divided as the opposition was, it had been able in these two years to defeat the Democrats in both the East and the West. The lower House chosen in 1854 contained a bare majority of what were then called Anti-Nebraska men, nearly all of whom were classed as Republicans before the end of their terms. At the same time the Democrats were losing northern state elections to the variegated opposition, which almost always managed to unite under some one banner sufficiently to carry the current contest. The border slave states were in general captured by the Americans, though throughout the rest of the South that organization had the same lack of success that had lately characterized its predecessor the Whig Party.

These results were facilitated by the continuation of the Democrats' active pro-slavery policy, which angered all classes in the North. Conservatives as well as radicals loudly blamed the party for stirring up a supposedly settled question and for overthrowing the hallowed Missouri Compromise. This feeling was heightened by such developments as the Ostend Manifesto, the Walker filibustering expeditions, and the Border Ruffian raids into Kansas. By the first of these, Buchanan, now American minister to England, and the

American ministers to France and Spain, both prominent southern Democrats, united to advise the seizure of Cuba, which would have constituted a further expansion of slave territory. By the second, a southern adventurer seized Nicaragua and, setting up his own government there, declared the country open to slavery. By the third, pro-slavery men in Missouri, angered by an organized attempt to colonize Kansas with New England Free Soilers, invaded the territory, forcibly seized upon its election machinery, and set up their own legislature which promptly established slavery, enacted laws for its protection, and made all denials of its legality in Kansas a crime. The northerners retorted by setting up their own government and applying for admission as a free state. Both sides rapidly armed and began to attack each other. Before the end of 1856 civil war was raging in the territory.

**The Election of 1856.** By this time the Know-Nothings had split over slavery. The adoption of a platform condemning the repeal of the Missouri Compromise but at the same time affirming the right of the inhabitants of the territories "to regulate their domestic and social affairs in their own mode, subject only to the Constitution," led to the withdrawal of the majority of the northern members from their convention. The remaining delegates nominated former president Fillmore, while the seceders, after one or two attempts to set up independent tickets, generally acquiesced in the Republican nomination.

The Democrats nominated Buchanan of the Ostend Manifesto over Douglas and President Pierce, placing him on a platform of "popular sovereignty" in the territories, "sympathy" for the people of Central America, and American ascendency in the Gulf of Mexico. The two last planks were generally supposed to refer to the attempts at slavery expansion into Nicaragua and Cuba. The Republicans nominated Frémont of California — a striking personality with a romantic record as a western explorer — on a platform which demanded the abolition of slavery in the territories and the immediate admission of Kansas. They denounced the

Ostend Manifesto. The dominantly Whig origin of the party was signalized by a plank favoring river-and-harbor improvements. As for the Whigs themselves, their convention denounced both the Republicans and Democrats as "sectional parties" and endorsed Fillmore. Their platform expressed no approval of the American Party and announced no principles except the restoration of peace in Kansas and the preservation of the Union. This was calculated to appeal to the timorous in the border states much as the Know-Nothing platform was intended to please southern conservatives. Yet in spite of increased votes in almost every slave state, the combined vote for Fillmore was less than two-thirds of Scott's. Throughout New England the American vote fell off. Nowhere in the North did Fillmore equal the Whig vote in the 1852 election. Maryland was the only state to give its electoral vote for him. The people evidently desired to settle the slavery extension question rather than dodge it, but as yet they preferred the

TABLE 21. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1856

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Democratic* | *Anti-Slavery Parties* | *American* |
| James Buchanan, Pres.<br>John C. Breckenridge, V. P. | 1,838,169 | | |
| John C. Frémont, Pres. (Republican)<br>William L. Dayton, V. P. | | 1,341,264 | |
| Millard Fillmore, Pres.<br>Andrew J. Donelson, V. P. | | | 874,534 |
| Gerrit Smith, Pres. (Abolition) | | 230 | |
| Totals | 1,838,169 | 1,341,494 | 874,534 |
| | *Electoral Vote* | | |
| Buchanan and Breckenridge | 174 | | |
| Frémont and Dayton | | 114 | |
| Fillmore and Donelson | | | 8 |
| Totals | 174* | 114 | 8 |

* Including 8 electors chosen by the South Carolina Legislature.

Democratic method of "popular sovereignty" to the Republican one of absolute prohibition. Still the Republican achievement was sufficiently remarkable, carrying all but five free states (California, Illinois, Indiana, New Jersey, and Pennsylvania) which, with all the slave states but Maryland, went for Buchanan.[1] In its first presidential election the new party had leaped to second position with a vote almost as great as that which the Whigs had enjoyed. This vote was substantially confined to one section of the country, it being at the peril of his life that any Republican crossed the Mason-Dixon line.

**The Tariff of 1856.** The Democrats regained control of the lower House and retained their hold on the Senate.[2] Before the new Congress met, important changes had been made in the tariff. The revenue produced by it had for some time been outrunning the cost of government. A nonpartisan reduction was determined upon. The jockeying between agricultural and manufacturing interests which ensued did not in the main follow party lines and resulted in a compromise which reduced rates on some raw materials as well as manufactures. No partisan interest appears to have been aroused by the legislation until the Panic of 1857, which high-tariff men like Greeley blamed on the lack of protective duties. As a Pennsylvanian, President Buchanan was concerned for the welfare of manufacturing and recommended an increased tariff. This proposal was contrary to traditional Democratic principles and no legislation was accomplished. A similar policy was reflected by the repeal of the ocean steamship subsidy in 1856.

**The Dred Scott Case.** Meantime all political interest was suddenly focused on an attempt of the Supreme Court to settle the slavery extension question. Chief Justice Taney, who before mounting the bench had been Jackson's chief adviser and assistant in the United States Bank controversy, had

[1] In this election a few obstinate abolitionists in Vermont and New York cast ballots for Gerrit Smith. See Table 21.

[2] See Table 23.

succeeded Marshall in 1836 and had been joined on the bench by other states rights, strict constructionist judges, a majority of the whole Court being residents of slave states. Before this body in 1856 came the case of one Dred Scott, a slave who had been taken from Missouri by his master, first into a free state and then into territory declared free by the Missouri Compromise. On his return to Missouri he had sued for his freedom, first in the state courts and, after losing there, then in the federal courts, finally taking his appeal to the Supreme Court of the United States. The lower federal court treated the state decision as settling the law of the case. Scott's residence elsewhere was there held to be wholly irrelevant as he was a slave by Missouri law. All but two members of the Supreme Court concurred in this view and were about to decide the case on that ground alone when, hearing that the two northern dissenters would give opinions upholding the Missouri Compromise, the southerners on the court decided to cover the whole ground raised in argument, intending thereby "to quiet all agitation on the question of slavery in the Territories."

Calhoun at the last of his life had advanced the opinion that since the territories were the common property of the Union, any citizen had a right to take any of his property there, including slaves. This was now becoming the accepted southern view. With an eye to having this declared the law, one of the southern judges wrote Buchanan, the incoming President, to urge a northern member of the Court to concur in deciding all the points raised and to inform the public in his inaugural that the question of slavery in the territories was about to be settled by a Supreme Court decision. Buchanan did both these things, and his urging of the northern justice proved effective. Almost immediately after his inauguration the court came out with a decision declaring the Missouri Compromise unconstitutional, holding incidentally that a Negro could not be an American citizen and hence had no right to sue in the federal courts. Mr. Justice Taney remarked that at the time of the adoption of the Constitution

Negroes were regarded as "so far inferior, that they had no rights which the white man was bound to respect." This was widely quoted as being his own opinion of the race. His views were concurred in by six of the nine judges but were attacked all along the line by the northern dissenters — and, it was thought, with considerable effect. It was but too plain that most of what was said was unnecessary to the decision of the case and that the judges had by pro-slavery prejudices been led to attempt the settlement of questions which were not of a judicial nature. The whole effect was to embitter the slavery contest, the southern Democrats now claiming that their views were law, while the Republicans furiously demanded that the court be reconstituted so as to give the North the preponderance it deserved on the basis of free population. Their attitude in regard to the court's opinion was perhaps best expressed by Abraham Lincoln in his debates with Douglas a year later. "We think decisions on constitutional questions, when fully settled should control . . . the general policy of the country, subject to be disturbed only by Amendments of the Constitution. . . . More than this would be revolution. But we think the Dred Scott decision is erroneous. We know the Court has often overruled its own decisions, and we shall do what we can to have it overrule this." He also hinted that the decision was the product of a conspiracy between Taney and Buchanan, a charge now known to be untrue but which the relations which have been revealed between the President and the Court go far to excuse.

**The Lecompton Constitution and the Elections of 1858.** Meantime federal troops had suppressed the disorders in Kansas, leaving the pro-slavery men in control of its government. They proceeded to frame a state constitution which was not to be submitted to the voters in its entirety but was to be offered with the alternative merely of voting "For the Constitution with Slavery" or "For the Constitution without Slavery." If the latter prevailed, slaves already in the territory could still be held there, so that no way was left open to complete abolition. As a result, the free-state men refused to

vote on this Lecompton Constitution. It was adopted "with Slavery." When the question of the admission of Kansas came up in Congress, Douglas opposed it, causing a split in his party which made him and a small body of followers to be separately counted as Douglas or Anti-Lecompton Democrats.[1] Uniting with the Republicans and about half the Know-Nothings in Congress, they were enough to defeat the admission measure, but a substitute (the so-called English Bill) was passed through the defection of a portion of the Anti-Lecomptonites.[1] By this law the voters of Kansas were given the choice between immediate admission under the Lecompton Constitution with a land grant to support their schools, and being compelled to wait until their population would entitle them to one representative without any assurance of school aid. The overture was overwhelmingly defeated in Kansas, a prelude to sweeping administration defeats in the congressional elections.[1] These were generally accomplished in the North by the Republicans and in the upper South by the American Party, Pennsylvania being carried on the tariff issue by a fusion of both these parties with the Douglas Democrats.

**The Lincoln-Douglas Debates.** Meantime Douglas was having trouble of his own. Repudiated and proscribed by the administration for insisting on a fair vote in Kansas, he was still not accepted by the Republicans, who disliked his neutrality about slavery. He did not care "whether it was voted up or down," he said. This would not do for the Republicans, who pitted Abraham Lincoln against him in his campaign for reelection as Senator. Lincoln was now their leader in Illinois and had received the second highest number of votes for their vice-presidential nomination in 1856. In the famous debates of this 1858 campaign, Lincoln forced Douglas to avow that as a practical matter, even accepting the Dred Scott decision, slavery could be excluded from the territories by "unfriendly legislation." On this platform Douglas won his reelection, but all chances of southern support for the

[1] See Table 23.

Presidency were gone. At the ensuing session of Congress Douglas clashed with a number of southern Senators over this Freeport Doctrine (so called from the name of the place where he enunciated it), particularly with Jefferson Davis, who was now rapidly succeeding to Calhoun's position of leadership among the southern Democrats.

**The Election of 1860.** In the next year came John Brown's raid on Harpers Ferry, which further exasperated the rising sectional hostility. Southerners placed responsibility for this and other encouragements to slave insurrection on the Republicans. The most earnest disavowals (such as that made by Lincoln in his Cooper Union Address) were entirely disregarded. By 1860 even the long-suffering Democratic Party found unity impossible. Its convention meeting at Charleston, South Carolina, was broken up after the failure to secure adoption of a platform requiring federal protection of slavery in the territories led to the withdrawal of most of the delegates from the lower South. These "seceders" formed a new convention, while the remaining members failed to produce the required two-thirds majority for Douglas, their leading candidate. Both groups adjourned to fill vacancies.

Meanwhile the other parties acted. First the remnants of the Whig and American groups met to form the Constitutional Union Party on the sole platform of "the Constitution of the country, the union of the states, and the enforcement of the laws" — thereby repeating the maneuver of the Whigs in 1856. This group nominated John Bell for the Presidency. The Republicans nominated Lincoln over Chase and Seward on an anti-slavery-extension platform which denounced the Dred Scott decision, demanded the admission of Kansas as a free state, and for the first time committed the party to the principle of tariff protection. This last declaration was not so much motivated by devotion to the principles of Hamilton and Clay (for the party contained former Democrats as well as former Whigs) as by the necessity of carrying the pivotal industrial state of Pennsylvania.

The Democratic conventions reassembled to find union still

impossible. Further secessions from the original body took place. Finally, by a mere majority vote, it placed Douglas in the field on a popular sovereignty platform. The seceders united to nominate Breckenridge of Kentucky, Mr. Buchanan's Vice President, on their slavery protection basis, both platforms demanding the acquisition of Cuba in identical terms. The Buchanan administration availed itself of the abandonment of the two-thirds rule by the Douglas convention to pronounce it irregular and to transfer its support to Breckenridge.

In the ensuing election Douglas, although second in the popular vote, carried only Missouri and a part of the electoral votes of New Jersey. Bell took the border states of Virginia, Kentucky, and Tennessee. This left Breckenridge the rest of the slave states and Lincoln all the free states except for the

TABLE 22. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1860

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Republican* | *Democratic* | *Constitutional Union* |
| Abraham Lincoln, Pres.<br>Hannibal Hamlin, V. P. | 1,866,452 | | |
| Stephen A. Douglas, Pres.<br>Herschel V. Johnson, V. P. | | 1,376,947 | |
| John C. Breckenridge, Pres.<br>Joseph Lane, V. P. | | 849,781 | |
| John Bell, Pres.<br>Edward Everett, V. P. | | | 588,879 |
| Totals | 1,866,452 | 2,226,728 | 588,879 |
| | | *Electoral Vote* | |
| Lincoln and Hamlin | 180 | | |
| Douglas and Johnson | | 12 | |
| Breckenridge and Lane | | 72* | |
| Bell and Everett | | | 39 |
| Totals | 180 | 84* | 39 |

* Including 8 electors chosen by the South Carolina Legislature.

TABLE 23. PARTY LINES IN CONGRESS DURING THE PRE-CIVIL-WAR PERIOD

| | | *Senate* | | | | *House* | | | |
|---|---|---|---|---|---|---|---|---|---|
| *Congress Number* | *Date* | *Whigs* | | | *Democrats* | *Whigs* | *Native Americans* | | *Democrats* |
| 29 | 1845–47 | 25 | | | 31 | 77 | 6 | | 143*† |
| | | | *Free Soilers* | | | | | *Free Soilers* | |
| 30 | 1847–49 | 21 | 1 | | 36 | 115* | 1 | 1 | 110‡ |
| 31 | 1849–51 | 25 | 2 | | 35 | 104 | 1 | 14 | 111*§ |
| 32 | 1851–53 | 23 | 3 | | 36 | 88 | | 5 | 140* |
| 33 | 1853–55 | 22 | 2 | | 38 | 71 | | 4 | 159*¶ |
| | | *Ameri-cans* | *Repub-licans* | | | *Americans* | | *Republicans* | |
| 34 | 1855–57 | 5 | 15 | | 42 | 43 | | 108* | 83‖ |
| | | | | *Anti-Lecompton Democrats* | | | *Anti-Lecompton Democrats* | | |
| 35 | 1857–59 | 5 | 20 | 3 | 36 | 15 | 11 | 92 | 118*†† |
| 36 | 1859–61 | 2 | 26 | 2 | 36 | 24 | 7 | 114* | 92 |

* Speaker elected from this party.
† This House passed the Tariff of 1846: Yeas 114; Nays 95.
‡ This House passed the Wilmot Proviso: Yeas 87; Nays 64.
§ This House passed the act establishing "squatter sovereignty" in New Mexico: Yeas 108; Nays 97.
¶ This House passed the Kansas Nebraska Bill: Yeas 113; Nays 100.
‖ This House passed the Tariff of 1856: Yeas 122; Nays 72.
†† This House passed the English Bill: Yeas 120; Nays 112.

New Jersey votes for Douglas.[1] The ever-increasing demands for slavery extension which had destroyed the Whigs had at last divided the Democrats and had placed its opponents in control of the federal administration.

## II. CIVIL WAR AND THE DESTRUCTION OF THE OLD WHITE SOUTH

**New Party Alignments.** The outbreak of the Civil War subordinated everything — even the slavery question — to that of preserving the Union. The Constitutional Union

[1] See Table 22.

Party disappeared as though it had never been,[1] its northern members practically all coming into the Republican ranks. In the deep South nearly all of them were borne away on the swirling tide of secession, but in the border states a group of these old Whigs and Americans led by Crittenden united with such Douglas Democrats as Senator Andrew Johnson of Tennessee to form a Union party. Their members in Congress [2] cooperated with the Republicans to win the war, although unable to agree with them about slavery.

The Breckenridge Democrats in the lower South were in the main leaders in the secession movement. Those in the upper South, while more hesitant, generally ended by joining the Rebellion. Among these latter was Breckenridge himself, who received the rank of major general from the Confederate States and fought through the war on that side.

The outbreak of hostilities placed the northern Democrats in a very difficult situation. They had long been predicting that secession would be the result of an anti-slavery victory at the polls. Now secession had come and they were called upon to take forcible action to suppress it. Douglas, while he lived, strove to hold the party together in support of the Union. After his sudden death in 1861 it broke up into Peace and War factions. These, of course, are only general divisions within each of which there were strong differences of opinion. Few War Democrats, for instance, would approve Lincoln's suspension of the writ of habeas corpus; few Peace Democrats would actually aid the South. Those who did were called "Copperheads" and brought odium on their whole party. The absorption of the late American Party leaders into the Republican organization at the beginning of the war did much to confirm the Irish vote in its already well-fixed Democratic allegiance.

**War-time Politics and the Election of 1864.** Very early in the war Union tickets, fusing the Republicans and War

[1] Except for a peculiar local survival in New York. See De Alva Stanwood Alexander's *Political History of the State of New York* (New York, Henry Holt and Co., 1909), vol. III, pp. 37–39, 79 and note. [2] See Table 28, p. 186.

Democrats, were resorted to as a method of controlling several important states. These proved less successful as the war was prolonged and anti-slavery policy came more and more to dominate the actions of the Lincoln Administration. The mid-term elections were disastrous, a joint Republican and Unionist majority of more than three to one in the House being reduced to one of only ordinary proportions.[1] Many important state elections at the same time also went Democratic, the most significant of these perhaps being the choice of Horatio Seymour as Governor of New York. The next year saw a Union reaction on the strength of the victories of Gettysburg and Vicksburg, but by the summer of 1864 the military campaign had apparently bogged down again. Grant was sacrificing thousands of lives before Richmond without seeming result, and Sherman was proceeding so unspectacularly on his Atlanta campaign as to prevent realization of its impending brilliant success. Republican victory in the presidential election of that year seemed far from certain. Many party members doubted the desirability of renominating Lincoln.

This was partly a result of differences which had divided the Republicans throughout the war. Lincoln had been compelled to maintain a balance between the Radicals of the party, led by former Free Soilers and Abolitionists such as Chase, now Secretary of the Treasury, and the Conservatives, mostly former Whigs and Democrats, led by Seward who was now Secretary of State. In the main it was the Radicals who were displeased, for Lincoln showed a tendency to be merciful to rebels and to reconstruct the southern states without insistence on complete Negro suffrage. A small group of these extremists now actually bolted the regular Republican convention and again nominated Frémont on a platform of reconstruction by Congress on the basis of the absolute equality of all men and the confiscation of rebel property. They endorsed the prosecution of the war without compromise and the abolition of slavery, propositions which formed almost the complete substance of

[1] See Table 28.

the platform of the later regular convention that renominated Lincoln.

This latter convention can hardly be called strictly Republican because, although its summons was issued by the Republican National Committee, it was addressed to all supporters of the Union. For the time being the term "Republican" was in abeyance and that of "Unionist" was substituted. To make it clear that the new alliance was a matter of real substance, a southern War Democrat, Andrew Johnson of Tennessee, was accorded the Vice-Presidential nomination.

The Democrats in convention at Chicago essayed a union of their factions by the extraordinary expedient of giving the Peace men the platform and the War men the nomination. The platform denounced Republican interference with civil liberties; declared for states rights and the freedom of elections; pronounced the war a failure; and demanded a cessation of hostilities and the settlement of all questions by a national convention. The nominee was McClellan, the magnetic general who had organized the army of the Potomac and then proved able to do so little with it in the field.

The victories of Mobile and Atlanta soon "knocked the bottom out of the Chicago platform," but it was still doubtful whether Lincoln could win without the Frémont Radicals. A deal seemed necessary, and their weakness made easy terms possible. In return for the resignation of the most conservative member of the Cabinet,[1] the whole Frémont ticket was withdrawn. The united Republican, or Union, Party then went forward to an electoral sweep, carrying Maryland, Missouri, West Virginia, and all the free states except New Jersey, and leaving to the Democrats only three states and 21 electoral votes.[2] The Union party in Congress obtained more than a three-to-one majority in both Houses.[3]

[1] Not Seward. Chase had recently resigned and was soon after appointed Chief Justice of the Supreme Court.

[2] See Table 24.

[3] See Table 28.

TABLE 24. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1864

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Union* | *Democratic* | |
| Abraham Lincoln, Pres. } Andrew Johnson, V. P. } | 2,213,665 (Home vote) 116,887 (Soldiers' vote*) | | |
| George B. McClellan, Pres. } George H. Pendleton, V. P. } | | 1,802,237 (Home vote) 33,748 (Soldiers' vote*) | |
| Totals . . . . . | 2,330,552 | 1,835,985 | |
| | *Electoral Vote* | | *Not Counted* |
| Lincoln and Johnson . . . | 212 | | |
| McClellan and Pendleton . . | | 21 | |
| Total votes counted . . . . | 212 | 21 | |
| Seceded states not voting . . | | | 64 |
| Seceded states votes rejected† . | | | 17 |
| Elector died . . . . . | | | 1 (Nev.) |
| Authorized electoral vote . . | 212 | 21 | 82 |

* Prior to this election a number of states passed legislation for absent voting by their citizens in military service.

† Provisional state governments set up in Tennessee and Louisiana returned electoral votes for Lincoln only to have them rejected by Congress.

**The Problem of Reconstruction.** The eleven seceded states did not take part in this election, being engaged in their own sanguinary effort for independence. The failure of their attempt, however, was already sufficiently plain for serious internal strife to develop in the Republican, or Union, Party on the question of how the states should be "reconstructed" when returned to the Union. Slavery was already practically abolished, and its end was about to be made legally certain by the Thirteenth Amendment.[1] The questions then were what the position of the newly freed Negro was to be in the southern community, what his relation to his former white superiors, what were to be his duties, what his rights. Before these could be settled, the war was over and Lincoln lay dead at the hand of an assassin. The magnanimous statesman was

[1] For vote of the House on this Amendment see Table 28, n. †.

gone, and the greatest problem the nation had ever faced was left to be settled by enraged fanatics.

A sharp question at once arose over the right of the seceded states to be restored to their normal position in the Union. Lincoln had undertaken to set up state governments in three of these commonwealths; a fourth (Virginia) had maintained the mere shadow of a loyal authority throughout the war; and Johnson now proceeded to set up civil governments in the remaining seven. When Congress reassembled in December 1865, it was confronted with persons elected under the auspices of these governments and claiming to be Congressmen and Senators of the United States. After some hesitation, admission was refused on the ground that it was for the legislative branch and not for the executive to decide when a state had been properly reconstructed. This laid the issue for the coming congressional election: whether the seceded states should immediately come back into the Union as of right or whether Congress could keep them out until satisfied with their governmental conditions.

Behind this lay the deeper problem of the position of the Negro in the southern states. The Radicals, who were now rapidly gaining control of Congress, wished to protect him in the possession of equal rights with the white man in every respect and even to extend to him the vote. They were aroused by legislation of the new state governments which placed many restrictions on the freedmen. The Radicals believed that these laws were paving the way for a return of slavery. To combat this they wished to continue the operations of the Freedmen's Bureau, which had undertaken to protect the blacks during the war, and to pass legislation directly protecting them against discrimination. Attempts at these objects met with the President's displeasure, and while the Freedmen's Bureau measure was passed over his veto it proved effective against the Civil Rights Bill.

Congress also took action submitting to the states the Fourteenth Amendment,[1] which disqualified most of the prominent

[1] See Table 28, n. ‡, for House vote.

Confederates from holding office and placed a premium on Negro suffrage. The Conservatives and Democrats, led by the President, opposed this, favoring the Lincoln policy of pardon, conciliation, and getting the southern states back as working members of the Union as soon as possible. They were opposed to Negro suffrage and denied the right of Congress to interfere in the internal affairs of any state or to place conditions upon its return to the Union.

**Straightening of Party Lines.** This combination was overwhelmingly defeated in the congressional elections of 1866,[1] which incidentally saw an end of the "Union" Party.[2] The Republicans resumed their old party name, while the opposing combination, after a few attempts to call itself "Conservative," generally acquiesced in its enemies' designation of the whole group as "Democrats."

This came about largely because north of the Mason-Dixon line almost no one who had not at some time been a Democrat was to be found among the President's supporters. That this was so can be attributed to two main factors: Johnson's own hot-headed mismanagement, and the attitude of the South. The President was given to making impromptu speeches and he had no control of his temper. He could thus be led on into disgusting altercations by the jeers of a crowd, sacrificing the dignity of his office and convincing sober citizens that the power of setting up new state governments was surely not to be trusted to such an individual. At the same time, the slaying of many Negroes in great riots in Memphis and New Orleans, together with the almost unanimous repudiation of the Fourteenth Amendment by the southern states, convinced most northern men that more forceful methods of reconstruction were necessary.

**The Reconstruction Acts.** On the strength of such convictions, the new Radically-controlled Congress passed the first of the Reconstruction Acts abolishing the Lincoln-Johnson

[1] See Table 28.

[2] As the term was claimed by both the supporters and the foes of President Johnson, it became of no use and was consequently dropped.

governments in all the seceded states except Tennessee and placing them under military rule until new civil authorities were constituted. This was only to be done by conventions elected without discrimination of color. The legislatures to be chosen must ratify the Fourteenth Amendment. Most of the prominent Confederates were disqualified from holding office or even voting, and to top all it was required that the new state constitutions receive the approval of Congress.

**The Johnson Impeachment.** In pursuance of these rules, all but three of the seceding states had resumed full federal relations by the time of the 1868 election. Meantime the farce of the Johnson impeachment had been played. The Radicals in Congress, impressed by rash talk on the part of the President, had decided that his removal was essential to the safety of the government. They enacted laws which his known opinions compelled him to regard as unconstitutional and then sought to impeach him for violating them. The prosecution failed by one vote of the needed two-thirds in the Senate, and only a resort to the well-worn "Jackson formula" in the nomination of General Grant saved the Republican Party from electoral disaster.

## III. THE CREATION OF THE SOLID SOUTH

**Failure of the Union Party.** The destruction of the Lincoln-Johnson governments by Congress ruined the most promising effort to create a white Union or Republican party in the southern States. Johnson and his "illustrious predecessor" [1] had planned to unite the few thoroughgoing southern loyalists with the remnants of the old Whig, Constitutional Union, and American parties that had been reluctantly swept into secession. The leading secessionists had in general been Democrats. The feeling between them and their former political opponents had been kept alive through the war and embittered by the failure of secession. The Conservative hope of making of this group a true Union Party, which would sup-

[1] Johnson habitually referred to Lincoln by this phrase.

port the results of the war and join hands with the minority of Negroes whose knowledge or military service might qualify them for the vote, was completely dashed by Radical Reconstruction.

The immediate effect of the Reconstruction Acts was to make the party line and the color line almost completely coincident in the states thereby affected. Not enough whites remained on the Republican side in the South to give that party a trained leadership. Of the few that did remain, many were mere adventurers out to fill their pockets through the manipulation of the votes of the uninstructed blacks. Some of these few were of native origin; more, perhaps, came from the North. The former were popularly known as "scalawags," and the latter as "carpetbaggers."

**The Election of 1868.** All but three[1] of the commonwealths subject to the Reconstruction Acts were reorganized and readmitted to Congress in time to take part in the election of 1868. Grant, as the Republican nominee, stood on a platform squarely endorsing the Reconstruction measures, which were roundly denounced by the Democrats as "usurpations, unconstitutional, revolutionary, and void." They pointed out that in order to carry out this program the Radical Republicans had stripped the President of his just prerogatives and had curtailed the power of the Supreme Court in order to prevent it from declaring the Reconstruction Acts unconstitutional. Seymour of New York was their nominee. Neither the platform nor his governorship record of opposition to Lincoln's war measures was such as to appeal to the majority of an electorate among whom the rancors of the conflict still lingered. Add to this the fact that Reconstruction had placed votes in the hands of the Negroes and there could be only one result. Grant was elected overwhelmingly,[2] leaving the Democrats only Delaware, Georgia, Kentucky, Louisiana, Maryland, New Jersey, New York, and Oregon.

**The Fifteenth Amendment.** Before Grant was inaugurated the Fifteenth Amendment, imposing Negro suffrage

[1] Virginia, Mississippi, and Texas. [2] See Table 25.

TABLE 25. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1868

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Republican* | *Democratic* | |
| Ulysses S. Grant, Pres.<br>Schuyler Colfax, V. P. | 3,102,833 | | |
| Horatio Seymour, Pres.<br>Francis P. Blair, V. P. | | 2,703,249 | |
| Totals | 3,102,833 | 2,703,249 | |
| | | *Electoral Vote* | *Not Voting* |
| Grant and Colfax | 214 | | |
| Seymour and Blair | | 80 | |
| Total votes cast | 214 | 80 | |
| Seceded states still excluded | | | 23 |
| Authorized electoral vote | 214* | 80 | 23 |

* Including 3 electors chosen by the Florida Legislature.

as a requirement upon all states, had been passed by Congress, where the Republicans still had far more than the two-thirds vote necessary to amend the Constitution.[1]

**Grant and Reconstruction.** Grant himself, while inclined to oppose disenfranchisement of the ex-Confederates, went the whole way in carrying out the other main features of the Radical program. Georgia underwent a new congressional reconstruction consequent upon the exclusion of Negroes from seats in her legislature, and extensive legislation was passed placing the guardianship of the newly acquired rights of the Negro in the federal courts. In spite of all this, the southern states began to fall back into Democratic control. The plan for ruling that section by means of the Negro had been productive of little but corruption and disorder, which last the Radical Republicans attributed wholly to the action of the southern whites through such agencies as the Ku Klux Klan. Congress struck at these by legislation placing great authority

[1] See Table 28, n. §, for vote in the House.

in the hands of the President.[1] Grant availed himself of this power and took action which put a large part of South Carolina under what was practically martial law.

The constitutionality of this proceeding was at least questionable, and it furnished a handle for charges of military usurpation against the President. The tide had begun to turn against the application of severe measures to the southern states. Already through Grant's own influence the three remaining "unreconstructed" states had been allowed to return to the Union without adopting constitutional provisions disenfranchising the Confederates, and an act removing similar disabilities imposed by the Fourteenth Amendment had passed Congress in the teeth of strong Radical opposition.

**The Party Split in Missouri.** Meantime a similar question had split the Republicans in Missouri, where in 1870 a so-called Liberal faction bolted the regular nominations and, fusing with the Democrats, carried the state on the issue of removing from the State Constitution the clause disfranchising former Confederates. This group was also favorable to other reform demands and it had the sympathy of prominent leaders in and out of Congress who had been alienated by the various abuses of the Grant administration.

**The Election of 1872.** The dissatisfied elements united in 1872 to form the *Liberal Republican Party*, nominating Horace Greeley, the famous editor of the *New York Tribune*. Hall their platform was devoted to a denunciation of Grant. While insisting on strict equality of the races and the maintenance of the post-war amendments, they declared for the restoration of the political rights of the ex-Confederates and a reversion to civil authority and local self-government in the states where federal military force had interfered. Meanwhile a new movement had also appeared in the Democratic Party. By the so-called "New Departure" the Ohio Democrats had in 1871 adopted a platform "accepting the natural and legitimate results of the war," including the post-war amendments to the Federal Constitution. This bespoke a feeling quite general

[1] For the House vote on this so-called Ku Klux Act see Table 28, n. ¶.

TABLE 26. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1872

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Republican* | *Liberal Republican and Democratic* | *Minor Parties* |
| Ulysses S. Grant, Pres.<br>Henry Wilson, V. P. | 3,484,126 | | |
| Horace Greeley, Pres.<br>B. Gratz Brown, V. P. | | 2,739,169 | |
| Charles O'Conor, Pres.<br>John Quincy Adams, V. P. (Straight-out Democratic and Labor Reform) | | | 29,498 |
| James Black, Pres.<br>John Russell, V. P. (Prohibition*) | | | 5,608 |
| Totals | 3,484,126 | 2,739,169 | 35,106 |
| | *Electoral Vote President* | | |
| Ulysses S. Grant | 286 | | |
| Thomas A. Hendricks | | 42 | |
| B. Gratz Brown | | 18 | |
| Scattering | | 3 | |
| | | | *Votes Rejected* |
| Total votes counted | 286 | 63 | |
| Choice of electors disputed | | | 8 (La.) |
| Informal returns | | | 6 (Ark.) |
| Votes cast for Greeley | | | 3 (Ga.) |
| Authorized electoral vote | 286 | 63 | 17 |
| | *Vice President* | | |
| Henry Wilson | 286 | | |
| B. Gratz Brown | | 47 | |
| Scattering | | 19 | |
| Total votes counted | 286 | 66 | |
| Choice of electors disputed | | | 8 (La.) |
| Informal returns | | | 6 (Ark.) |
| Authorized electoral vote | 286 | 66 | 14 |

*See Chap. VII.

in the party, which was now signalized by official endorsement of Greeley and the Liberal Republican platform — a somewhat surprising maneuver considering the vehemence with which their candidate had always denounced his new supporters.

Under the circumstances Greeley proved too much for some of the Democrats to swallow, and Charles O'Conor, a prominent New York lawyer then engaged in prosecuting the Tweed Ring, was nominated on a Straight-Out Democratic ticket. This nomination was endorsed by the recently organized Labor Reform Party.

Against these candidates the Republicans renominated Grant on a platform endorsing Radical Reconstruction, for which the ensuing campaign resulted in one last overwhelming victory. With a better nominee the Democratic-Liberal Republican coalition might have won. Greeley, however, was anathema to the Democrats, and practical men generally had no confidence in him. He was believed to be highly emotional and wavering in times of emergency, as the erratic course of his newspaper throughout the Civil War was held to prove. With these elements against him he was crushingly defeated, carrying no state outside the South and doing much worse generally than the Democrats alone had done in 1868.[1]

Such a defeat was too much for Greeley's strength of both body and mind. He died insane shortly after the casting of the popular vote. Most of the electors pledged to him scattered their votes among other candidates, but three persisted in voting for a dead man and in consequence had their ballots rejected. Congress also rejected the Arkansas votes for Grant on a mere informality in the election certificate and threw out the double returns from Louisiana, where each party had its own organization claiming to be the state government.[2]

[1] Some 30,000 votes for O'Conor were cast by the Straight-Out Democrats and Labor Reformers in 23 states. For complete vote see Table 26.

[2] See Table 26. This election reveals a danger inherent in the method of choosing a President through the medium of the electoral college. The electors are not expected to exercise any real power, yet if the candidate whom they are pledged to support dies before their votes are cast they may vote for anyone they

**Returning White Supremacy.** The situation in Louisiana was the ultimate logical result of placing the chief political power in a community in the hands of its least instructed class. Such an extreme could only be reached where that class, the newly enfranchised blacks, was at its greatest strength. In the more populous border states, with their smaller Negro populations, a more normal regime was very quickly restored. Those states of the deeper South that possessed substantial white populations considerably outnumbering the blacks were but little later returned to white (which now meant Democratic) control. Only in states whose scanty population made white cooperation difficult and in those where the black population was especially dense was Republican control prolonged. Even in these the desperation of the whites, fighting indiscrimately with the weapons of fear, force, and fraud, gradually gained its objectives. Nothing but Grant's scandalous use of federal troops maintained carpetbag governments in three southern states [1] down to the end of his administration.

**Results of Negro Suffrage.** It was plain that giving the Negro the vote had lost rather than gained the South for the Republican Party. It was plain also that the Negro question was beginning to pall on the North. Everywhere that the uninstructed black vote was in existence it was the chief dependence of political corruptionists. Congress found it necessary to abolish self-government in the District of Columbia in order to oust a vile political ring elected by Negro votes and headed by a personal friend of President Grant. This and other malodorous scandals turned the people against the Administration. In 1874 the Democrats regained control of the lower House of Congress for the first time since the Civil

please. If the leading candidate should die, the electors pledged to him might actually choose a President. This danger might be obviated by simply eliminating the actual electors and counting each state at its current number of electoral votes for the candidate receiving a plurality therein. This might be better than direct popular election which would disconcert existing political arrangements and open up the whole question of the Negro vote in southern states.

[1] Florida, Louisiana, and South Carolina.

War, the Senate remaining Republican by a considerable majority.[1]

The Negro issue was, in the phrase of the period, "played out," but an opportunity was found for creating a new southern question. The 1874 election had returned to Congress a good many former Confederates who were commonly called "Rebel Brigadiers" from the position of command held by a number of them during the war. Their way to office had been opened by an extensive removal of the disqualifications imposed by the Fourteenth Amendment. They now proposed to abolish the few remaining disqualifications. James G. Blaine of Maine, lately Republican Speaker of the House, countered with an amendment excluding Jefferson Davis, the former Confederate President, from the benefits of the bill. He supported this with very provocative remarks about Davis' alleged responsibility for mistreatment of Union prisoners during the war, to which the southerners were led into making heated replies that offended northern opinion.

**The Campaign of 1876.** Blaine thus initiated the practice of "waving the bloody shirt," that is, of relying on the barbarities and atrocities of the war to make Republican votes. This practice was almost entirely divorced from any principles higher than hatred of rebels and suspicion of southerners and of the Democrats as their allies. This policy was expressed in the Republican platform for 1876 by a plank (entirely separate from that promising protection to the Negro) which denounced the Democratic Party for sympathy "with treason," shown by "applauding in the national Capitol the sentiments of unrepentant rebellion" and by "sending Union soldiers to the rear and promoting Confederate soldiers to the front."

Some difficulty was found in selecting a candidate. Grant had shown willingness to accept a third term, but against this was raised the cry of "*Cæsarism.*" This term was meant to imply the danger of retaining a military man in power for an indefinite length of time, especially in view of the argument

[1] See Table 28.

raised by Grant's supporters that he was the only sure guarantee of the country against a new rebellion. It was generally felt that his administration of civil office was not one that merited the endorsement of another term. The House adopted an anti-third-term resolution by an overwhelming vote, only eighteen Republicans voting in the negative. This disposed of the Grant candidacy, leaving Blaine as the outstanding aspirant in the field.

The latter might easily have carried off the nomination but for two disasters that befell him on the eve of the convention. First, a House investigating committee got wind of the so-called "Mulligan Letters," which seemed to show that he had used the influence of his office as Speaker for moneymaking purposes. Second, he suffered a sunstroke which prostrated him and made it momentarily doubtful whether he would be capable of undergoing the strain of presidential office.

The Blaine candidacy fell squarely in the path of the on-rushing reform movement which is to be discussed in the next chapter. After the Mulligan Letters were revealed he still might have been nominated, but in all probability he could not have been elected. On the other hand, his supporters and those of various "legatees of Grant" in the convention were strong enough to prevent the choice of any outstanding reformer as the nominee. The convention turned to the capable but colorless Hayes, then serving his third term as Governor of Ohio. The Democrats nominated Tilden, the reform Governor of New York, on a reform platform.

Although Hayes was the candidate, the Republican campaign centered around the issue made by Blaine. Hayes himself urged stress on the "dread of a solid South [and] rebel rule." It was a good campaign cry, though as an actuality the Solid South was something long past preventing. The Democrats ignored the Republican issue and stuck to the record of the Grant Administration, a thing so bad as to admit substantially of no defense.

**The Contested Election.** Election day brought out an immense vote throughout the country and it soon became

evident that the result would be exceedingly close. It clearly would turn on the electoral vote of the three southern states where Republican control was still maintained. Two of these [1] showed an apparent majority for Tilden, but in each the so-called "returning board" threw out enough districts on the grounds of fraud and intimidation of the Negroes to give the electoral votes to Hayes. Double returns were sent to Congress from these states and from two others [2] where rather clear Republican victories were contested on somewhat insubstantial grounds. The awarding of one electoral vote to the Democrats would give them the election.[3]

Unfortunately, it was by no means clear in whom authority was vested to determine such a contest. The Constitution,

TABLE 27. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1876

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Democratic* | *Republican* | *Minor Parties* |
| Samuel J. Tilden, Pres.<br>Thomas A. Hendricks, V. P. | 4,284,757 | | |
| Rutherford B. Hayes, Pres.<br>William A. Wheeler, V. P. | | 4,033,950 | |
| Peter Cooper, Pres.<br>Samuel F. Cary, V. P. (Greenback*) | | | 81,740 |
| Green Clay Smith, Pres.<br>Gideon T. Stewart, V. P. (Prohibition†) | | | 9,522 |
| James B. Walker, Pres.<br>Donald Kirkpatrick, V. P. (American Nationalist‡) | | | 539 |
| Totals | 4,284,757 | 4,033,950 | 91,801 |
| | | *Electoral Vote* | |
| Tilden and Hendricks | 184 | | |
| Hayes and Wheeler | | 185 | |
| Electoral vote as counted | 184 | 185§ | |

* See Chap. VI.
† See Chap. VII.
‡ See Chap. IV, p. 126, n. 1.
§ Including 3 electors chosen by the Colorado Legislature.

[1] Florida and Louisiana. [2] Oregon and South Carolina.
[3] See Table 27.

TABLE 28. PARTY LINES IN CONGRESS DURING THE PERIOD OF CIVIL WAR AND RECONSTRUCTION

| Congress Number | Date | Senate | | | House | | | |
|---|---|---|---|---|---|---|---|---|
| | | Republicans | Unionists | Democrats | Republicans | Unionists | Democrats | |
| 37 | 1861–63 | 31 | 8 | 10 | 105* | 30 | 43 | |
| 38 | 1863–65 | 36 | 5 | 9 | 102* | 9 | 75† | |
| 39 | 1865–67 | 42 | | 10 | 149* | | 42‡ | |
| 40 | 1867–69 | 40 | | 14 | 143* | | 49§ | |
| 41 | 1869–71 | 61 | | 11 | 170* | | 73 | |
| | | | Liberal Republicans | | | Liberal Republicans | | |
| 42 | 1871–73 | 52 | 5 | 17 | 134* | 5 | 104¶ | |
| 43 | 1873–75 | 49 | 5 | 19 | 194* | 14 | 92‖ | |
| | | | | | Grangers †† | | | |
| 44 | 1875–77 | 45 | 2 | 29 | 107 | 3 | 11 | 170* |

* Speaker elected by this party.

† This House passed the Thirteenth Amendment: Yeas 119; Nays 56.

‡ This House passed the Fourteenth Amendment: Yeas 138; Nays 36.

§ This House passed the Fifteenth Amendment: Yeas 144; Nays 44.

¶ This House passed the Ku Klux Act: Yeas 118; Nays 91.

‖ This House passed the act for resuming specie payments: Yeas 136; Nays 88.

†† See Chap. VI.

in decreeing that the electoral votes should be counted in the presence of Congress, had neglected to say by whom the count was to be made. The Republicans contended that the President of the Senate, the official designated by the Constitution to open the election certificates, should decide all contests, while the Democrats claimed that such authority could be vested only in Congress as a whole. On such an issue men were willing once more to brave the chances of civil war.

Wiser opinions fortunately prevailed. A compromise was evolved whereby both parties joined to refer the dispute to an electoral commission of fifteen members, chosen equally from each House of Congress and from the Supreme Court. This body, by a strictly partisan vote (8 to 7), determined all the questions involved in favor of Hayes.

As if by a tacit agreement, the last federal troops supporting the carpetbag governments in the South were withdrawn within a year of Hayes' inauguration, whereupon those organizations faded and disappeared. After twelve years of trial the Republicans' attempt to control the South by means of the Negro vote was definitely abandoned, and the states there were left to the complete Democratic control which has since been their normal situation.

## *AUTHORITIES AND EVALUATIONS*

The general authorities of Chapter IV apply also to this period. An important new repository of election figures appears in the *World Almanac, First Series* (1868–76). Authorities useful in connection with the anti-slavery side of the Negro question include: Siebert's "Underground Railroad," *Annual Report of the American Historical Society* (1895), pp. 395–405; T. C. Smith's *History of the Liberty and Free Soil Parties in the Northwest* (1897); Harlow's *Gerrit Smith* (1939); Crandall's *Early History of the Republican Party* (1930); and Curtis' *Republican Party* (1904). A popular treatment of some value is to be found in Myers' *Republican Party* (1928, 1931). On nativism and anti-Catholicism as illustrated in the American and earlier parties see Billington's *Protestant Crusade* (1938); Scisco's *Political Nativism in New York State* (1901), a Columbia University Study; and McMasters' "Riotous Career of the Know-Nothings" in his *With the Fathers* (1896). What little material is available on the Constitutional Union Party is to be found in Richardson's "Constitutional Union Party of 1860" in *Yale Review*, III (1895), 144–166, and in Cokeman's *Life of John J. Crittenden*, Vol. II (1871). For the Liberal Republican Party see Haynes' *Third Party Movements* (1916), Part I. Data for the separate study of the two most important elections of the period are to be found in Halstead's *National Political Conventions of the Current Presidential Campaign* (1860), Fite's *Presidential Campaign of 1860* (1911), and Haworth's *Hayes-Tilden Disputed Presidential Election* (1906). A more general analysis is found in Ewing's *Presidential Elections from Abraham Lincoln to Franklin D. Roosevelt* (1940).

Among the multiple-volume histories for more detailed study mention should be made of Oberholtzer's *History of the United States Since the Civil War* (1917–37) and the following additional volumes of the "American Nation Series": Garrison's *Westward Extension*, Smith's *Parties and Slavery*, Chadwick's *Causes of the Civil War*, Dunning's

*Reconstruction, Political and Economic*, Hosmer's *Appeal to Arms* and his *Outcome of the Civil War*, and Spark's *National Development.* Blaine's *Twenty Years in Congress* (1884) is very informative if used with due caution in regard to the bias of the writer and his participation in the events chronicled.

There are many useful biographical works besides those already named, among them the *Autobiography of Thurlow Weed* (1883), Pierce's *Memoir of Charles Sumner* (1893), Curtis' *Life of Buchanan* (1883), Shucker's *Salmon Portland Chase* (1874), Hart's *Salmon P. Chase* (1899) in the "American Statesmen Series," Nevin's *Fremont* (1928), Carr's and Johnson's lives of *Stephen A. Douglas* (1909 and 1908, respectively), and the ever-multiplying biographies of Lincoln. Lincoln's own *Works* (Federal Edition, 1905) are not to be ignored by those seeking a real understanding of the period.

Individual issues may be studied in Ray's *Repeal of the Missouri Compromise* (1908), Fleming's *Documentary History of Reconstruction* (1906–07), and Stanwood's *American Tariff Controversies in the Nineteenth Century* (1903). For state political situations at times reaching national importance see Alexander's *Political History of the State of New York* (1906, 1909) and Sioussat's "Tennessee and National Political Parties, 1850–1860," *Annual Report of the American Historical Society* (1914), Vol. I.

# *Chapter VI*

## THE RISE OF MODERN ISSUES

### I. REFORM

The people had tired of the Negro question and were now stridently demanding "reform." Just what was meant at that time by this much abused word is manifest from a consideration of certain then recent political developments.

**Effects of the Civil War on Political Morality.** We have seen that political morality reached a new low with the administration of Buchanan. It could hardly have been expected to improve during the Civil War, and it sank rapidly lower after that conflict. Fanned by war passions, partisan hatred had reached such a point that all consideration of honesty or even decency had been subordinated to it. When Thaddeus Stevens could say unrebuked that it was no matter if a member of Congress was a rascal so long as he was "our rascal," when Ben Butler was acclaimed as a hero for his attempts to coerce Senators sitting as a court in the Johnson impeachment case, it was plain that the Republican Party had fallen to a very low estate. The proceedings of the Tweed Ring in New York showed that the Democrats were no better. In the majority party, matters drifted quite naturally from a situation dominated by fanatics willing to wink at corruption to one controlled by politicians willing to simulate fanaticism. The most obvious result of this degeneration was the ever-growing abuses of the Civil Service.

**The Spoils System.** Lincoln had followed the regular practice by replacing Democrats with Republicans, a course which was the more easily acquiesced in because some of the incumbents were subject to suspicion of disloyalty. He was

also compelled, however, in his policy of winning the war at all costs, to appoint and remove Republicans at the behest of Senators, Congressmen, and other politicians whose support of war policies was vital, and this almost regardless of considerations of the fitness of the appointees.

Johnson, in his fight against Radical Reconstruction, made ruthless use of the patronage and built up a so-called "bread-and-butter brigade" of thick-and-thin personal adherents who, in the opinion of the hostile northern majority, were held together by nothing higher than a hankering for office.

Then came Grant, who treated the Presidency as his own personal perquisite, an office to which he had acquired the right by saving the Union. He felt perfectly free to fill public offices with his friends, relatives, and former army associates, and even to give cabinet positions to men of wealth who had made him valuable presents. While himself honest, he was no judge of character and was consequently surrounded by a somewhat disreputable coterie that used him for every conceivable purpose. This capped the climax of the spoils system and caused many to set up a loud demand for reform.

**The First Civil Service Rules.** So vehement did the demand become that Grant himself recommended legislation, and Congress was induced to pass very reluctantly a bill authorizing the President to prescribe rules for admission to the civil service. These went into effect on the eve of the 1872 campaign, but no serious attempt was made at their enforcement and soon Congress refused further appropriations for their execution.

**Reform in the Election of 1872.** The civil service reformers were an important element in the Liberal Republican movement, but they were quite disconcerted by the nomination of Greeley. Different in everything else, Greeley resembled Grant in these respects: as a self-made man he did not believe in the systematized knowledge relied upon by the civil service reformers, and he was surrounded by a crowd of parasites of whose worthlessness he had no perception. His very nomination had been gained for him by a group of politi-

cal wirepullers who had joined the Liberal Republicans because Grant had given to others the patronage for which they were seeking. All parties in the 1872 election acknowledged the need of reform, but the Republicans felt it necessary to say that they did not propose "a life tenure of office."

**The Scandals of Grant's Second Term.** Grant's second administration was marked by the exposure of corruption in high places. The Crédit Mobilier scandal, which broke just before the 1872 election but too late to affect the result, dragged down with it the reputations of the retiring Vice President and several Congressmen and revealed the singular obtuseness to considerations of honor which pervaded both business and politics in the get-rich-quick period during and following the Civil War. The "Back-Pay Steal" showed Congress as being perfectly willing to increase its own salaries retroactively and was a very influential factor in turning the Republicans out of control of the House in 1874.[1] Once the Democrats obtained a majority there, they pushed investigations in all directions, forcing the Secretary of War to resign rather than face impeachment for accepting bribes, and digging up the Mulligan Letters to blast the credit of the rising Blaine. At the same time, judicial investigation of the Whiskey Ring frauds on the revenue strongly indicated the complicity of the private secretary of the President.

**Reform in the Election of 1876.** With these and other scandals spread before the country, the popular demand for reform became louder and more insistent. Once more the platforms thundered in its favor, but this time the nominees were men who might really be expected to do something about it. Both Hayes and Tilden had sponsored reform as governors of their own states, and the latter had previously been a leader in smashing the Tweed Ring. The dominant interest in reform was signalized by an unquestioned popular majority for Tilden, although the electoral majority was awarded to Hayes by the Electoral Commission on somewhat doubtful grounds.

[1] See Table 28.

**Hayes' Administration.** Once in office, Hayes proceeded to alienate his party supporters, already angered with him for withdrawing his aid from the carpetbag governments in the South, by prohibiting party assessments of federal employees as well as their active participation in elections. He conducted a cleanup of the New York Custom House, where gross frauds and inefficiency were prevalent. In doing so he mortally offended Senator Roscoe Conkling, the Republican boss of the state, by removing his personal henchman Chester A. Arthur from the Collector's position.

**The Campaign of 1880.** Meanwhile Conkling, with other prominent political managers, was engaged on a scheme to re-elect Grant in 1880. The candidate had been sent on a kind of triumphal tour around the world with a view to keeping his personality before the public, while his loyal adherents, comprising the Republican Party bosses of many states, were contriving plans at home for his renomination. They insisted continuously on the alleged need of the country for a "strong man," one who could police the South and protect the Negro in his rights, which were now lost, they claimed, as a result of Hayes' conciliatory policy.

There was, in fact, a new factional division within the Republican Party. The Grant forces, headed by Conkling and including many of the former Radical Republicans, were beginning to be called *Stalwarts*, presumably because of their firm adherence to party allegiance. Opposed to this group were the Independents, whom the Stalwarts called Scratchers or *Half Breeds*, all of which terms denoted their refusal, particularly in the case of the more intellectual groups at the North, to vote the straight Republican ticket when not supplied with decent candidates. A third group constituted the personal following of "the magnetic Blaine." [1] While resembling the Stalwarts in their standards of party loyalty, they differed from that group in preferring the cause of their own leader to backing a third term for Grant.

[1] So called because his pleasing personality and stirring oratory inspired widespread enthusiasm for his candidacy.

In the Republican convention of 1880 the Blaine and Grant forces effectively blocked each other, creating another opportunity for the reformers. Again unable to nominate any of the avowed aspirants, the convention turned to Senator James A. Garfield of Ohio, who had distinguished himself on the floor by his management of the cause of one of the Independent candidates. The Blaine following joined with the Independents to put Garfield over, and the combination then placed the Vice Presidency at the disposal of Conkling as leader of the Stalwarts. Almost in contempt the latter placed his designation on Arthur, the lately removed Collector of the Port of New York.

Against these candidates the Democrats nominated a military hero of the Civil War, General Hancock, described by the

TABLE 29. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1880

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Republican* | *Democratic* | *Minor Parties* |
| James A. Garfield, Pres. / Chester A. Arthur, V. P. | 4,454,416 | | |
| Winfield S. Hancock, Pres. / William H. English, V. P. | | 4,444,952 | |
| James B. Weaver, Pres. / B. J. Chambers, V. P. (Greenback*) | | | 308,578 |
| Neal Dow, Pres. / H. A. Thompson, V. P. (Prohibition†) | | | 10,305 |
| John W. Phelps, Pres. / Samuel C. Pomeroy, V. P. (American Nationalist‡) | | | 700 |
| Totals | 4,454,416 | 4,444,952 | 319,583 |
| | *Electoral Vote* | | |
| Garfield and Arthur | 214 | | |
| Hancock and English | | 155 | |
| Totals | 214 | 155 | |

* See *infra*, p. 210.
† See Chap. VII.
‡ See Chap. IV, p. 126, n. 1.

*New York Sun* during the campaign as "a good man, weighing 250 pounds." His principal further claim on political memory is his much-ridiculed statement that "the tariff is a local matter!" [1]

Both parties declared for civil service reform, although it got into the Republican platform only as an afterthought moved from the floor of the convention. The campaign of that party was conducted in flagrant disregard of Hayes' prohibition against assessments upon government employees, and both of its candidates appear to have approved the methods used. Garfield, who seems to have been a man of pleasing personality and general good intentions rather than strict principles, was triumphantly elected. Immediately he fell almost entirely under the influence of Blaine, who was appointed Secretary of State.

**Garfield's Assassination.** Blaine used his power to deprive his rival, Conkling, of the New York State patronage. The latter then performed the entirely-unheard-of action of resigning as Senator (together with his colleague, who thereby earned the name of "Me-Too" Platt), in order that the legislature at Albany might "vindicate" him by a re-election.

Conkling's resignation was commonly thought quite an absurd maneuver, and the legislature did not respond as expected. Pressure was brought to bear and the country was entertained (or disgusted) by the spectacle of a Vice President lobbying for the re-election of a state boss to the United States Senate. Just at the height of this undignified squabble, grim tragedy intervened when Garfield was shot by a semi-insane office-seeker who shouted, "I am a Stalwart! Arthur is now President!"

The shooting of Garfield struck like a thunderbolt into the midst of the quarreling politicians and shocked many of them into sanity and into a better state of mind about reform. The New York row collapsed and the recalcitrant senators were

[1] Frequently misquoted to read, "the tariff is a local issue," which may be interpreted as an indication of profound insight into the true nature of the question.

not returned. Conkling's political importance was ended, while that of Platt was only temporarily deferred.

**The Star-Route Frauds.** Combined with the President's assassination in producing a change of feeling was the unearthing of the Star-Route Frauds. These scandals in the Post Office Department were a lingering reminder of the Grant era which had not been discovered under Hayes. Now, in an attempt to stave off investigation, one of the officials involved threatened revelations against Garfield and, when defied, disclosed his connection with the political assessments of the recent campaign.

**Civil Service Reform.** The death of Garfield produced a situation most conducive to the accomplishment of civil service reform. His successor had been shocked by recent events and seemingly ennobled by the sudden and tragic nature of his elevation to the Presidency. From the character of an ordinary spoils partisan he leaped almost overnight to one of the most statesmanlike detachment. Refusing to aid his former Stalwart associates by official action, and achieving a high standard in administration, he even refused to use his presidential powers to obtain for himself the nomination in 1884, which accordingly fell to Blaine. Meantime the Pendleton Civil Service Act had been passed and a basis laid for a gradual diminution of the abuses of the spoils system. This action was soon imitated by the important states of New York and Massachusetts, which about the same time escaped from Republican control, the former furnishing the Democrats with a new leader by elevating Grover Cleveland to the governorship. His party, whose need for a new headship had long been acute, now hastened to nominate him for the Presidency.

**The Campaign of 1884.** Cleveland's nomination had been motivated by respect for his record of rigid and unswerving honesty and devotion to public duty, which contrasted strangely with what the Mulligan Letters revealed of "the magnetic Blaine." The latter had the support of the Stalwarts on regular party principles. "It is now Blaine's turn," said Platt, speaking for the Stalwarts of New York.

The Independents were not so amenable. Defeated in the Republican national convention, many of them "jumped" or bolted the party and became known as "Mugwumps."[1] Drawn largely from the most eminently respectable classes in the community, this group was horrified when, with some show of truth, their attack on Blaine's official honesty was met by an assault on the private morality of the Democratic candidate. This they met with more good sense than might have been expected at that period.

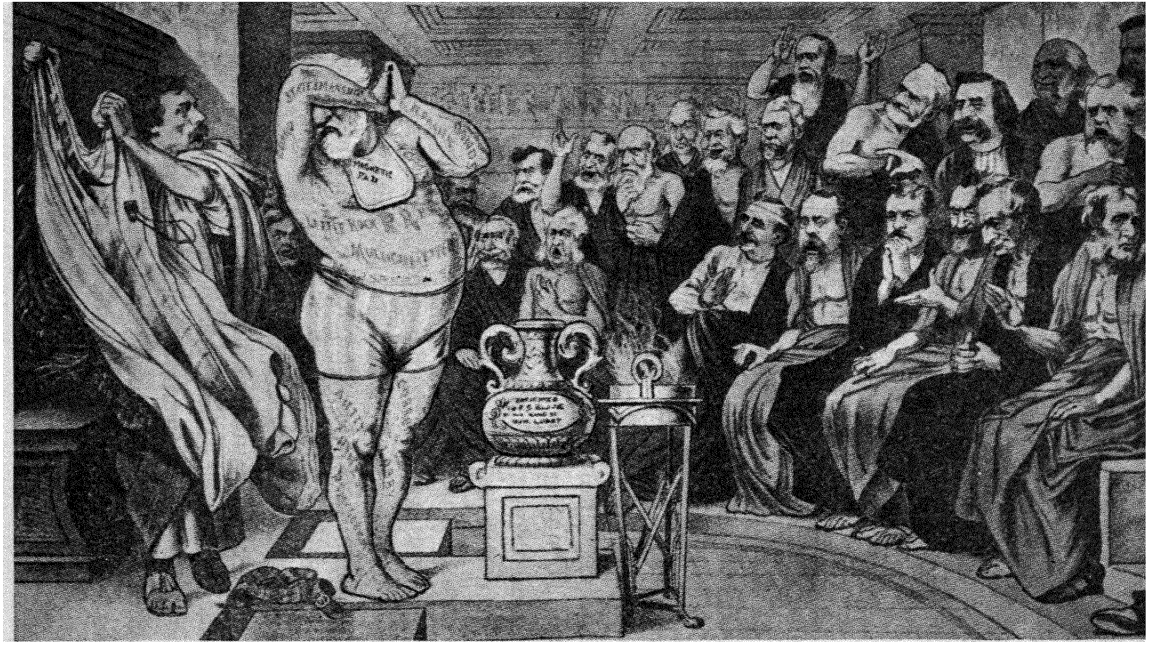
TABLE 30. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1884

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Democratic* | *Republican* | *Minor Parties* |
| Grover Cleveland, Pres.<br>Thomas A. Hendricks, V. P. | 4,914,986 | | |
| James G. Blaine, Pres.<br>John A. Logan, V. P. | | 4,854,891 | |
| Benjamin F. Butler, Pres.<br>Alanson M. West, V. P. (Greenback* and Anti-Monopoly‡) | | | 173,365 |
| John P. St. John, Pres.<br>William Daniel, V. P. (Prohibition†) | | | 151,830 |
| Totals | 4,914,986 | 4,854,981 | 325,195 |
| | *Electoral Vote* | | |
| Cleveland and Hendricks | 219 | | |
| Blaine and Logan | | 182 | |
| Totals | 219 | 182 | |

* See *infra*, p. 210. † See Chap. VII. ‡ See *infra*, p. 242.

A story is told of the Mugwump leaders in New York sitting in silent dejection around a table in their campaign headquarters digesting the certain news that their chosen candidate was not spotless. Finally one of them raised his head and said, "Gentlemen, let us face the facts. What are they? Mr. Blaine, whose private life is impeccable as far as we know, has in his public career proved recreant to official duty. Mr.

[1] Said to be an Algonquin Indian word meaning "big chief."



ARDENT ADVOCATE — "Now, Gentlemen, don't make any mistake in your decision! Here's Purity and Magnetism for you — Can't be beat!"

PHRYNE BEFORE THE CHICAGO TRIBUNAL BY GILLAM

(From Murrell's *A History of American Graphic Humor*, Vol. II)

Cleveland, who at the call of official duty has never been known to fail, is not without stain in his private character. Let us then continue Mr. Cleveland in that public career where his services have been of such transcendant use, and return Mr. Blaine to the private station which he has so eminently adorned." It is greatly to the credit of American political judgment that the Mugwumps and, largely through them, the country took this excellent advice.

Many causes went to bring about Cleveland's election, which was accomplished by carrying the critical state of New York by a plurality of 1149 votes. One of these causes has already been referred to in another connection;[2] others will be later considered with appropriate topics. In the main the election was accepted as a triumph for the cause of high principles in politics, and the course of the new administration in such matters as civil service reform was hence the more eagerly awaited.

**Cleveland's Appointment Policies.** The Democratic platform had been vague on the subject of civil service, and the pressure from a group which had been excluded from federal office for more than twenty years was much too strong to be wholly resisted. Cleveland made a manful and, on the whole, successful attempt to defend and expand the area within civil service rules. Beyond that he applied the spirit of those rules to many important positions and strove, not wholly successfully, to avoid removals for purely partisan causes. New appointments were avowedly made with an eye to establishing a balance between the numbers of each major party employed in the federal service. This evoked considerably less condemnation than a concurrent attempt to divide diplomatic appointments somewhat equally between the North and South. But before the end of Cleveland's term an old question, the venerable tariff question, again returned to the fore, thrusting the once-dominant reform issue into the background of politics.

[1] See Table 30.

[2] See *supra*, p. 74.

## II. RESURGENCE OF THE TARIFF

During the Civil War the tariff had been greatly increased, largely with a view to financing the struggle, and the protective effect of the high duties was offset by internal revenue taxes upon the domestic production of the same articles. After the war these taxes were rapidly repealed, leaving a Chinese wall of a tariff, protective beyond the dreams of Hamilton or Clay.

**Post-War Tariff Revisions.** The Republicans in the main supported this system, while the Democrats generally remained loyal to their principle of tariff for revenue only. In Grant's administration the party in power was compelled to make certain concessions to popular demands for tariff reduction, but the bill was so managed that the main protective schedules were not drastically affected.

By the 1880's the tariff had built up a huge treasury surplus and the country was threatened with an embarrassment of riches. President Arthur rightly pointed out that this was a temptation to lavish expenditure, much of which went into questionable legislation for veterans' pensions and for river-and-harbor improvements. On his recommendation Congress undertook a general tariff revision (1883), the result of which left the average level of duties largely unchanged. It was noted that even Democratic congressmen from manufacturing states were now largely favorable to protection.[1]

**The Democratic Platform of 1884.** The treatment of the tariff issue in the Democratic platform of 1884 was therefore of a somewhat gingerly character. Admitting the necessity of safeguarding the interests of labor in making a tariff revision, and frankly stating that "it is not proposed to injure any domestic industries," pronouncements were made for an increased free list, for resting the main tariff burden on luxuries, and inferentially for free trade in raw materials.

**Cleveland's Tariff Stand.** Cleveland endeavored to make the most of these low tariff tendencies but was hampered by

[1] For the vote in the House on this measure see Table 36, n. §, p. 220.

inadequate cooperation within his own party. Exasperated by his non-success, he resolved to place the question squarely before the country by devoting to it his entire annual message for 1887. He pointed out that the continued existence of the surplus led to reckless expenditure, and that the high tariff withdrew unnecessary sums from the ordinary operations of trade. The former he had an especial right to emphasize because of his record of vetoes of river-and-harbor bills and of measures granting special pensions to individual Union veterans. For this reason he could already count upon opposition to his re-election from the G. A. R. and the spoilsmen — and now, on the very eve of election year, he had alienated all the tariff-protected interests.

**The Election of 1888.** The message was mainly a campaign manifesto, as a Republican-controlled Senate blocked all possibility of immediate legislation. Even so, Democratic support of the President was only partial, the House passing a measure decreasing the tariff but slightly and the party national convention being on the whole less definite in its pronouncements than in 1884. Cleveland was renominated, however, without a contest, and general opinion rightly concluded that in this election the man made the issue rather than the platform.

Against Cleveland the Republicans (Blaine having refused to run) nominated Benjamin Harrison of Indiana, a Civil War general and former Senator from that state. He was chosen in the same spirit of compromise as had produced the nominations of Hayes and Garfield. Like them, Harrison was not of great national prominence at the time of his selection, and he resembled Hayes in the cold correctness of his opinions and in his lack of personal appeal.

In their platform the Republicans came out flat-footedly for protection, preferring if necessary to abolish the internal revenue taxes on liquor and tobacco rather than to decrease the customs. This might seem a strange attitude for a party which was temporizing with a resurgent prohibition movement in several states, but the dry forces themselves objected to gov-

ernment revenue from liquor. On a motion from the floor the convention recorded its sympathy "with all wise and well directed efforts for the promotion of temperance and morality."

The campaign was fought almost entirely on the tariff and and the Democrats lost. This is not to say that they lost because of the tariff issue. Cleveland had alienated the G. A. R. and the spoilsmen, and his own party in his home state was controlled by hostile elements who had lost the support of the local Mugwumps. In this critical state of New York he was "knifed" by his own partisans and abandoned by his Independent friends. The result cost him the election. In spite of a popular plurality for Cleveland in the country at large, the New York electors made a majority for Harrison in the electoral college and determined the final result.[1]

TABLE 31. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1888

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Republican* | *Democratic* | *Minor Parties* |
| Benjamin Harrison, Pres. / Levi P. Morton, V. P. | 5,444,337 | | |
| Grover Cleveland, Pres. / Allan G. Thurman, V. P. | | 5,540,050 | |
| Clinton B. Fiske, Pres. / John A. Brooks, V. P. (Prohibition*) | | | 250,124 |
| Alson J. Streeter, Pres. / Samuel Evans, V. P. (Union Labor†) | | | 146,897 |
| Robert H. Cowdrey, Pres. / W. H. T. Wakefield, V. P. (United Labor*) | | | 2,818 |
| James Langdon Curtis, Pres. / James B. Greer, V. P. (American*) | | | 1,591 |
| Candidates for electors only (Socialist*) | | | 2,068 |
| Totals | 5,444,337 | 5,540,050 | 403,498 |
| | *Electoral Vote* | | |
| Harrison and Morton | 233 | | |
| Cleveland and Thurman | | 168 | |
| Totals | 233 | 168 | |

* See Chap. VII. † See *infra*, p. 210.

[1] See Table 30.

**Republican Precautions.** Having won, the Republicans proceeded to fortify themselves in control. The election of a Democrat to the Presidency in 1884 had shocked them out of their complacency, and they took measures to see that it did not happen again. In spite of rather explicit civil service pledges in their 1888 platform they proceeded to "turn the rascals out" to an extensive degree. President Harrison indulged in nepotism that was slightly reminiscent of the rule of Grant and appointed a pension commissioner whose motto was said to be "God help the surplus!" The public reaction to such conduct was mainly unfavorable, and the standards of administration were improved before the end of Harrison's term.

This, if unwise, was not wholly unprecedented, but other steps were taken of a highly original kind. These tended in three different ways to bolster and make effective the narrow Republican majorities in both houses of Congress.[1] Six new western states were hastily admitted to the Union.[2] The Democrats had hoped to control at least two of these but the Republicans carried five, thereby strengthening their very shaky control over the United States Senate. At the same time Reed, the Republican Speaker of the House, gained for himself the title of "Czar" by his ruthless rulings, particularly on questions of quorum. Not only were those present but not answering counted (in itself an innovation), but even members in the cloak room and the House barbershop went to swell the total.

But of greatest import was the attempt to restore the vote to the Negro. About this the politicians felt strongly. They would not have lost the election of 1884 if the Negro had not been illegally deprived of his franchise. The Republicans were now in control of both Houses of Congress for the first time since Hayes abandoned the South to the whites, and they proposed to do something about the situation.

The result was a Force Bill, so-called, pushed through the

[1] See Table 36.

[2] North Dakota, South Dakota, Montana, Washington, Idaho, and Wyoming.

House just before the election of 1890, whereby federal inspectors might intervene on request in the election of any congressional district. The white South set up a howl of execration calculated to give pause to the staunchest partisan. Business influences interposed to deprecate the stirring up of old hatreds as harmful to the prosperity of the country. The Senate deferred the bill until after the election, and it was then finally quashed by a union of several western Republicans with the Democrats as part of an intrigue to promote the cause of "free silver." The main result of the measure was that the discrimination against the Negro vote in the South (which had until then rested mainly on force, fraud, and intimidation) now began to be based on state constitutional provisions, chiefly of a literacy nature.

**The McKinley Tariff.** Meantime the Republicans had revised the tariff and lost the mid-term elections as a result. The duties, already high, were increased by a measure drawn up under the leadership of Congressman McKinley of Ohio and were extended to include agricultural products. At the insistence of Blaine, now once more Secretary of State, reciprocal features were introduced to catch the trade of Latin American countries, and the American sugar growers who were mainly affected by this were compensated by a bounty on their own production. Very unwisely the law was enacted on the eve of the congressional elections.[1] The Republicans went down before the anger aroused by the resulting price increases, which were felt much more quickly than any possible benefits.

**Goodby to the Surplus.** Meantime the Republicans had found a way to get rid of the surplus. The McKinley tariff reduced the revenue by almost prohibitive provisions; expenditures were increased by liberal pension laws, by the creation of a modern navy, and even by refunding Civil War direct taxes to the states. The Republicans were denounced for running "a billion dollar Congress." Reed replied that this was "a billion dollar country," and after all it was noted

[1] For the House vote see Table 36.

that the new Democratic House [1] exceeded the Republican record in their expenditures. Perhaps, as Bryan later said in another connection, they had become "inoculated with the Republican virus and blood poisoning had set in."

**The Election of 1892.** Harrison and Cleveland were both triumphantly renominated in 1892. The former had to bear the burden of the whole Republican record under his administration, which was augmented by charges that some of the great protected industries were unfair to labor. The Force Bill, the McKinley tariff, and allegations of Republican extravagance all counted against him. The Democrats in their platform came out flatly for a revenue tariff, a position so extreme that Cleveland sought to soften it down in his acceptance of the nomination.

TABLE 32. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1892

| *Candidates* | *Popular Vote* | | | |
|---|---|---|---|---|
| | *Democratic* | *Republican* | *Populist** | *Minor Parties* |
| Grover Cleveland, Pres.<br>Adlai E. Stevenson, V. P. | 5,554,414 | | | |
| Benjamin Harrison, Pres.<br>Whitelaw Reed, V. P. | | 5,190,802 | | |
| James B. Weaver, Pres.<br>James G. Field, V. P. | | | 1,027,329 | |
| John Bidwell, Pres.<br>James R. Cranfill, V. P. | (Prohibition †) | | | 271,058 |
| Simon Wing, Pres.<br>Charles H. Matchett, V. P. | (Socialist-Labor †) | | | 21,532 |
| Totals . . . . . | 5,554,414 | 5,190,802 | 1,027,329 | 292,590 |
| | *Electoral Votes* | | | |
| Cleveland and Stevenson . | 277 | | | |
| Harrison and Reed . . . | | 145 | | |
| Weaver and Field . . . | | | 22 | |
| Totals . . . . . | 277 | 145 | 22 | |

* See *infra*, p. 212. † See Chap. VII.

[1] See Table 30.

Labor and agrarian unrest were abroad but had not yet reached an acute stage. In spite of a strong third-party movement, to be discussed later, the bulk of the moderate voters were still within the two major parties. Of these, the decisive marginal group now shifted back to Cleveland, whose record looked much better viewed across the four intervening years of Harrison's term. Cleveland won by a landslide,[1] carrying into office with him a majority of both houses of Congress,[2] an advantage now possessed by a Democratic President for the first time in over thirty years.

**The Tariff of 1894.** What should have been a triumph proved to be rather a fiasco. The heavily Democratic House indeed passed a consistent measure for tariff reduction,[3] only to have the narrow Senate majority reversed by the activities of a few Democratic senators from protection-benefited states. These, uniting with the Republicans, rewrote the bill into a new and unrecognizable shape, constituting from any viewpoint little if any improvement on the McKinley tariff. Much angered, Cleveland allowed it to become law without his signature, and all further efforts at change failed during his administration. By the end of his term the tariff issue had drifted far into the background of politics, while a hurricane of swift and terrible discontent swept to the fore another question which had long been pending before the country.

## III. AGRARIAN UNREST AND THE RISE OF THE MONEY QUESTION

Since the earliest days of America the interest of agriculture has been closely intertwined with problems of the issue and control of money. Always a debtor class, American farmers have been perennially on the side of easy credit. Their hope to attain easier conditions had led them to give general support to Jackson's war on the United States Bank. They wished to take up new and better lands as the course of settlement rolled westward. For this end (besides easy loans) they needed low

[1] See Table 32. [2] See Table 36.

[3] For the House vote see Table 36.

land prices from the federal government. Gradual liberalization of the land laws took place, but the agitation went on and culminated in a demand for free land to actual settlers.

**The Homestead Act.** This proposal was first introduced in Congress in 1845 by Andrew Johnson. In the following presidential election the new Free Soil Party made free homesteads a plank in its platform; the Industrial Congress, endorsing the abolitionist Gerrit Smith, went further and demanded their exemption from seizure for debt. The Free Soilers persisted in their position, and it was largely through their example that a like plank was written into the Republican platform of 1860. By this time a Homestead Bill was already passing through Congress, only to meet with a veto from President Buchanan. The dominant economic interest in his party was made up of wealthy cotton planters who did not want northern settlers in the West subsidized by free land grants. This bespeaks clearly the cleavage of interest that generally drove the farmers of the western states away from the Democrats, to whom they had long been allied, and into a long continued, if somewhat sporadic and uneasy, dependence upon the Republican Party. The Republicans rewarded them by finally passing a Homestead Act in 1862.

**Civil War Finance.** During the Civil War the farmers gave the Republicans no difficulty. Farm prices were booming and credit was cheap, the latter fact being largely due to certain measures taken as being necessary to war financing. Pressed by the financial exigencies of the conflict, Congress authorized the issuance of so-called "greenback" currency, which it made a legal tender in payment of debts. Specie payments were also suspended, thereby rendering all such currency irredeemable in coin. Food prices soared, and farmers found that they could pay off debts formerly incurred at coin values in paper of the same ostensible amount, although gold was throughout the war at a high premium. Land values soared also and many farmers borrowed to buy farm equipment at war prices, for which in turn they gave mortgages on their lands in amounts expressed in like inflated figures. The

greenback currency was especially liked in the western farm states because of its superiority over their previous paper money, an amalgam of notes issued by banks of various degrees of stability under varying state requirements. Direct issuance by the national government caused the greenbacks to be preferred even to the notes of the new national banks, another agency which had been set up to play a financial part in the winning of the war.

**Economic Results of the War.** After the war a glut of foodstuffs caused a fall in farm prices. At the same time the government began a policy of decreasing greenback circulation, with a view to the resumption of specie payments. Violent opposition checked the latter process, but agricultural prices continued to decrease and the western farmers felt they were being bled by eastern capitalists, whose rates on mortgage loans were increasingly hard to meet. It was observed that those capitalists, who had invested in government bonds during the war, received their interest in gold at face value instead of the still depreciated paper that passed for currency in the country at large.

**Money Planks in 1868 and 1872.** Suddenly it was discovered that on certain of the bonds gold payments had not been expressly promised, although it was claimed that they had been clearly implied. Leaders sprang up in both parties demanding "one currency for the plow holder and the bondholder," and a plank calling for the payment of these bonds in paper money [1] was inserted in the Democratic platform for 1868. The Republicans opposed this as a breach of national honor. The ensuing defeat seemed to have taught the Democrats a lesson, for by 1872 they joined with the Liberal Republicans in denouncing "repudiation in any form." The regular Republicans pronounced it "a crime." All three favored a speedy return to specie payment. Alone among the parties the Labor Reformers took the other side, declaring for the abolition of bank notes and the further issuance of legal tender paper money redeemable in government bonds.

[1] This, from the state of its origin, was called "the Ohio idea."

**The Granger Movement.** A new hope had gripped the farmers, causing them momentarily to lose interest in the issue of the medium of bond payments. The organization of the National Grange of the Patrons of Husbandry and its rapid spread throughout the Middle West instilled into the farmers of that region an idea that they could be freed by state laws and their own efforts from many of the difficulties of their economic position. Recourse to Washington seemed no longer necessary.

The Grange itself was a secret order working through local lodges and organized by states. Its object was the social and economic improvement of the condition of the farmer, and it was expressly declared to be nonpolitical in its operations. It served, however, as a nucleus for discontented elements possessed of a conviction that the farmer's chief handicap was oppressive railroad rates and that state regulation was the cure for that evil. After unsuccessful attempts to obtain the desired relief within the existing major parties, the farmers jumped party lines in the years 1873–1874, organized local Reform, Independent, or Anti-Monopoly parties, carried several state elections, and succeeded in writing regulatory laws upon the books of nearly all the midwestern states. The movement also scored successes as far away as the Pacific Coast.

A collapse as sudden as the rise followed. The regulatory laws proved crude and unworkable. They were sabotaged by the railroads as far as possible. Many state Granges had attempted cooperative manufacturing of farm implements just as the panic of 1873 was striking the country and were rapidly swept away by it into bankruptcy. With a seemingly useless objective and a crippled motive power, the new local parties died or disappeared. The few that survived the catastrophe united under a different leadership to begin a new and more radical movement whose basis was the money question.

**The Greenback Party.** The new organization was formed in 1874 in a convention called by the Independent Party of Indiana. It wished to be known as the National Independent

Party but was promptly labeled "Greenback" by observers who found the paper money idea of the Labor Reformers to be its one outstanding principle. It was the offspring of the general distress produced by the panic of 1873 in conjunction with the reluctant decision of Congress and the President to resist further inflation. This was soon followed by an act setting a definite, if somewhat remote, date for the resumption of specie payments. The new party in resistance to this trend entered the campaign of 1876 with Peter Cooper, the eminent New York philanthropist, as its candidate for President. He received slightly over eighty thousand votes[1] largely concentrated in the Middle West, although the remnants of the Labor Reformers gave him some eastern support. The Far West and South were as yet hardly touched by the movement.

**Rise of the Silver Issue.** And now the money question took a new form. In 1873 Congress quietly and without any controversy had "demonetized" the silver dollar, that is, had made it no longer a legal tender. At the time this action was of no importance as the silver dollar, having a greater bullion value than the gold, was practically out of circulation. But soon thereafter silver went down in value, its relative position with gold was reversed, and (hard times continuing) a demand arose, especially in the West, for the restoration of the silver dollar as a legal tender. It was taken up by the Greenbackers and by western members of both major parties. This combination pushed through Congress a bill authorizing the coinage of silver in limited amounts — but not restoring its legal tender quality — and finally passed it over President Hayes' veto (1878).[2]

**The Greenback Labor Party.** In this same year a junction was made between the Greenbackers and the remnants of the Labor Reform organization. The combination, known as the National or Greenback Labor Party, made a vigorous campaign on a platform which united demands for silver and paper money with others for the improvement of labor con-

[1] See Table 27, *supra*, and Table 34, *infra*, p. 216.
[2] For the House vote see Table 36, n.†.

ditions, the abolition of corporate monopolies, and federal regulations of interstate commerce.

This was the season of highest hope for the Greenbackers. The then current business depression reached its ultimate depth in 1878, and there seemed a real possibility that the laborers, who were suffering desperately, might make common cause with the farmers for cheap money. The party did well throughout the country, aided in many states by fusions with the minority party in each. It cast over a million votes [1] to elect fourteen members of Congress [2] about equally distributed between the East, the West, and the South.

From this time on the party went down hill rapidly. Prosperity began to return and, specie payments now being resumed, the Greenbackers appeared to be attacking an accomplished fact. The party lost five Congressmen [2] and 700,000 [1] votes in the election of 1880. It continued to fall, losing four more Congressmen in 1882,[2] and being compelled to fuse with a labor organization known as the Anti-Monopoly Party in supporting General Benjamin F. Butler in 1884. Even then the combination cast only slightly more than 175,000 votes,[1] and before the next presidential election the party had disappeared from American politics. In 1887 the remnants united with representatives of various farm and labor organizations to form the Union Labor Party, which in spite of its title proved to be, both in its supporters and in its candidates, almost entirely representative of the interests of the farmer.

**The Union Labor Party.** These interests had now resumed the bias given them in the days of the Granger movement. While the platforms still talked of silver and paper money, their main emphasis was on government regulation of business, particularly of the railroads. Even the Greenback Party had recognized this demand in its platform for 1884, going so far as to speak of national ownership as a possible remedy. The steps taken to meet this by the Interstate Commerce Act of 1887 were unsatisfactory to the groups forming the

[1] See Table 34. [2] See Table 36.

Union Labor Party, which made its government ownership plank unconditional and went on to denounce "trusts and combinations" generally. In this respect it was not in advance of the two major parties or of the Prohibitionists, all of whose platforms in 1888 carried similar resolutions. Perhaps because its thunder had been thus stolen the Union Labor Party cast slightly less than 150,000 votes,[1] four-fifths of which came from the agricultural states of the South and West. Before the next presidential election the Sherman Anti-Trust Act had been passed and the Union Labor Party had been replaced by another agrarian organization which once more put the emphasis of its platforms upon the money question.

**Renewal of the Money Question.** During the eighties various new organizations had been formed to improve the social and economic condition of the farmer, many of which, like the Grange before them, were in the nature of secret orders. By 1890 these had nearly all consolidated into regional *Farmers' Alliances*, each covering a large section of the country. They had been gradually developing into political pressure groups, lobbying at Washington and making their force felt at state capitals and in local politics throughout the Middle West and South. At the same time farm conditions were again getting worse and the farmer was being squeezed between the millstones of low food prices and high interest rates. The Alliances began to put forward demands for increased paper money to be loaned to farmers on easy terms, and they were gradually led into supporting a revived demand for "free silver." This latter had been accelerated by the action of the Republicans in admitting hastily a large number of western Mountain states, nearly all of which were silver producers. The combined forces of the farmers and mining interests sufficed to put through Congress a bill increasing the amount of silver to be purchased by the government and making obligatory the coinage of a great quantity of silver dollars (1890).

This was not "free silver," i.e., the restoration of the silver

[1] See Table 34.

dollar to legal tender value, and the dissatisfied farmers turned to direct political action. In the South they were able to capture the Democratic Party in many states and through it to elect Congressmen pledged to their ideas. In the Midwest third-party action seemed necessary. There the Farmers' Alliance set up People's, Independent, or Industrialist tickets and elected two Senators and fourteen Congressmen.[1] This was in addition to one southern Democratic Senator and forty-four southern Democratic Congressmen pledged to Farmers' Alliance views. With such a beginning national organization was inevitable, and the National People's Party (commonly called *Populist*) was organized at a convention held in 1891.

In 1892 this party, taking its stand on a platform calling for paper money, free silver, and liberal loans to farmers, nominated General James B. Weaver of Iowa (the Greenback candidate of 1880) and cast over 1,025,000 votes to elect 22 presidential electors.[2] The main strength of the party appeared to lie in the states from Kansas to Oregon, though it also did well in some parts of the South. Its success in the congressional elections was somewhat ambiguous, gaining one additional Senator and losing six seats in the lower house.[1] It was the first time that a third party had been represented in the electoral college since the Civil War.

**Results of the Panic of 1893.** Cleveland was hardly in office for his second term when the panic of 1893 struck the country. One of its effects was to imperil the gold reserve behind the greenback currency. To protect this the President declared it necessary that the recently increased purchase of silver be stopped. Calling a special session of Congress, he obtained the repeal of the Silver Purchase Act by a vote that divided the two major parties about equally. A later attempt to restore the silver coinage was vetoed by the President. The gold reserve continued to be threatened and the administration was driven to make a secret contract for the purchase of gold through J. P. Morgan and Company.

[1] See Table 36. [2] See Tables 32 and 34.

**The Income Tax.** Less than this would have sufficed to satisfy the farmers that the government had been "sold out to Wall Street." To them invested capital was anathema, and they had already taken steps to strike at it through their Democratic and Populist representatives in Congress. Largely through their efforts an income tax (since 1880 the standing demand of all radical parties) had been incorporated in the new tariff bill.

**The Election of 1896.** Yet the elections of 1894 showed no great gains for the Populists.[1] The reason for this was very largely that neither of the old parties had definitely denounced free silver but had preserved a convenient vagueness in national and state platforms so that the Populist vote was no real measure of free silver strength. The campaign of 1896 opened, therefore, with a struggle of the "silver men" to control each major party. They lost in the Republican convention, which nominated McKinley over Reed on an anti-free-silver platform; they won in the Democratic, which selected William Jennings Bryan, a young Nebraska congressman who had swept that body off its feet with his oratory about a "cross of gold." The platform called for "the free and unlimited coinage of silver in the ratio of 16 to 1" and denounced bank notes and the recent Supreme Court decisions invalidating the income tax and upholding the use of the injunction against strikes.

Immediately secessions began. The *Gold Democrats* formed the National Democratic Party and nominated their own candidate for the Presidency. The *Silver Republicans* formed a party of their own and endorsed Bryan. Even the Prohibition Party split, a seceding group forming the National Party demanding prohibition, woman suffrage, and free silver in the ratio of 16 to 1.

The nomination of Bryan put the Populists in a quandary. They were placed in the dilemma of either opposing a candidate who stood for their chief principle or losing their identity by endorsing the ticket of a larger organization. Especially

[1] See Tables 34 and 36.

were they averse to supporting the Democratic candidate for Vice President, an eastern capitalist recently converted to the free-silver cause. Seeking a middle way, they made a separate nomination for the Vice Presidency and then endorsed Bryan, placing him on a slightly more radical platform than had been adopted by the Democrats.

TABLE 33. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1896

| *Candidates* | *Popular Vote* | | | |
|---|---|---|---|---|
| | *Republican* | *Silver Republican and Democratic* | *Populist* | *Minor Parties* |
| William McKinley, Pres. / Garett A. Hobart, V. P. | 7,035,638 | | | |
| William J. Bryan, Pres. / Arthur Sewall, V. P. | | 6,287,352 | | |
| William J. Bryan, Pres. / Thomas E. Watson, V. P. | | | 245,728 | |
| Joshua Levering, Pres. / Hale Johnson, V. P. (Prohibition*) | | | | 141,676 |
| John M. Palmer, Pres. / Simon Buckner, V. P. (National or Gold Democratic) | | | | 131,529 |
| Charles H. Matchett, Pres. / Matthew Maguire, V. P. (Socialist Labor*) | | | | 36,454 |
| Charles E. Bentley, Pres. / James H. Southgate, V. P. (National or Silver Prohibition*) | | | | 13,968 |
| Totals | 7,035,638 | 6,287,352 | 245,728 | 323,627 |
| | *Electoral Vote* | | | |
| McKinley and Hobart | 271 | | | |
| Bryan and Sewall | | 149 | | |
| Bryan and Watson | | | 27 | |
| Totals for Vice President | 271 | 149 | 27 | |
| Totals for President | 271 | 176 | | |

* See Chap. VII.

The campaign that ensued was one of unprecedented fury. The Republicans felt that the rights of property were imperiled by free silver and the income tax; the Democrats, that the

capitalists were insisting on grinding the faces of the people. By a "campaign of public education" financed by lavish contributions from large corporations and managed by the genius of Mark Hanna, McKinley's political "angel" and friend, the Republicans won the election. The Democrats were thoroughly defeated in the East, and even the solidity of the upper South was infringed upon. The Democratic-Populist combination was generally victorious from Kansas west, and strong, though generally losing, in the upper Mississippi Valley. Of 176 electors voting for Bryan, 27 cast their votes for the Populist vice-presidential candidate.[1] In the Senate the party distribution remained unchanged (except that from the Mountain states six Silverites replaced Democrats), while in the House the Republicans lost ground to the Democrats and Populists, the latter more than trebling their numbers. The Republicans continued to control the House and to halve the Senate against a diversified opposition, both situations which had existed since the 1894 elections.[2]

**The Money Question Fades.** The election of 1896 marked high tide for the money question in American politics. Before the votes were cast the depression had begun to recede and the movement went on to prosperity. This benefited even the long-suffering American farmer and continued for ten years with little interruption. In the face of such conditions the money question gradually faded away and disappeared, having first been abruptly thrust into the background by the rise of a new problem.

## IV. IMPERIALISM

With the close of Reconstruction the nation found itself once more free to take an active interest in foreign affairs. The tide of imperialism was sweeping over the world, pushed by the need for markets for the great manufacturing nations. Many Americans felt that their country should join in the scramble for increased naval power, spheres of influence,

[1] See Table 33. [2] See Table 36.

TABLE 34. VOTES CAST BY ECONOMIC RADICAL PARTIES IN THE PERIOD FROM THE CIVIL WAR TO BRYAN'S FIRST DEFEAT

| *Agrarian Parties* | | | | *Labor Parties* | | |
|---|---|---|---|---|---|---|
| *Date* | *States Run In* | *Party Name* | *Total Vote* | *States Run In* | *Party Name* | *Total Vote* |
| 1869 | | | | 1 | Labor Reform | 13,567 |
| 1870 | | | | 3 | Labor Reform | 31,222 |
| 1871 | | | | 2 | Labor Reform | 7,630 |
| 1872 | | | | 2 | Labor Reform | 940 |
| 1873 | 7 | Granger | 212,036 | | | |
| 1874 | 10 | Granger | 523,809 | | | |
| 1875 | 3 | Greenback | 32,086 | 1 | Labor Reform | 316 |
| 1876 | 24 | Greenback | 81,740 | | | |
| 1877 | 9 | Greenback | 187,095 | | | |
| 1878 | 16 | Greenback | 1,000,365 | | | |
| 1879 | 8 | Greenback | 267,840 | 1 | Workingman | 44,482 |
| 1880 | 36 | Greenback | 308,578 | | | |
| 1881 | 5 | Greenback | 49,215 | | | |
| 1882 | 17 | Greenback | 185,682 | | | |
| 1883 | 6 | Greenback | 41,191 | Joint Vote | Anti-Monopoly | |
| 1884 | 33 | | | 175,365 | | |
| 1885 | 5 | | | 10,229 | | |
| 1886 | 7 | Greenback | 35,660 | *States Run In* | | |
| | 3 | Farmers' Alliance | 60,457 | 5 | Labor | 50,166 |

| *Agrarian Parties* | | | | *Single Tax Parties* | | | *Socialist Parties* | | |
|---|---|---|---|---|---|---|---|---|---|
| *Date* | *States Run In* | *Party Name* | *Total Vote* | *States Run In* | *Name* | *Total Vote* | *States Run In* | *Name* | *Vote* |
| 1887 | 3 | Greenback | 37,511 | 1 | United Labor | 70,055 | 1 | Progressive Labor | 7,622 |
| | 5 | Union Labor | 48,309 | | | | | | |
| 1888 | 27 | Union Labor | 146,897 | 2 | United Labor | 2,818 | 1 | Socialist | 2,068 |
| 1889 | 1 | Greenback | 1,710 | | | | | | |
| | 1 | Farmers' Alliance | 40,962 | | | | | | |
| | 3 | Union Labor | 9,308 | | | | | | |
| 1890 | 10 | Farmers' Alliance | 310,180 | | | | | | |
| | | | | | | | 1 | Socialist | 5,998 |
| | 11 | Union Labor | 157,796 | | | | | | |
| 1891 | 1 | Populist | 157,165 | | | | 2 | Socialist | 16,080 |
| 1892 | 44 | Populist | 1,027,329 | | | | 7 | Socialist Labor | 21,532 |
| 1893 | 7 | Populist | 82,365 | | | | 1 | Socialist Labor | 19,984 |
| 1894 | 25 | Populist | 859,194 | | | | 4 | Socialist Labor | 23,083 |
| | 1 | Silver | 5,523 | | | | | | |
| 1895 | 14 | Populist | 428,251 | | | | 7 | Socialist Labor | 34,221 |
| 1896 | 18 | Populist | 245,728 | | | | 21 | Socialist Labor | 36,454 |

colonies. As usual, the way was led by the party representing the dominant economic interest. In the early eighties the Republicans began the construction of a modern navy and (largely through the influence of Blaine) the quest for colonies in the Pacific and for an economic and political influence over Latin America. The Democrats, at first somewhat noncommittal toward this program, at length became frankly critical of it, describing it as "a policy of intimidation and bluster" in their platform for 1892.

**Cleveland's Foreign Policy.** President Cleveland was no imperialist. A firm maintainer of American rights as he saw them — as in the Venezuela boundary dispute, for instance — he was also firmly opposed to colonial aggrandizement. He withdrew the American flag from Hawaii, which the Republicans had brought to the point of annexation, and would even have restored the deposed native queen if she had not persisted in a determination to slaughter her enemies. His action was denounced by the Republicans as dishonorable.[1]

**Rise of the Cuban Question.** Now the Cuban question arose. American interest in Cuba had practically ceased after the Civil War, only to be renewed by repeated uprisings against the decadent Spanish authority. The last of these broke out in the mid-nineties and continued to rage despite repressive measures of the greatest thoroughness and cruelty. A policy of starvation applied to noncombatants as well as rebels aroused the utmost indignation of the whole American people. President Cleveland in 1896 warned Spain that our forbearance could not be indefinitely continued, and the three largest parties (Republican, Democratic, and Populist) expressed sympathy for Cuba in their platforms for that year.

**The Spanish War and After.** Within two years the question had drifted into war, a war which gave us title to most of Spain's possessions both in the Caribbean and in the Pacific — that is, such title as Spain had to give. For the Philippines, the principal Pacific group ceded, were mainly in the posses-

[1] The annexation was completed after the Republicans returned to power (1898).

sion of so-called "insurrectoes" against Spanish rule who could be subdued only by long and troublesome warfare. The campaign of conquest was denounced by the Democratic, Populist, and Silver Republican parties (uniting once more in the nomination of Bryan) in their platforms for 1900, and imperialism became the principal issue in the campaign of that year. The Republicans renominated McKinley, with Theodore Roosevelt, a Spanish War hero and later reform governor of New York, as their candidate for Vice President. The Democratic-Populist alliance was weakening and some of the latter element insisted on a separate ticket. This de-

TABLE 35. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1900

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Republican* | *Fusion Populist, Silver Republican and Democratic* | *Minor Parties* |
| William McKinley, Pres.<br>Theodore Roosevelt, V. P. | 7,219,530 | | |
| William J. Bryan, Pres.<br>Adlai E. Stevenson, V. P. | | 6,358,071 | |
| John G. Wooley, Pres.<br>Henry B. Metcalfe, V. P. | (Prohibition*) | | 209,166 |
| Eugene V. Debs, Pres.<br>Job Harriman, V. P. | (Socialist Democratic*) | | 94,768 |
| Wharton Barker, Pres.<br>Ignatius Donnelly, V. P. | (Middle-of-the-Road Populist) | | 50,232 |
| Joseph F. Malloney, Pres.<br>Valentine Rummel, V. P. | (Socialist Labor*) | | 32,751 |
| Seth H. Ellis, Pres.<br>Samuel T. Nicholson, V. P. | (Union Reform*) | | 5,698 |
| Jonah F. R. Leonard, Pres.<br>David H. Martin, V. P. | (United Christian*) | | 1,059 |
| Totals . . . . . | 7,219,530 | 6,358,071 | 393,674 |
| | | *Electoral Votes* | |
| McKinley and Roosevelt . | 292 | | |
| Bryan and Stevenson . . . | | 155 | |
| Totals . . . . . | 292 | 155 | |

* See Chap. VII.

TABLE 36. PARTY LINES IN CONGRESS DURING THE PERIOD OF AGRARIAN UNREST AND IMPERIALISM

| *Congress Number* | *Date* | *Senate* | | | *House* | | |
|---|---|---|---|---|---|---|---|
| | | *Republicans* | | *Democrats* | *Republicans* | | *Democrats* |
| 45 | 1877–79 | 39 | | 37 | 137 | | 156*† |
| | | | | | | *Greenbackers* | |
| 46 | 1879–81 | 33 | | 43 | 130 | 14 | 149* |
| | | | *Readjusters*‡ | | | *Readjusters*‡ | |
| 47 | 1881–83 | 37 | 1 | 38 | 147* | 2 9 | 135§ |
| 48 | 1883–85 | 38 | 2 | 36 | 118 | 5 5 | 197* |
| 49 | 1885–87 | 43 | | 34 | 140 | 2 | 183* |
| | | | | | | *Union Laborites* | |
| 50 | 1887–89 | 39 | | 37 | 152 | 4 | 169* |
| 51 | 1889–91 | 39 | | 37 | 165* | | 159‖ |
| | | | *Populists* | | | *Populists* | |
| 52 | 1891–93 | 47 | 2 | 39 | 88 | 14 | 231* |
| 53 | 1893–95 | 38 | 3 | 44 | 128 | 8 | 220*¶ |
| 54 | 1895–97 | 42 | 5 | 39 | 245* | 7 | 104 |
| | | | *Silver Republicans* | | | *Silver Republicans* | |
| 55 | 1897–99 | 44 | 6 6 | 34 | 203* | 3 25 | 121†† |
| 56 | 1899–1901 | 51 | 4 5 | 26 | 185* | 3 5 | 161‡‡ |
| 57 | 1901–03 | 54 | 3 4 | 27 | 195* | 2 6 | 149 |

* Speaker elected from this party.

† This House passed the Silver Coinage Act: Yeas 196; Nays 73.

‡ The Readjusters were a party local to Virginia, favoring the partial repudiation of the state debt.

§ This House passed the Tariff of 1883: Yeas 152; Nays 116.

‖ This House passed the McKinley Tariff: Yeas 164; Nays 152.

¶ This House passed the Tariff of 1894: Yeas 182; Nays 106.

†† This House passed a protective tariff: Yeas 205; Nays 122.

‡‡ This House passed the Gold Standard Act: Yeas 190; Nays 150.

fection was slight, but a more serious one was caused by the insistence of the Democratic candidate on the dead issue of free silver. Many who agreed with Bryan that the holding of subject colonies was contrary to the Declaration of Independence were strong proponents of "honest money" and as such

found supporting him impossible. This fact and the natural popularity of an aggressive foreign policy gave the Republicans an even more decisive victory than that of 1896.[1] Imperialism disappeared as an issue and with it the period of transition to modern American politics ends. Since then, almost every question before the country in any election has been one that is still with us — if not as an active issue than as one lurking in the background awaiting only the call of events to come once more into major importance.[2]

## *AUTHORITIES AND EVALUATIONS*

Besides the general authorities previously referred to, certain new ones appear which are of especial value in connection with both this chapter and the following. Prominent among them are two works by Paxson: *The New Nation* (1915), in the "Riverside History of the United States Series" and *Recent History of the United States* (1921); also Hacker and Kendrick's *United States Since 1865* (1932, 1940). The two first names are realistic in treatment and without especial bias. The latter is somewhat affected by Socialist opinions. Maurice and Cooper's *History of the Nineteenth Century in Caricature* (1904) becomes important in this period, when the great era of American cartooning began with the work of Nast, whose *Life* by Payne (1904) should also be consulted.

There is a break in the *World Almanac* from 1876 to 1886 when the *Second Series* begins, carrying election figures of varying fullness. Very detailed at the first and more or less uniform for some time thereafter, they have of late tended to become somewhat scanty except about the time of presidential elections, having been particularly so during and immediately following the World War. Beginning in 1868, McPherson's *Hand-Book of Politics* covers the *World Almanac* gap and comes down to 1894. From 1896 on, very accurate and detailed election figures are to be had from Robinson's

[1] See Table 35.

[2] As this book went to press there seemed a possibility that Imperialism also might be revived as an issue. Alarm was expressed by the Post War World Council (successor to the National Council for the Prevention of War) at the meeting of its governing committee on March 7, 1942, "at the growth of an American imperialistic state of mind as expressed by Wendell Willkie — 'American democracy must rule the world,' and by Secretary of the Navy Knox when he said that the combined British and American fleets will rule the oceans 'for a hundred years.'" Resolutions opposing "Anglo-Saxon domination of the world" were also adopted by the Philadelphia Methodist Conference on March 14, 1942.

*Presidential Vote, 1896–1932* (1934), compiled on a county basis. This includes a brief analysis of each election with a map of party control by counties, followed by a tabulation of such control and an exact statement of Republican, Democratic, and third-party votes, again on a county basis. The latter vote is aggregated in the figures by counties, but separate figures of the minor party votes in each state are given in the Appendix. The volumes of the "American Nation Series" covering the period of the present chapter are: Sparks' *National Development*, Dewey's *National Problems*, and Latané's *America as a World Power*.

Turning to particular issues and situations, the aftermath of southern Reconstruction can be well studied in Lewinson's *Race, Class and Party* (1932). The conditions in national politics which first led to the rise of Reform as an issue are portrayed better than in any single history by Twain and Warner's novel, *The Gilded Age* (1874). The basis of this situation as it existed in the nation's urban communities is shown in such works as Myers' *History of Tammany Hall* (1901). Bryce's *American Commonwealth* (1st ed., 1888) depicts American political life at just the point where it is about to make a distinct turn for the better and contains separate chapters on notorious instances of corrupt city politics. It is also valuable for its interesting though somewhat incomplete picture of the then current system of state bosses. Portraits of bosses of a particular state are to be found in Chidsey's *The Gentleman from New York, a Life of Roscoe Conkling* (1935), the *Autobiography of Thomas Collier Platt* (1910), and Gosnell's *Boss Platt and His New York Machine* (1924).

Farm politics throughout the period are depicted in Buck's *Agrarian Crusade* (1920), a volume of the "Chronicles of America Series" and in Haynes' *Third Party Movements* (1916). Its early stages appear in Buck's *Granger Movement* (1913), no. XIX in the "Harvard Historical Studies," and the latest stages in Hicks' *Populist Revolt* (1931). Biographical material retains at least the same relative importance that it possessed in previous periods. Care should be taken to distinguish between objective studies and the "campaign" type of work written about actual and prospective presidential candidates. The latter is valuable mainly as an example of campaign methods. Campaign handbooks and other ephemera of presidential years are mainly of like significance, although some of them contain matter which cannot be found elsewhere. Magazine and newspaper sources are of increasing importance, as much of the more recent material has not as yet been used in the creation of more permanent and unbiased authorities. Of especial interest in this field are the bound volumes of William Jennings Bryan's *Commoner*, for many years the voice of radical Democracy in the United States.

# *Chapter VII*

## MODERN POLITICS AND PARTIES

### I. THE SQUARE DEAL ERA

The election of 1900 left politics for the moment practically without a major issue. Imperialism was accepted by the country, and soon the Supreme Court in a series of cases upheld the power of Congress to limit the rights of the inhabitants of the insular possessions, whereupon Mr. Dooley remarked that whether or not the Constitution followed the flag "the Supreme Court follows the election returns." Free silver was dead and the Democrats were breaking away from Bryan's leadership after his second defeat. The tariff had been revised in McKinley's first term in the usual Republican direction, i.e., upward, and since in the late campaign this action had been attacked by the Democrats and praised by the Republicans, it was possible to treat that perennial issue as settled also.

**The Rise of Big Business.** Suddenly the calm was broken when an anarchist shot McKinley, and "T. R." was launched upon his vigorous term of office. Just at this time renewed activity in the consolidation of industry into larger and larger units attracted the attention of the country. This concentration had begun to be a political issue in the 1880's when the rise of such economic empires as those controlled by Carnegie and Rockefeller had been denounced by the Greenbackers and other radical parties. The depression of the mid-nineties produced a lull, however, business seemed to need encouragement rather than regulation, and the Interstate Commerce Law and the Sherman Anti-Trust Act were allowed to lie on the books as more or less of a dead letter.




"This hurts me more than it does you."

A HEARST CARTOONIST, F. OPPER, ON THE TRUST SITUATION

(From Murrell's *History of American Graphic Humor*, Vol. II)

With the return of prosperity, a process of mergers set in which soon produced the Hill and Harriman railroad empires and placed almost an entire industry under one control through the formation of the United States Steel Corporation. Hill and Harriman engaged in a destructive stock-market war which endangered the prosperity of the whole country, with the result that Roosevelt became convinced that action against the so-called "trusts" had become a practical necessity.

**The "Square Deal" Policies.** From this time forth Roosevelt made the trust issue peculiarly his own. He pushed the enforcement of the Sherman Act and obtained further legislation to facilitate its operation. Action against railroad rate discrimination was taken by Congress. The President's intervention in the coal strike of 1902 caused him to be considered as a friend of organized labor, although he refused to consider himself as the guardian of any particular interest but rather as the advocate of "a square deal" for all. He espoused such causes as the conservation of national resources, an issue first appearing in the 1892 platform of the Socialist Labor Party.

**The Election of 1904.** With the Republicans thus moving in what many considered a radical direction, the Democrats turned somewhat conservative in the 1904 campaign. Forsaking Bryan and the silver issue, they nominated Chief Justice Parker of the New York Court of Appeals on a comparatively moderate platform. Even their tariff plank called for only a "gradual" reduction. The Republicans, on the other hand, declared protection to be "a cardinal policy."

The Republicans gained and the Democrats lost by this turn of events. The Populists made an independent nomination which received over a hundred thousand votes, and all the radical parties gained at the expense of the Democrats. The conservatives at the same time adhered to the Republican Party. In their eyes even Roosevelt was safer than the late allies of Populism. As a result, Parker was defeated far worse than Bryan had ever been.[1]

[1] See Table 37.

TABLE 37. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1904

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Republican* | *Democratic* | *Minor Parties* |
| Theodore Roosevelt, Pres.<br>Charles W. Fairbanks, V. P. | 7,628,834 | | |
| Alton B. Parker, Pres.<br>Henry G. Davis, V. P. | | 5,084,491 | |
| Eugene V. Debs, Pres.<br>Benjamin Hanford, V. P. (Socialist *) | | | 402,460 |
| Silas C. Swallow, Pres.<br>George W. Carroll, V. P. (Prohibition †) | | | 259,257 |
| Thomas E. Watson, Pres.<br>Thomas H. Tibbles, V. P. (Populist) | | | 114,753 |
| Charles H. Corregan, Pres.<br>William W. Cox, V. P. (Socialist Labor ‡) | | | 33,724 |
| Austin Holcomb, Pres.<br>A. King, V. P. (Continental §) | | | 830 |
| Totals | 7,628,834 | 5,084,491 | 811,024 |
| | *Electoral Vote* | | |
| Roosevelt and Fairbanks | 336 | | |
| Parker and Davis | | 140 | |
| Totals | 336 | 140 | |

* See *infra*, p. 246.
† See *infra*, p. 287.
‡ See *infra*, p. 244.
§ See *infra*, p. 229.

**Roosevelt's Second Term.** Roosevelt continued his course, in criticism of which the Democrats could say nothing except that they would have done it better. His second term was marked by further successful trust prosecutions, by development of the conservation program, by the enactment of the first Pure Food and Drugs Act, and by several statutes benefiting employees of interstate railroads and improving their system of rate regulation.[1]

**The Election of 1908.** Acclaiming this record, the Republican platform for 1908 pronounced for a relaxation of the Interstate Commerce Act to allow railroads to determine

[1] See Table 42, n. †, p. 239, for the almost unanimous vote by which one of these acts passed the House.

their own rates, subject to supervision, and for a slight limitation of the power of injunction. Ever since 1896 the Democrats had been denouncing the use of the injunction against labor, and now they were again demanding the income tax. But the real issue of the campaign was the tariff.

TABLE 38. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1908

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Republican* | *Democratic* | *Minor Parties* |
| William H. Taft, Pres. / James S. Sherman, V. P. | 7,679,006 | | |
| William J. Bryan, Pres. / John W. Kern, V. P. | | 6,409,106 | |
| Eugene V. Debs, Pres. / Benjamin Hanford, V. P. (Socialist *) | | | 420,890 |
| Eugene W. Chafin, Pres. / Aaron S. Watkins, V. P. (Prohibition †) | | | 252,683 |
| Thomas L. Hisgen, Pres. / John T Groves, V. P. (Independence ‡) | | | 83,652 |
| Thomas E. Watson, Pres. / Samuel W. Williams, V. P. (Populist §) | | | 29,084 |
| August Gilhaus, Pres. / Donald R. Munro, V. P. (Socialist Labor ‖) | | | 13,999 |
| Daniel B. Turney, Pres. (United Christian ¶) | | | 461 |
| Totals | 7,679,006 | 6,409,106 | 800,769 |
| | *Electoral Vote* | | |
| Taft and Sherman | 321 | | |
| Bryan and Kern | | 162 | |
| Totals | 321 | 162 | |

* See *infra*, p. 247. ‡ See *infra*, p. 230. ‖ See *infra*, p. 246.
† See *infra*, p. 287. § See *infra*, p. 255. ¶ See *infra*, p. 229, n. 2.

As to this, strangely enough, the ostensible question was not what should be done but who should do it. All parties agreed that the tariff needed "revision." The Republicans declared that this should be done "by its friends" in the interest of protection. The Democrats replied that the Republicans were too deeply "obligated to the highly protected interests"

while the Independence Party (organized by Mr. William Randolph Hearst, who had hoped for the Democratic nomination) demanded revision "not by the friends of the tariff, but by the friends of the people."

Roosevelt's popularity was the decisive factor in this election. It enabled him to designate and secure as his successor his personal friend and subordinate, William Howard Taft, then Secretary of War. In spite of the return of many radicals to the Democratic ranks, occasioned by the renomination of Bryan, the Republican majority was still decisive.[1] In thus selecting his successor Roosevelt had achieved that which only Jackson had done before him.

**Republican Reaction.** It was soon obvious that Roosevelt alone had maintained the Republicans in power by keeping up with the times and dragging the party along with him. With his withdrawal from the Presidency the conservative wing of the party (now called Standpatters) regained control. The tariff was "revised" — upward,[2] and a contest within the administration over the enforcement of the conservation laws resulted in the resignation of Mr. Gifford Pinchot, Chief of the Forestry Service and a personal friend of Roosevelt. These circumstances sufficed to alienate the reformers and Roosevelt's individual following and to bring to the fore the new movement known as Progressivism.

## II. THE RISE OF PROGRESSIVISM

Progressivism was the lineal heir of the reform movement of the last century, which attained its highest success in the Mugwump campaign that defeated Blaine. Many of the reformers active in that enterprise and more or less satisfied with the subsequent attempts of Cleveland at honest national government turned their attention to local politics. Honesty and efficiency in city government were everywhere at very low ebb, and in state government the situation was not much better. Commencing with attempts to reform local party

[1] See Table 38.

[2] For the vote by which the tariff measure passed the House see Table 42 n.

organizations from within, these men went on in the early nineties to organize local Good Government parties which had only partial and fleeting success. It was soon evident that many of the larger problems involved in city government could be solved only with the aid of the states.

**The Demand for Direct Popular Government.** State reform parties were attempted in the last few years of the century, but major party lines proved too strong for them and an effort to create a national Union Reform Party in the period from 1897 to 1901 proved a disastrous failure.[1] Greater success was attained within the old parties in the election of reform governors who quite generally, however, found their programs blocked by corrupt legislatures and reactionary supreme courts. Greater popular control of government was obviously necessary. To accomplish this, the reformers began to demand such devices as the initiative, the referendum, and the recall. The Socialist Labor Party in its first platform in 1892 had endorsed all these reforms, the first two of which were approved by the National (Silver Prohibition) and Populist parties in 1896 and by the Union Reform Party in 1900.[2]

**Transportation Questions.** It was now evident that questions of popular control of government alone furnished too narrow a basis for a successful reform party. Other reformers had been concerning themselves locally with transportation questions and were gradually extending their demands to take in other economic problems of interest to the average voter. Beginning with demands for strict regulation and later for public ownership of city traction lines, they soon attacked the railroads, whose rates and safety conditions were then far from satisfactory. Roosevelt's activity in this field helped to maintain party lines, however. An attempt to form a Continental Party on the basis of the initiative, referendum, and recall, government ownership of the railroads, and the fa-

[1] See Table 44, p. 260.

[2] In 1900 the minute United Christian Party also endorsed the initiative, the referendum, and the recall. This party appears again in 1908. See Table 46, p. 268.

miliar denunciation of the trusts proved a ludicrous failure in the campaign of 1904.[1]

**The Rising Radical Vote.** This failure was less discouraging than it might otherwise have been but for the presence in the field of the Populists, with much the same platform, and the fact that the radical parties as a whole had multiplied their vote more than 500 per cent over that in 1900.[2] At least one shrewd political adventurer decided that there was a future in the politics of reform.

*Mr. William Randolph Hearst*, the great newspaper magnate, had received the second highest vote for the Presidency in the Democratic convention of 1904. Having failed of the nomination, even with some help from Bryan, he decided to "jump the party" and campaigned for Mayor of New York in 1905 as candidate of the Municipal Ownership League. Beaten by a scant four thousand votes, he converted his organization into the Independence League, came to an understanding with Tammany, and ran for the Governorship in 1906 with Democratic support. This time he was badly beaten, though the rest of the ticket got in. Nevertheless, he persisted in his attempt to set up a party, and in 1907 an Independence League candidate in Massachusetts received about half the normally Democratic vote for Governor. This man (Thomas L. Hisgen) was made the Independence Party candidate for President in 1908 on a platform including the initiative, the referendum, the recall, the direct primary, public ownership of the telegraph and, conditionally, of the railroad systems. He received only 83,562 votes, largely at the expense of the Populists,[2] to whom his candidacy was a finishing stroke. Hearst made one more attempt, running again for Mayor of New York in 1909 as the candidate of a so-called Civic Association, but only to be badly beaten. He then quit reform politics for good.

But if Hearst was discarding (or rather, had been discarded by) the cause of reform, another was taking it up who was

[1] It cast 830 votes in one state (Illinois).
[2] See Table 44.

never to lay it down except with his life. As Governor of Wisconsin, *Robert M. LaFollette* had fought a winning fight within that state's Republican Party for a program that included the direct primary and railroad regulation by commission. He had been elected to the Senate, while still retaining control of the politics of the state, and had been presented as a nominee to the Republican national convention of 1908 by the Wisconsin delegation. They also proposed planks calling for increased railroad regulation and for the direct election of senators. The candidate and the planks were both summarily rejected.

**Insurgency.** Almost immediately after the 1908 election, attacks were made in both houses of Congress by a combination of reform Republicans and Democrats (the so-called "insurgents") upon the oligarchic control that had grown up in both bodies. In the House the attack led by Representative George W. Norris of Nebraska (the present Senator) destroyed much of the power which had accumulated in the hands of the Speaker of that body, but a similar attempt headed by LaFollette on the institutions of the Senate proved a failure.

These attacks were typical of the demands made by what was first called the "Insurgent" and later the "Progressive" movement. It was characterized by a strong belief that genuine reform of all kinds was blocked by the oligarchic control of political institutions. The struggle over the system and organization of Congress, together with the concurrent breaking of party lines over the Payne-Aldrich Tariff Bill, served to create a definite division of feeling. In 1910 reformers appeared on separate Progressive Republican and Progressive Democratic tickets in two or three states.[1] A foundation was laid for the formation in 1911 of the National Progressive Republican League, with a program including popular election of senators, the direct primary, the initiative, the referendum, and the recall. At the same time reform elements within the Democratic Party brought about the

[1] See Table 44.

election of such governors as Wilson in New Jersey and Foss in Massachusetts.

**The Progressive Party.** Roosevelt had been absent on an African hunting expedition while some of these events were taking place. After his return he took up the Progressive Republican program, crowding aside LaFollette as a reform candidate for the nomination in 1912. Baffled when the Republican national committee decided all seating contests against his delegates, Roosevelt charged fraud and organized the Progressive Party to support his candidacy. Its platform incorporated most of the demands of the National Progressive Republican League, together with planks favoring tariff reduction, woman suffrage, health insurance, and improved regulation of the railroads and of interstate commerce generally. A plank denouncing certain specific monopolistic practices was opposed by Roosevelt as going too far and was quietly scuttled through his influence. Some of the more radical Progressives began to doubt with LaFollette (who had stayed out of the new party) whether "the Colonel" was really a reformer after all. On the other hand, some of the reactionary Republicans were so enraged by Roosevelt's secession as to vote Democratic in order to insure his defeat.

## III. THE ERA OF THE NEW FREEDOM

Such a maneuver was hardly necessary, as the Republican split could have but one result and the political future obviously hung on the choice of the Democrats for the Presidency. Through the influence of William Jennings Bryan, the nomination went to Woodrow Wilson, former President of Princeton University and then New Jersey's reform governor. In his campaign speeches Wilson proclaimed the doctrine of the "New Freedom," the liberation of government from the domination of large corporate enterprise. He did not go into detail as to how this was to be accomplished.

**The Election of 1912.** The result proved Wilson's program less attractive to voters than Bryan's but more so than Parker's. It also showed that Taft could not command a

majority of what had constituted the Republican Party. Roosevelt received 600,000 more popular votes and carried six states with 88 electoral votes to two for Taft with 8. This division elected Wilson with 435 electoral votes, although his popular vote was 1,300,000 less than the combined vote of his two principal opponents.[1]

TABLE 39. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1912

| *Candidates* | *Popular Vote* | | | |
|---|---|---|---|---|
| | *Democratic* | *Progressive* | *Republican* | *Minor Parties* |
| Woodrow Wilson, Pres.<br>Thomas R. Marshall, V. P. | 6,286,214 | | | |
| Theodore Roosevelt, Pres.<br>Hiram Johnson, V. P. | | 4,126,020 | | |
| William H. Taft, Pres.<br>James S. Sherman, V. P.* | | | 3,483,922 | |
| Eugene V. Debs, Pres.<br>Emil Seidel, V. P. (Socialist †) | | | | 901,873 |
| Eugene W. Chafin, Pres.<br>Aaron S. Watkins, V. P. (Prohibition ‡) | | | | 208,923 |
| Arthur Reiner, Pres.<br>John M. Francis, V. P. (Socialist Labor §) | | | | 29,079 |
| Totals | 6,286,214 | 4,126,020 | 3,483,922 | 1,139,875 |
| | *Electoral Vote* | | | |
| Wilson and Marshall | 435 | | | |
| Roosevelt and Johnson | | 88 | | |
| Taft and Butler* | | | 8 | |
| Totals | 435 | 88 | 8 | |

* Vice-President Sherman died between the two votes and the Republican National Committee replaced him with Nicholas Murray Butler.

† See *infra*, p. 247. ‡ See *infra*, p. 287. § See *infra*, p. 246.

**Wilson's Legislative Program.** The same division gave the Democrats control of both houses of Congress for the first time since Cleveland's administration.[2] Wilson immediately took complete command of his party and used it to put

[1] See Table 39. [2] See Table 42.

through legislation to give substance to the "New Freedom." Under his inflexible guidance a really consistent lowering of the tariff was accomplished,[1] and Congress was held in almost continuous session for a year until government control of finance was strengthened by the Federal Reserve Act. Shortly thereafter the anti-trust laws were improved by the creation of the Federal Trade Commission and the passage of the Clayton Act, and LaFollette secured the enactment of a Seaman's Act, designed to protect a long-neglected class of labor.

**Constitutional Reform.** Meantime two important amendments to the Constitution — one authorizing an income tax and the other the popular election of senators — were adopted and sixteen states had taken up the initiative and referendum, while eight had established the recall. Nearly all states had the direct primary.

**Foreign Problems.** Across this line of progress in domestic politics was gradually drawn the influence of foreign disturbances, checking the movement and finally bringing it to a stop.[2] The first and nearest of these was the revolution which, breaking out in Mexico in 1911, had overthrown the longstanding despotism of Porfirio Diaz, and now rolled on, setting up and overthrowing governments and destroying American lives and property in the process.

Wilson announced toward this situation a policy of "watchful waiting," which was soon followed by the assurance that no further annexations of territory were contemplated by the United States. Nevertheless, two separate "punitive expeditions" were sent into Mexico in the years that followed, and early in 1916 it was thought necessary to reinforce the regular army on the border with units of the newly created National Guard, itself the product of fear produced by a more serious foreign situation. This, of course, was the First World War.

[1] For the vote by which this measure passed the House see Table 42, n. §.

[2] "It seemed one of our national tragedies that just when Woodrow Wilson was beginning to accomplish definite improvements in the living standard of America, the World War not only interrupted his course, but laid the foundation for twelve years of retrogression." President Franklin D. Roosevelt at Chapel Hill, North Carolina, Dec. 5, 1938.

The outbreak of the war produced the usual proclamation of neutrality, soon followed by a presidential appeal for "neutrality in thought as well as in action." Soon, as in the Napoleonic Wars, arose the question of neutral rights at sea. England began to seize American ships and cargoes in a manner which our government claimed was not justified by international law. Germany retaliated by proclaiming "unlimited" submarine warfare against shipping. Many American lives were lost in the execution of this policy. If the belligerent aggressions against us continued to be of such unequal moment it was plain which side America would take.

**The Election of 1916.** Wilson obtained a suspension of submarine warfare, however, and the Democrats were enabled to enter the 1916 campaign with the slogan, "He kept us out of war!" The Republicans rather inconsistently inquired, "War with whom?" at the same time that they demanded a firmer foreign policy. Both major parties declared for preparedness, a policy already being put into execution to some extent by the National Defense Act passed just before the conventions.

It was generally believed that a Republican victory meant intervention in Mexico and war with Germany. That the latter was Roosevelt's belief is clear. He had long advocated war and now declined the Progressive nomination, thereby wrecking that party, in order to throw his supporters to Mr. Charles Evans Hughes, who had resigned from the Supreme Court in order to become the Republican candidate. The tide of war feeling was running strong and it seemed doubtful whether anything could resist it. Its strength lay, however, mostly in the Northeast. South of the Ohio and west of the Mississippi there was still a strong reluctance to meddle abroad, and this sufficed to pull Wilson through by a narrow margin. He received 277 electoral votes against 254 for Hughes and a popular majority of somewhat less than 600,000.[1] Within three months the German government

[1] See Table 40.

renewed its submarine campaign, thereby drawing America into the war.[1]

TABLE 40. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1916

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Democratic* | *Republican* | *Minor Parties* |
| Woodrow Wilson, Pres.<br>Thomas R. Marshall, V. P. | 9,129,606 | | |
| Charles E. Hughes, Pres.<br>Charles W. Fairbanks, V. P. | | 8,538,221 | |
| Allan L. Benson, Pres.<br>George A. Kirkpatrick, V. P. (Socialist*) | | | 585,113 |
| J. Frank Hanly, Pres.<br>Ira D. Landrith, V. P. (Prohibition†) | | | 220,506 |
| Charles E. Hughes, Pres.<br>John M. Parker, V. P. (Progressive‡) | | | 43,319 |
| Arthur E. Reimer, Pres.<br>Caleb Harrison, V. P. (Socialist Labor§) | | | 13,403 |
| Totals | 9,129,606 | 8,538,221 | 862,351 |
| | *Electoral Vote* | | |
| Wilson and Marshall | 277 | | |
| Hughes and Fairbanks | | 254 | |
| Totals | 277 | 254 | |

* See *infra*, p. 247.
† See *infra*, p. 287.
‡ See *infra*, p. 253.
§ See *infra*, p. 246.

**The War and the League of Nations.** Both major parties supported the war and the President declared that "politics are adjourned." In view of this, the Republicans became furious when he called for the election of a Democratic Congress in 1918 as an endorsement of his leadership at the coming Peace Conference. His plea was denied.[2] Nevertheless Wilson's influence was potent at Paris and at the cost of concessions in the application of other idealistic principles enunciated in his "Fourteen Points" he secured the creation of the League of Nations.

[1] For the House vote on the declaration of war see Table 42, n. ‖.
[2] See Table 42.

**The Election of 1920.** The Republican Senate would grant adherence to the League only with reservations unacceptable to Wilson. He therefore decided, despite the wishes of other Democratic leaders, to make the election of 1920 "a solemn referendum" on the whole question. His influence was still sufficient to impose his will on the party, although illness rendered him incapable of all personal participation in the campaign. The nominees on his League-of-Nations platform were Governor James M. Cox of Ohio and Franklin D. Roosevelt, the Assistant Secretary of the Navy. On the first ballot for the presidential nomination Governor Alfred E. Smith of New York received 109 votes.

The Republican platform condemned the "insistence of the President upon having his own way" in demanding "that the treaty should be ratified without any modification" and declared that "we undertake to end Executive autocracy and to restore to the people their constitutional government." It favored an "international association . . . to preserve the peace of the World." Popular interpretation described the foreign objectives of the Republicans as "a league, but not this League"; their presidential candidate stated his internal program as aiming at "normalcy" through the consultation of "the best minds."

This candidate, Senator Warren G. Harding of Ohio, was representative of the Regular or Standpat conservative element of the party, as was Governor Calvin Coolidge of Massachusetts, the Vice-Presidential nominee. Some efforts were made in the platform to satisfy liberal opinion, but the real strength of these candidates lay in the post-war reaction against Wilsonian idealism and the League of Nations.

The Republicans won in the "solemn referendum." The vote was enormously increased by the adoption, in the summer before the election, of the Nineteenth Amendment admitting women to the suffrage.[1] The country was weary both of foreign affairs and of reform. East and West alike went against the Democrats. Harding was elected over Cox by a

[1] For the vote by which this amendment passed the House see Table 42, n. ¶.

popular plurality of 7,000,000 and an electoral college vote of 404 to 127. For the first time in ten years the Republicans were placed in control of all branches of the government. The popular vote in this election was greatly increased by the adoption of the Nineteenth Amendment in the summer of 1920.[1]

TABLE 41. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1920

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Republican* | *Democratic* | *Minor Parties* |
| Warren G. Harding, Pres.<br>Calvin Coolidge, V. P. | 16,189,925* | | |
| James M. Cox, Pres.<br>Franklin D. Roosevelt, V. P. | | 9,147,353 | |
| Eugene V. Debs, Pres.<br>Seymour Stedman, V. P. (Socialist†) | | | 919,801 |
| Perley P. Christensen, Pres.<br>Max S. Hayes, V. P. (Farmer-Labor‡) | | | 265,411 |
| Aaron P. Watkins, Pres.<br>David L. Colvin, V. P. (Prohibition§) | | | 189,408 |
| James E. Ferguson, Pres. (American‖) | | | 47,689 (Tex.) |
| William W. Cox, Pres.<br>August Gilhaus, V. P. (Socialist Labor¶) | | | 31,175 |
| Robert C. Macaulay, Pres.<br>Richard C. Barnum, V. P. (Single Tax††) | | | 5,837 |
| Totals | 16,189,925* | 9,147,353 | 1,459,321 |
| | *Electoral Vote* | | |
| Harding and Coolidge | 404 | | |
| Cox and Roosevelt | | 127 | |
| Totals | 404 | 127 | |

* Including votes for two electoral tickets in each of three southern states.

† See *infra*, pp. 247–248.

‡ See *infra*, pp 253–254.

§ See *infra*, p. 287.

‖ Former Governor Ferguson of Texas announced his candidacy for the Presidency on behalf of the American Party on a platform of opposing the League of Nations, woman suffrage, prohibition, and compulsory military training. *New York Times*, April 22, 1920.

¶ See *infra*, p. 246.

†† See *infra*, p. 244.

[1] For the vote by which the measure passed the House see Table 42.

TABLE 42. PARTY LINES IN CONGRESS DURING THE PERIOD OF THE SQUARE DEAL AND THE NEW FREEDOM

| Congress Number | Date | Senate | | | House | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | Republicans | | Democrats | Republicans | | | | | Democrats |
| 58 | 1903–5 | 57 | | 33 | 208* | | | | | 178 |
| 59 | 1905–7 | 58 | | 32 | 250* | | | | | 136† |
| 60 | 1907–9 | 60 | | 30 | 222* | | | | | 164‡ |
| 61 | 1909–11 | 61 | | 31 | 219* | | | | | 172 |
| | | | | | | | | | Socialists | |
| 62 | 1911–13 | 51 | | 41 | 161 | | | | 1 | 228* |
| | | Progressives | | | | Progressives | | | | |
| 63 | 1913–15 | 44 | 1 | 51 | 127 | 17 | | | | 291*§ |
| 64 | 1915–17 | 39 | 1 | 56 | 195 | 7 | | | 1 | 232* |
| | | | | | | | Prohibitionists | Non-Partisan Leaguers | | |
| 65 | 1917–19 | 42 | | 54 | 215 | 2 | 1 | 1 | 1 | 211*‖ |
| | | | | | | | | Farmer-Laborites | | |
| 66 | 1919–21 | 49 | | 47 | 238* | | 2 | 1 | 1 | 193¶ |

* Speaker elected from this party.

† This House passed the Hepburn Railroad Regulation Act: Yeas 346; Nays 7.

‡ This House passed an increased protective tariff: Yeas 195; Nays 183.

§ This House passed a decreased tariff: Yeas 283; Nays 141.

‖ This House passed the Declaration of War against Germany: Yeas 376; Nays 53.

¶ This House passed the Nineteenth Amendment: Yeas 308; Nays 92.

## IV. "NORMALCY"

The Republicans, in view of their stand for the protective tariff, had always contended that theirs was the party of prosperity. This claim had been intensified by the Panic of 1893, suffered under Democratic auspices, and by the return of good times which followed the re-establishment of the

"Grand Old Party" in control of the national government. It persisted in spite of a slight panic in 1907 and prosperous times in Wilson's administration, which were attributed to war conditions in Europe. But the claim reached the height of a charmed belief during the boom which followed the return of Republicans to power in 1920 and the resultant restoration of high protection.[1]

The Harding administration must be set down in Republican annals as a very narrow escape from disaster. Chosen as a dark horse compromise candidate after the leading presidential aspirants had eliminated themselves, Harding proved in some respects a second Grant. He filled government offices with his ill-chosen friends whose corruption almost ruined the party. The discovery of their perfidy was fatal to their chief, but it was not until after his death that the matter became public. Then the Republicans were able to shelter themselves under the aegis of the spotless Coolidge.

Calvin Coolidge, nominated for Vice President because of the firmness with which as Governor of Massachusetts he had resisted the Boston police strike, captured the fancy of the country with his Yankee characteristics. His insistence on economy as an outstanding policy proved pleasing at a time when the high-sounding shibboleths of the war had sickened the world against idealism. Here at last was a practical man!

Above all, the country was in the flush of "Coolidge prosperity." Nothing the Democrats could say about past corruption could offset that. For two presidential elections they thundered without result. Coolidge was honest, the country was prosperous. Who cared what the Harding administration had been?

## V. RESURGENT UNREST

Not that all Americans were satisfied with Coolidge prosperity. Increasingly the industrial workers were coming to feel that the existing regime was not sufficiently beneficial to their interests, and that political action must supplement

[1] For vote on the tariff bill in the House see Table 50, n. †, p. 283.

their more customary economic pressures in order to obtain the desired results. The reformers who had supported Roosevelt and Wilson still felt that they were far from realizing the America of their dreams. The farmers also were particularly dissatisfied, war prosperity having been replaced by an agricultural depression similar in causes and characteristics to that which followed the Civil War. Attempts were now made to unite these elements toward the overthrow of the existent party system. For a proper understanding of these movements it is necessary to revert to earlier developments among the minor parties.

## A. THE POLITICS OF LABOR

### *1. Union Labor to 1888*

The interest of labor was not absolutely new in American politics. As early as 1830 a local Workingman's Party in New York had demanded the abolition of "wage-slavery," and a similar movement in Pennsylvania at about the same time had been instrumental in establishing the system of free public schools. An Industrial Congress of workingmen had endorsed Gerrit Smith for the Presidency in 1848.

Following the Civil War, National Labor Congresses began to meet annually. In 1867 these organized the National Labor Union, which in turn in 1869 organized the Labor Reform Party. The National Labor Congress of 1866 declared that the "one grand cause of all our evils . . . is the robbery which capital perpetrates on labor through legislation"; that of 1867 called for the entire replacement of banknotes by government "greenback" currency; that of 1869 espoused "the Ohio idea" and insisted that the bondholders should be paid in paper rather than gold. The party began to present tickets in a few states,[1] in one of which (Massachusetts) it made a very respectable showing in the elections. In 1872 it nominated for the Presidency Judge David Davis of the Supreme Court; when he declined in order to support Greeley, it endorsed

[1] See Table 34.

Charles O'Conor, the candidate of the Straight-Out Democrats. Its platform called for an exclusive "greenback" currency, taxation of government bonds, exclusion of Chinese labor, prohibition of contract labor in prisons, government regulation of the railroads and telegraphs, and extension of the eight-hour day (established in federal government work by an act of 1868) to all government contractors. Local Labor Reform parties persisted sporadically without particular success until absorbed into the Greenback Labor Party of 1878. A local Workingman's Party in California, organized in 1877 largely to combat Chinese immigration, was also absorbed into the Greenback ranks in 1880.

These fusions were not of a long enduring nature. By 1884 labor had its own organization — the Anti-Monopoly Party — which, besides its natural emphasis on hours and working conditions, sought to attract popular support by an assault on consolidations of capital. A kind of unity with the Greenbackers was retained by their joint nomination of General Butler, but the attempt to hold farmers and workers together for an attack on the money standard had obviously failed. By 1886 local labor parties appeared in four important states. Before the 1888 election labor unions and farm organizations uniting with the remnants of the Greenbackers, formed the Union Labor Party. For all of its emphasis on the working man in its name and its platform, this party again failed to attain much labor support, drawing its candidate and most of its votes from the farming states. And now the time had come when radical labor parties began to sponsor theories evolved by single individuals. The first of these was the Single Tax doctrine of Henry George; the second, the Socialism of Karl Marx; and from this was to stem the third, the Communism of Nicolai Lenin.

## 2. *The Single Tax Movement*

Henry George was a poor, self-educated printer who had risen to be a newspaper editor in California at the time that he evolved his theory in 1869. Briefly stated, this theory was

(1) that economic ills arise from the private ownership of land values as distinguished from buildings and improvements; (2) that these values arise fortuitously from the accident of location and without any merit or service on the part of the owners; and (3) that the remedy is for the state to take the entire annual value of the bare land (its economic rent, in other words) which would obviate the necessity of all other taxation.

**The United Labor Party.** George placed these views in print for the first time in 1871. In 1879 they received their classic expression in his book, *Progress and Poverty*. Thereafter he devoted his life to the advancement of his economic principles. In 1881 he published *The Irish Land Question* and later traveled extensively in Great Britain and Ireland, speaking under the auspices of the Irish Land League. This made him a favorite with the Central Labor Union of New York City, which had itself grown out of a mass meeting held to express sympathy with Ireland. The Union seized upon George to be its candidate for Mayor of New York in 1886 on the United Labor ticket. He ran remarkably well, being credited with 68,110 votes to 90,552 for the Tammany candidate and 60,435 for the Republican, young Theodore Roosevelt. George always claimed that for want of sufficient poll watchers his ticket was counted out.

This excellent showing encouraged his supporters to put him forward as candidate for Secretary of State of New York in 1887, only to have it proved that there was no hope for a United Labor Party since labor was not in fact united. George polled something over 70,000 votes, but the Socialists broke away and formed a Progressive Labor Party, and the Unionists a Union Labor Party. Even the Greenbackers had a candidate and a few votes to cast for him. The next year the remnants of United Labor split over the tariff question and most of them returned to their former party allegiance, Cowdrey, their candidate for President, receiving less than 3000 votes entirely from the states of New York and Illinois.[1] After this the party disappeared.

[1] See Table 37.

**Later Single-Tax Parties.** George himself made a further attempt to be elected Mayor of New York in 1897, running as a Jeffersonian Democrat. He died of apoplexy five days before the election; his son and namesake, nominated as a substitute, received only 21,000 votes. A later Single Tax Party cast 5837 votes for President in 1920[1] and (under the name of Commonwealth Land Party) 2882 votes in 1924,[1] both widely scattered over the country. Since then the Single-Tax issue has not figured in politics.

### 3. *The Rise of Marxism in America*

Karl Marx was a student of philosophy whose youthful ambition was to be a professor of that subject in some German university. Balked in that object because of his unorthodox ideas, he became a journalist and an exile, eking out an existence in Paris and London while composing and elaborating his monumental economic theory. Probably the most fundamental feature of this conception is the ideal of the revolutionary class struggle whereby the working class or proletariat is to throw off the economic dominance of the capitalistic class or bourgeoisie, thereby "emancipating society at large from all exploitation, oppression, class distinction and class struggles." His theory was first given to the public in complete form in the *Communist Manifesto* of 1847 and is finally stated in *Das Kapital*, first published by him just twenty years later.

**The Socialist Labor Party.** Three years before this Marx had been instrumental in the organization of the First Internationale of working men's organizations and wrote its declaration of principles, which, however, were not of a particularly radical nature. This organization established small branches in some of the larger American cities between 1867 and 1869, mainly among German immigrants who had brought with them their socialist beliefs. In 1872 the Internationale, split to the core by dissensions over anarchism, removed its headquarters to New York, where in 1876 it finally passed out of existence. In the same year its American

[1] See Table 44.

remnants, uniting with others that had broken off from it and from the Labor Reform Party, formed the Workingmen's Party of the United States, which became in 1877 the Socialist Labor Party of North America.

Although calling itself a party, this organization for thirteen years refrained from all activity in state and national politics. In fact, a reluctant endorsement of the Greenback ticket in 1880 represents the sum of its doings in that field. Local organizations of the party were allowed to enter municipal politics and achieved minor successes in some of the larger cities. The dominant group within the organization believed that it must wait until it was stronger, a doctrine wise enough if there had been much prospect of increased strength through waiting. Instead it grew weaker, rent like its predecessor the Internationale by conflicts over anarchism.

After the anarchist movement had culminated in the horror of the Haymarket Riot of 1886, Socialist Labor had a better chance. Socialists were becoming impatient for political action, as was shown by the Progressive Labor Party of New York in 1887 and by the casting of 2068 votes for Socialist presidential electors (who had no presidential candidate) in the same state in 1888. In 1890 the party was captured and "reorganized" by Daniel De Leon, a thorough believer in peaceful political action, who continued to dominate it down to his death in 1914. As an immediate result it entered active politics in 1890 with De Leon as its candidate for Governor of New York, and in 1892 it ran a presidential ticket which received a total of 21,532 votes from seven Atlantic coast states.

Four years later the Socialist Labor vote rose to 35,454 coming from states stretching all across the country to the Pacific and extending south to include Missouri and Virginia. This was a not unpromising beginning in politics for a new and radical party, but it failed of direct fruition, largely because of the impracticality of its leader. De Leon as a pure theorist was incapable of understanding the necessity of compromise, and his irascible temper and unpopular convictions are largely

responsible for the persisting impotence of the party. Before the following presidential election a split came which soon rendered his organization a definitely unimportant body, a position which it has retained down to the present day. Only once in its existence has its presidential vote even slightly exceeded that in 1896,[1] and with the advent of the Workers' or Communist Party its reason for continuance has become increasingly more obscure.

One thing, however, should be definitely said. Where other extreme radicals have been open to suspicion of willingness to promote their ends by force, and even comparatively moderate leaders of the larger Socialist Party have talked of being driven to violence in certain contingencies, the Socialist Labor Party has never wavered in its allegiance to De Leon's peaceful ideals. It has refused to vary from his nonviolent means any more than it will accept anything short of his ends of complete socialization of all modes of production and distribution, including agricultural land.

### *4. The Socialist Party to 1924*

At no time did the Socialist Labor Party comprise all the American Socialists, and as the characteristics of De Leon's leadership became fully developed it came to contain an increasingly smaller percentage of them. Anyone who differed with the leader on the smallest point promptly found himself expelled from the party, and many socialist-minded persons never came into it, repelled by the foreign nature of both its theories and its membership.

After the 1896 election a new Socialist Party began to form. Gathering under the leadership of Eugene V. Debs, just released from prison for his part in the great Pullman strike of 1894, Socialists of all shades (including left-wing Populists, seceding Socialist Laborites, and the remnants of Debs's own American Railway Union) organized in 1897 the Social Democracy of America. This split in 1898 to throw off the Social Democratic Party, containing Debs and all the other more

[1] See Table 44.

practical leaders in the parent body.[1] This party in turn united with later seceders from the Socialist Labor Party to present a joint ticket in 1900, which received 94,768 votes. In 1901 the two groups merged to form the Socialist Party, which has persisted down to the present day.

**Socialist Programs Contrasted.** The difference between the Socialist and Socialist Labor parties was evident from the first. Since 1900 the Socialist Laborites have disdained to espouse temporary issues or objectives. Their platforms have been simply denunciations of the capitalist system, predicting its downfall and the ultimate triumph of the socialist aim. The Socialists, on the other hand, have regularly made pronouncements on issues of the day and temporary as well as permanent objectives. They significantly dropped such demands as those for the socialization of the land and of all means of distribution. Their characteristic attitude has been that the government or "the people" should own all large-scale industry, including mines and natural monopolies, leaving private property undisturbed in other fields.

**1900–1920.** With this as its principle and Debs as its perennial candidate, the Socialist Party rose steadily from 94,768 votes in 1900 to 901,873 in 1912,[2] resisting the attractions of Bryan and Roosevelt. The campaign of 1916 was a setback. Debs refused to run, and the Socialists opposed the "preparedness" furor which was then sweeping the country. With a substitute candidate and an unpopular platform their vote was cut nearly in half.[2]

A great revival followed. The party opposed the war and numbers of them, including Debs himself, were thrown into jail under the Espionage and Sedition Acts. Many alien Socialists were expelled from the country in the radical deportations of 1919. All this was looked upon by many as persecution and as a violation of the American traditions of freedom of speech and of opinion. As a result the Socialist

[1] The other portion of the Social Democracy devoted itself to founding communist settlements and withdrew from politics.

[2] See Table 44.

vote, with the venerable Debs a candidate in his prison cell, reached a new and still permanent presidential maximum of 919,801.[1]

**Division of the Party.** This gain was achieved in spite of considerable and divergent secessions during the war. The first to withdraw were the pro-war Socialists, who left the party consequent upon its adoption of an anti-war attitude in 1918.[2] This, while not an important defection in numbers, was perhaps so in leadership. In any case it comprised a sufficient number of right-wing Socialists to throw the party out of balance and to create a distinct possibility that it might be captured by left-wing forces in sympathy with the recent Bolshevist Revolution in Russia. A desperate struggle for the control of the organization followed during 1919, in which both sides resorted to highly questionable tactics. The contest culminated in the expulsion of the left-wingers from the Socialist convention held in August, police assistance being necessary to the accomplishment of the result.

Purged of its more radical elements, the Socialist Party was easily led to the right and in 1924 (refraining for the first time from making an independent nomination) into the coalition which in that year put forward LaFollette and Wheeler as candidates, appealing to all liberal and dissatisfied groups in American politics. Meantime the left-wing dissenters, after going through a number of splits and divisions of their own, united to form the Workers' (Communist) Party of America.

### 5. *The Rise of Communism in America*

Nicolai Lenin was a young student of seventeen at the University of Kazan when his attention was first called to the writings of Karl Marx. About the same time (1887) his elder brother was executed for a plot to assassinate Czar Alexander

[1] See Table 44.

[2] This group tried to form a National Party, which cast a few votes in the elections of that year in one state (Minnesota) and then disappeared. See Table 44.

III, and Lenin threw himself into violent revolutionary agitation as a member of the Russian Social Democratic Party. For this he served a three-year term of exile in Siberia (1897–1900) which, together with his clear-sighted views of the necessities of the Russian political situation and his ability for decisive leadership, made him a figure to be reckoned with in the struggle for control of the socialist movement in Russia.

**The Rise of Bolshevism.** Lenin's views as to the necessity of closely controlled leadership in the hands of a few determined men and of proceeding directly toward complete socialization by violent revolution rather than by temporizing or democratic methods triumphed at the Brussels convention of the party in 1903. An immediate split followed, leaving Lenin at the head of the Bolshevist or majority group, which, as differences widened and its power grew, came to be known as the Russian Communist Party.

Quite naturally the Communist program (which was technically described as "the dictatorship of the proletariat" or working class) was not received with great favor by socialists in countries less autocratic than Russia, and least of all in America, where Marx himself had said that forceful methods might not be necessary. Nevertheless, the successful Bolshevist revolution of November 1917 provoked admiration here, particularly among Russian immigrants and the more extreme of the native-born left-wingers. This led to splits, in the course of which several Communist parties were formed.

**The First Communist Parties in America.** Even before the Socialist convention of August 1919, the Slavic group had left that party. An attempt was then made to unite these with the group expelled by the convention, who were largely native-born. This proving impossible, the expelled group formed the Communist Labor Party, while the Slavs organized as the Communist Party. Both groups were eager for the proletarian revolution, the motivating difference between them appearing to be largely that the former was English-speaking while the latter consisted almost entirely of non-English-speaking persons who considered themselves to be the only true Bolshe-

vists in America. They refused to unite with the Communist Laborites except by permitting the latter to join the Communist Party as individuals. So extreme was their attitude as to motivate the withdrawal of the few English-speaking members of their first convention. These seceders formed the Proletarian Party of America, a tiny organization rightly critical of the extreme tactics that have rendered Communism anathema but which has itself refrained from all real political action.

**The United Communist Party.** From the beginning the larger Communist parties had two main activities: (1) attempting each against the other to obtain exclusive recognition from the Third Internationale at Moscow as the sole Communist party in America; and (2) dodging the police. Local authorities quickly took cognizance of the revolutionary character of both by arresting their members and suppressing their meetings. In January 1920 came the great deportation raids by the federal government, which resulted in the flight or ejection from the country of many Communist Party members. The Communist Labor Party did not suffer so much because of an executive decision that it did not seek to overthrow the government by violence. Meantime (on orders from Moscow) the two parties consolidated as the United Communist Party (1920). This group, as the post-war hysteria against radicals receded, was less molested, although its objectives were still of an unquestionably revolutionary character.

**The Workers' Party.** As time went on, it became obvious that the idea of establishing Communism in America by a sudden revolution was a mere delusion. As political activity became increasingly desirable, a Workers' Party of nominally legal objective was organized late in 1921. A United Communist convention held in 1922 to consider transferring its supporters to the Workers' Party was broken up by the police, and it was only in 1923 that this object was effected. A United Communist conference declared that party dissolved and authorized the Workers' Party, as its successor, to take mem-

bership in the Third Internationale.[1] Since then there has been but one Communist party active in American politics.

### 6. *Union Labor, 1888–1924*

The whole line of Socialist-Communist development had been vigorously opposed by the major forces of organized labor. This was not merely because of differences of theory on such questions as the socialization of the means of production and distribution. It was to a much greater extent produced by differences of opinion as to the best method of promoting the interests of the working class. The *American Federation of Labor*, which was organized in the 1880's and soon became the dominant organization in the field of American unionism, was wedded to the principle of "pure and simple" economic action. The Socialist parties, on the other hand, called the pure-and-simplers "labor fakers" and refused to admit that the interests of the workingman could be advanced by a group that did not see the need for partisan political action. The failure of the Socialist Labor Party can be very largely attributed to De Leon's attempts to organize Socialist unions competing with the Federation, which greatly antagonized its members. Although the Socialist Party was somewhat more friendly, it is notable that Debs as well as De Leon cooperated in the formation in 1905 of the Industrial Workers of the World.[2]

The Federation, on the other hand, soon found it impossible to refrain entirely from political action. Under the presidency of Samuel Gompers (1886–1894, 1895–1924), the policy of that organization came to be "to reward our friends and punish our enemies," i.e., to take nonpartisan political action by voting for those who favored the Federation's legislative demands and against those who opposed them. By 1906 it began endorsing congressional candidates and by 1908,

[1] In 1940 the Workers' Party formally dissolved its connection with the Internationale in order to evade legislation aimed at foreign-controlled groups.

[2] Both Socialist leaders soon found it impossible to remain affiliated with this extremist organization.

national platforms, approval being given to the Democratic platform in that and the three succeeding national campaigns.[1]

Meantime the largest independent labor organization in the country, the so-called "*Big Four*" *Railroad Brotherhoods*, had become more deeply involved in politics than had the Federation. With increasing control over the entire operations of the railroads centering in the Interstate Commerce Commission, the workers on these transportation lines were finding the action of the federal government more and more their personal concern. By a strike threat they had forced the adoption of the eight-hour day through the Adamson law of 1916, but when they wished to go further and bring about the nationalization of the railroads it was necessary to resort to political action. Having obtained the endorsement of the American Federation in its convention for 1920, the Brotherhoods soon went on and in 1922 called the Conference for Progressive Political Action. At this conference many unions from within the American Federation of Labor were represented, sitting beside delegates from the National Catholic Welfare Council, the Methodist Federation for Social Service, the Socialist Party, the national Farmer-Labor Party, the Nonpartisan League, and various other farm organizations. The organization about to be born was evidently not to be purely or even mainly a labor party, nor were its constituent elements solely those that could be understood in terms of purely labor politics. It becomes necessary then to recur to other lines of development in describing the rise of the movement which was to come nearest to coalescing the opposition to the dominant spirit of the 1920's.

### B. THE POLITICS OF REFORM, 1912–1924

**End of the Progressive Party.** In 1912, as previously indicated, Roosevelt captured the Republican reform movement and turned it into the Progressive Party, while Wilson

[1] To avoid the imputation of partisanship these endorsements were made not by the Federation's national convention but by Gompers personally in messages printed in its "house organ," the *American Federationist*.

gained the Democratic nomination and the Presidency. After this defeat "the Colonel" seemed doubtful of the future of his new organization and encouraged schemes for reunion with the Republicans, tending to favor them more and more as his own crusading enthusiasm drained off into the campaign for preparedness and for our participation in the European struggle. Many other reformers were affected in the same way so that Roosevelt, when he declined renomination in 1916, was able to carry back into the Republican ranks nearly all that remained of those who had left them to form the Progressive Party. This stranded the southerners, who had left the Democratic Party to join the Progressives. A few of these, together with other bitter diehards scattered over ten or eleven states, persisted in supporting a ticket with a separate vice-presidential candidate [1] on a platform calling for preparedness, social justice, and tariff reform. They cast altogether some 43,000 votes.

**Reform and the World War.** From the time of our entrance into the war, the interest of many reformers became wholly absorbed in "making the world safe for democracy," and that of others in opposing the war in the interest of pacifism. At the end of the conflict many in both groups were alarmed at the suppression of free speech that had accompanied it and dismayed at the reactionary trend which they felt had now gripped both major parties. Whatever reform drive either of them once possessed had now seemingly gone into the international field.

Not satisfied with this neglect of home affairs, reformers of all stripes (but mainly former Progressives and Reform Democrats) formed in 1919 the Committee of Forty-Eight, which adopted a platform of government ownership of utilities, prevention of land and patent monopolies, and freedom of speech and equal rights for all.

**The National Farmer-Labor Party.** Meantime, in 1918 an Independent Labor Party had been formed by local unions in Chicago. In 1919 it had attracted other local unions

[1] Its electors were pledged to Hughes for President. See Table 40, *supra*.

scattered widely over the country to join with it in forming a National Labor Party with a platform similar to, and only slightly more radical than, that of the Committee of Forty-Eight. By prearrangement the two organizations held their conventions in 1920 at the same time and place, with the expectation that they could unite in nominating Senator LaFollette for the Presidency. Unity was arrived at on a platform calling for freedom of speech, public ownership "of all public utilities and natural resources" including stockyards and banks, extensive loans to farmers, and complete and detailed protection of the rights of labor. The attractive name Farmer-Labor was adopted, but LaFollette refused to run as the public ownership provisions of the platform were more extensive than he favored.

The nomination then went to Parley P. Christensen of Utah, who in the election polled slightly over 265,000 votes.[1] In three or four western states it was the principal or only third party in this election. It remained strong there, with some support in other states, down to 1923 [2] when its attempted amalgamation with the Workers' Party resulted in capture by the Communists. So complete was their domination by 1924 that in that year the nominees of the Farmer-Labor convention were withdrawn in favor of those of the Workers' Party, and the first national Farmer-Labor Party came to an end. Throughout its existence the farmers, though an important source of votes, had had little hand in the control of the organization. This was partly because the country's organized farmers were mainly interested in another movement that sometimes used the same party name but which steadfastly refused to cooperate in national politics. To the development of that movement we shall next refer.

### C. THE POLITICS OF AGRICULTURE FROM 1896

**The End of Populism.** There is fair ground for argument whether the Populist Party was killed by fusion with the Democrats or by the improved method of gold refining that

[1] See Table 41, *supra*.

[2] See Table 44, *infra*.

came into use in the last few years of the nineteenth century. Fusion is always bad for a third party, and this third party was also hit by a mechanical improvement that lessened the relative cheapness of silver, their favorite medium of exchange. Add to this the fact that the split the Populists caused among the southern Democrats produced a teacup tempest of fear that the Negro might regain his long-lost vote and you have enough ailments to kill the toughest third party ever made — which in a way the Populists were. But they were "a most unconscionable time dying," and it was only in 1908, when Mr. William Randolph Hearst mercifully stabbed them in the back, that they gave up the ghost. Their remnants and those of Hearst's supporters flowed naturally into the Progressive Party of 1912, where they were joined by many farmers who had been regular supporters of the Republican and Democratic parties. The Progressive platform for that year carried planks favoring extension of rural credits and the suppression of "gambling in agricultural products."

**The Nonpartisan League.** The disappearance of the Progressives after 1916 left the farmer without a national party distinctly espousing his interest for the first time since 1872. But a state party was already forming.

The Nonpartisan League, first organized in North Dakota in 1915, was the source of this organization. Its cause for existence lay in the farmer's perennial need for cheap credit and in a new instance of abuse of power by a public utility, similar to that which roused the Grange in the days before railroad-rate regulation.

The farmers of the wheat states were being exploited by the owners of grain elevators. They complained of short weight and unfair grading on the grain they sold the elevator owners. When the North Dakota Legislature refused to execute a constitutional provision calling for state-owned elevators, the Nonpartisan League was organized, captured control of the Republican Party in the state, and proceeded to put the public ownership program into execution. It spread into other states from Washington to Wisconsin, working usually as a pressure

group or as a faction within one of the major parties but not at all afraid to jump party lines if the occasion demanded it.

**The Farmer-Labor Party of Minnesota.** This occasion came in 1918, when the Republicans and Democrats united against the League in North Dakota and the League candidate for Governor of Minnesota, Charles A. Lindbergh (father of the "Lone Eagle"), failed to get the Republican nomination. In the former state the League was merely driven to putting up an independent ticket, but in the latter it organized a permanent political party, the Farmer-Labor Party of Minnesota, which became at once the second largest political party in the state.

In 1920 the Minnesota Farmer-Labor group refused to join the national organization of the same name, and the Nonpartisan League in several states took the same action. By 1922 the Farmer-Labor Party had carried Minnesota, and the League elsewhere had been defeated within the old parties. Both were now willing to join with other organizations working through the Conference for Progressive Political Action.

### D. THE SECOND PROGRESSIVE MOVEMENT

The Conference for Progressive Political Action[1] did not at once form a new party. After days of extensive consultation it decided to set up a permanent national organization and to leave the matter of third-party action to be determined within each state. Local Progressive parties were organized in 1922 in Massachusetts and in four or five western states, in the latter with some fair success in spite of occasional competition from the still existent national Farmer-Labor Party.[2] The group found more encouragement in the success of the state Farmer-Laborites in Minnesota and in their own successes in electing progressive congressmen, senators, and governors within old party lines. In 1923 the Minnesota Farmer-Labor Party scored another victory. It seemed plain that a feeling against the control of the old leaders of both major parties was strong in the upper Mississippi Valley. If

[1] See p. 252, *supra*. [2] See Table 44.

to this could be added the support of the Socialists, of organized labor, and of reformers throughout the country (all of which groups had been represented in the first Progressive Conference), there seemed good hope that a new national party could be formed that would sweep to swift and overwhelming success in its first election.

The formation of such a party did not quite suit the desires of the labor leaders who were dominant in the Conference. They hoped to reap the advantages which might be gained from a successful third-party movement without sacrificing those accruing from their existing position of nonpartisanship. To this end they resolved to put only a national ticket in the field in 1924, leaving their followers free to support candidates for Congress within the existing parties. Thereby party positions held by prominent labor leaders were secured from peril.

**The Election of 1924.** There was doubt for some time as to what candidates to put forward. The railway unions were at first desirous of nominating Mr. William G. McAdoo, who had won their favor during the war as Director-General of the Railroads. Mr. McAdoo was somewhat undeservedly "splashed with oil," however, in the Teapot Dome Investigation, and the Progressive Conference turned to LaFollette.

The Wisconsin leader had been consistent in his reform principles and was the object of sympathy from nearly all radicals and reformers because of the persecution he had undergone on account of his opposition to the war. He was now nominated on a platform calling for free speech, government ownership of railroads and water power, and increased aid to the farmer. The ticket was completed by the nomination for Vice President of a progressive Democrat, Senator Burton K. Wheeler of Montana. These nominees subsequently received the endorsement of the American Federation of Labor and of the Socialist and Minnesota Farmer-Labor parties.

This combination constituted by far the most formidable third-party movement since 1912 and was throughout the

campaign the principal object of attack by the Republicans. The Democrats were hopelessly split and a chance seemed open for a new party to take their place. Yet LaFollette received only 4,826,471 votes, about half the number cast for a very weak Democratic candidate whom he outran in only twelve states. Aside from his own (which he carried), all these were agricultural states west of the Mississippi. Once more the

TABLE 43. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1924

| *Candidates* | *Popular Vote* | | | |
|---|---|---|---|---|
| | *Republican* | *Democratic* | *Socialist, Farmer-Labor, and Progressive* | *Minor Parties* |
| Calvin Coolidge, Pres.<br>Charles G. Dawes, V. P. | 15,275,003 | | | |
| John W. Davis, Pres.<br>Charles W. Bryan, V. P. | | 8,385,586 | | |
| Robert M. LaFollette, Pres.<br>Burton K. Wheeler, V. P. | | | (Socialist) 858,264<br>(Farmer-Labor) 170,233<br>(Progressive) 3,797,974 | |
| Herman P. Faris, Pres.<br>Marie C. Brehm, V. P. | | | | (Prohibition*) 57,551 |
| Frank T. Johns, Pres.<br>Verne L. Reynolds, V. P. | | | | (Socialist Labor) 39,400 |
| William Z. Foster, Pres.<br>Benjamin Gitlow, V. P. | | | | (Workers' or Communist) 36,386 |
| Gilbert O. Nations, Pres.<br>Leander L. Pickett, V. P. | | | | (American†) 24,430 |
| William L. Wallace, Pres.<br>John C. Lincoln, V. P. | | | | (Commonwealth Land) 2,882 |
| Totals | 15,275,003 | 8,385,586 | 4,826,471 | 160,649 |
| | *Electoral Vote* | | | |
| Coolidge and Dawes | 382 | | | |
| Davis and Bryan | | 136 | | |
| LaFollette and Wheeler | | | 13 | |
| Totals | 382 | 136 | 13 | |

* See *infra*, p. 287.
† See *infra*, p. 263.

leaders of labor had failed in an attempt to bring their supporters into a political alliance with the farm vote.[1]

Disillusioned, the heads of the railway unions refused to go on and found a Progressive party. The final session of the Conference for Progressive Political Action simply adjourned sine die, and all efforts to reunite its scattered elements continued unsuccessful. In the main they returned to their former parties, although their distribution was somewhat altered by the resurgence of an old factor in American politics.

## VI. NATIONALITY AND RELIGION IN POST-CIVIL WAR POLITICS

For long it seemed as if the Civil War had killed nativism. Immigrants continued to pour into the country throughout the war, and at its end the "foreign vote" had become too important to be antagonized. It was no longer good politics to be anti-Catholic. Both parties sought to court the Irish by strong planks in their 1868 platforms aimed at England's refusal to recognize American naturalization. The negotiation of a treaty obtaining such recognition was referred to with pride by the Republican platform of 1872.

The Irish, however, remained consistently Democratic, and the Republicans now espoused an issue that made their support impossible.

**The Public-School Question.** Many Catholics could not conscientiously place their children in the public schools, where their religion was not taught and where they were often required to read the Protestant version of the Bible. They were therefore put to the expense of maintaining their own church or parochial schools. It seemed unfair to them that the taxes they paid should be used exclusively for the support of schools which they could not use. Accordingly a demand grew for state aid for church schools. This was opposed on the grounds that such aid would inevitably be distributed solely

[1] LaFollette ran on the Farmer-Labor ticket in 5 states, on the Socialist in 6, and on the Progressive in 45. In 3 states he ran on two separate tickets. See Tables 43 and 44.

# TABLE 44. VOTES CAST FOR ECONOMIC RADICAL AND REFORM PARTIES FROM THE FIRST DEFEAT OF BRYAN TO THE DEFEAT OF LaFOLLETTE

| | *Agrarian and Free Silver* | | | *Marxist* | | | *Reform and Progressive* | | |
|---|---|---|---|---|---|---|---|---|---|
| *Date* | *States Run In* | *Party Name* | *Total Vote* | *States Run In* | *Party Name* | *Total Vote* | *States Run In* | *Party Name* | *Total Vote* |
| 1897 | 3 | Populist | 18,797 | 8 | Socialist Labor | 38,891 | 4 | Union Reform | 5,187 |
| 1898 | 25 | Populist | 273,079 | 19 | Socialist Labor | 68,633 | 3 | Union Reform | 13,752 |
| | 1 | Silver | 3,570 | 4 | Socialist Democratic | 8,321 | | | |
| 1899 | 5 | Populist | 17,673 | 8 | Socialist Labor | 21,416 | 3 | Union Reform | 8,672 |
| | | | | 2 | Socialist Democratic | 8,694 | | | |
| 1900 | 26 | Populist | 50,232 | 35 | Socialist Democratic | 94,768 | 4 | Union Reform | 5,698 |
| | | | | 22 | Socialist Labor | 32,751 | | | |
| 1901 | 2 | Populist | 1,308 | 7 | Socialist Labor | 19,625 | 2 | Union Reform | 5,392 |
| | | | | 6 | Socialist | 12,259 | | | |
| 1902 | 10 | Populist | 41,189 | 29 | Socialist | 211,716 | 1 | Union Reform | 3,358 |
| | | | | 16 | Socialist Labor | 56,679 | | | |
| 1903 | 1 | Populist | 589 | 9 | Socialist | 74,603 | | | |
| | | | | 7 | Socialist Labor | 15,036 | | | |
| 1904 | 37 | Populist | 114,753 | 45 | Socialist | 402,460 | 1 | Continental | 830 |
| | | | | 19 | Socialist Labor | 33,724 | | | |
| 1905 | | | | 5 | Socialist | 42,016 | | | |
| | | | | 4 | Socialist Labor | 7,083 | | | |
| 1906 | 4 | Populist | 2,710 | 41 | Socialist | 225,629 | 2 | Reform | 3,417 |
| | | | | 10 | Socialist Labor | 16,452 | 5 | Independence League | 93,167 |
| 1907 | | | | 7 | Socialist | 58,599 | 2 | Independence League | 196,803 |
| | | | | 4 | Socialist Labor | 5,237 | | | |
| 1908 | 15 | Populist | 29,084 | 46 | Socialist | 420,890 | 41 | Independence League | 83,562 |
| | | | | 15 | Socialist Labor | 13,999 | | | |
| 1909 | | | | 3 | Socialist | 33,314 | | | |
| | | | | 2 | Socialist Labor | 3,233 | | | |
| 1910 | | | | 36 | Socialist | 506,395 | 2 | Progressive Republican | 382,964 |
| | | | | 11 | Socialist Labor | 27,500 | 1 | Progressive Democratic | 14,052 |
| 1911 | 1 | Populist | 218 | 5 | Socialist | 10,443 | 1 | Progressive Democratic | 36,160 |
| | | | | 3 | Socialist Labor | 2,599 | | | |
| 1912 | | | | 48 | Socialist | 901,873 | 47 | Progressive | 4,126,020 |
| | | | | 20 | Socialist Labor | 29,079 | | | |
| 1913 | | | | 5 | Socialist | 88,377 | 3 | Progressive | 367,411 |
| | | | | 3 | Socialist Labor | 5,769 | | | |

| *Agrarian and Single Tax* | | | | *Marxist* | | | *Progressive* | | |
|---|---|---|---|---|---|---|---|---|---|
| *Date* | *States Run In* | *Party Name* | *Total Vote* | *States Run In* | *Party Name* | *Total Vote* | *States Run In* | *Party Name* | *Total Vote* |
| 1914 | | | | 41 | Socialist | 1,515,326 | 41 | Progressive | 1,594,051 |
| | | | | 16 | Socialist Labor | 30,739 | | | |
| 1915 | | | | 4 | Socialist | 28,175 | 2 | Progressive | 8,340 |
| | | | | 2 | Socialist Labor | 2,309 | | | |
| 1916 | | | | 48 | Socialist | 585,113 | 12 | Progressive | 43,319 |
| | | | | 15 | Socialist Labor | 13,403 | | | |
| 1917 | | | | 2 | Socialist | 186,072 | | | |
| | | | | 1 | Socialist Labor | 5,243 | | | |
| 1918 | 1 | Farmer-Labor | 111,948 | 22 | Socialist | 305,519 | | | |
| | 1 | Single Tax | 1,075 | 6 | Socialist Labor | 13,884 | | | |
| | | | | 1 | National | 6,648 | | | |
| 1919 | 1 | Single Tax | 1,246 | 5 | Socialist | 51,737 | | | |
| | | | | 4 | Socialist Labor | 7,458 | | | |
| 1920 | 8 | Single Tax | 5,837 | 44 | Socialist | 919,801 | | | |
| | 21 | Farmer-Labor | 265,411 | 14 | Socialist Labor | 31,175 | | | |
| 1921* | | | | | | | | | |
| 1922 | 10 | Farmer-Labor | 301,907 | 25 | Socialist | 347,940 | 6 | Progressive | 82,341 |
| | 2 | Single Tax | 2,331 | 11 | Socialist Labor | 22,331 | | | |
| | 1 | Nonpartisan League | 46,033 | 2 | Workers' or Communist | 1,626 | | | |
| 1923 | 1 | Farmer-Labor | 290,165 | 1 | Socialist | 2,479 | | | |
| | | | | 1 | Socialist Labor | 968 | | | |
| 1924 | 5 | Farmer-Labor | 170,233 | 6 | Socialist | 858,264 | 45 | Progressive | 3,797,974 |
| | 8 | Commonwealth Land | 2,882 | 22 | Socialist Labor | 39,400 | | | |
| | | | | 14 | Workers' or Communist | 36,486 | | | |

* No significant elections in this year.

on the basis of the amount of political pressure each sect could bring to bear, and that by so splitting up the school funds the public school system would be ruined.

This side of the controversy was taken by the Republican and Prohibition parties; the latter in its platform for 1872, the former in that for 1876. The Democrats, after losing several state elections in which they supported aid to church schools, were compelled to fall grudgingly into line. By 1880 the Republicans had reached the point of demanding federal subsidies for the schools of the states, a proposal then and now obnoxious to Catholics.[1]

A sudden change ensued. In 1884 the Republicans totally dropped the school question from their platform. This seems attributable to the influence of Blaine, their candidate for the Presidency. Possessed of Catholic family affiliations and of a strong bias against England, he believed he could capture the Irish vote. With great success he denounced the Democratic doctrine of free trade as pro-British. Undoubtedly a great impression had been made when a hapless Protestant clergyman, in the course of a congratulatory address to Blaine, referred to the Democrats as the party of "rum, Romanism, and rebellion." The implied insult drove many Irish back to their former party and, in the opinion of many experts, lost the Republicans the election.

**Sympathetic Platforms.** From then on there is a certain similarity in the platform policies of the two parties. Both evinced a willingness to express themselves on non-American questions in order to get votes. The cause of Ireland and the sufferings of the Jews in Russia alike evoked their ready sympathy. The Democrats even went so far as to denounce England's treatment of the Boers, a thing which the Republicans, whose leaders since Blaine were rather pro-British, were unwilling to do.

**Revivals of Anti-Catholicism.** The religious issue had disappeared from politics. An attempt to revive it in the late

[1] The Republican object was to improve Negro education in the southern states.

eighties under the sponsorship of a temporarily numerous anti-Catholic society known as the American Protective Association (A.P.A.) met with little success. In 1888 the presidential candidate of this "American Party" received only 1591 votes from two states.[1] The A.P.A. itself soon disappeared and no more was heard of anti-Catholicism until the aftermath of the World War conjured up the grisly spectre of the Ku Klux Klan. Under its aegis another American Party group made a presidential nomination in 1924 which was given support in eight states and received somewhat over 24,000 votes.[2]

More important developments were taking place within the Democratic Party. The sudden revival of the Klan impelled many northern Democrats, including the principal Catholic elements in the country, to demand a specific denunciation of that hooded band in the 1924 platform. This plank was defeated in the national convention by one vote. The convention then balloted 103 times for a presidential candidate, being divided principally between Alfred E. Smith, the Catholic Governor of New York, and William G. McAdoo, former Secretary of the Treasury and Director-General of the Railroads, who was accused of receiving Klan support. By the time the contest closed with a compromise nomination[3] the Democratic chances in the election were altogether lost.

In the years between 1924 and 1928 McAdoo's popularity declined and Smith's improved until in the latter year he seemed the only possible candidate. His nomination by the Democrats evoked a good deal of long-latent anti-Catholic feeling. How important this was in the election no one can say, partly because there existed an issue which conveniently screened it. This issue was prohibition.

## VII. THE PROHIBITION MOVEMENT

**The Prohibition Party.** Prohibition as a legislative policy dates from the adoption of the first statewide prohibition law

[1] California and Pennsylvania.

[2] See Table 46.

[3] That of Mr. John W. Davis of West Virginia, Ambassador to Great Britain under the Wilson administration and one of the nation's leading attorneys.

by the legislature of Maine in 1851. Several other states had adopted similar statutes before the Civil War, but they were soon repealed. The anti-liquor forces continued the agitation, however, and in 1869 organized the Prohibition Party. This began immediately to nominate tickets in the states and presented its first candidate for the presidency in 1872.

In this election the Prohibition Party appeared in six states and cast over 5000 votes. By the 1880's the party had spread to seventeen states and was casting 10,000 votes in presidential elections. Then suddenly, in the election of 1884 the party overspread the whole country and cast a vote of over 150,000. This was attributed commonly and with some truth to the action of Republicans who would not vote for Cleveland and could not vote for Blaine. That this, however, was far from being the whole story is shown by the facts that the Prohibition vote in state elections had been growing fast since 1880 and that the national vote went on up to 250,000 in 1888 and, not stopping there, to 271,000 in 1892. This was the high point for Prohibition as a separate party.[1] In the next presidential election came a split over free silver and the vote was cut nearly in half.[2] A still more potent check was the non-partisan prohibition movement working within the major parties.

**The Movement within the Major Parties.** The Republican and Democratic parties at first gave some signs of committing themselves in regard to the prohibition movement, the former for, and the latter against it. The Democrats in their platforms for 1876 and 1880 had denounced "sumptuary laws," and the Republicans in theirs for 1888 had recorded their sympathy "for all wise and well directed efforts for the promotion of temperance and morality."

**Prohibition Not a National Issue.** Soon, however, the efforts of prohibitionists within both major parties made the

[1] For complete figures on the rise and growth of the party see Table 46.

[2] Most of the Prohibition loss in 1896 probably went to the two major parties, but some 14,000 votes were cast for a National or Silver Prohibition candidate. In 1900 and again in 1908 a small United Christian Party took a few votes from the Prohibitionists.

issue a difficult one, as political exigencies had compelled their state organizations to commit themselves on different sides. Republicans and Democrats alike rightly judged that the correct strategy was to treat the issue as local and to exclude it from national platforms. From 1900 until five years after the adoption of national prohibition the question was completely ignored.

The adoption of the Eighteenth Amendment, then, was not the work of any party, least of all of the Prohibition Party, but rather of a nonpartisan agitation. The first national election after its adoption passed with both major parties still silent on the issue.

**Wet vs. Dry.** As time went on and the situation became more and more unsatisfactory, the difficulty of disregarding the question of prohibition increased. The contest between Smith and McAdoo for the Democratic nomination in 1924 was regarded as in some sense a struggle between the Wet and Dry forces. By 1928 Smith definitely stood forth as the Wet champion while Herbert Hoover,[1] the Republican candidate, endorsed prohibition by referring to it as "a noble experiment."

**The Election of 1928.** That Smith was definitely strengthened by this position in the urban areas, particularly in the Northeast, cannot be doubted. No more can it be doubted that in some of these areas his religion also was a source of strength. It is equally beyond contradiction that his Wet stand and his Catholic religion were against him in the rural regions, particularly in the South. His Irish descent and his Tammany affiliations also were reckoned in some places for and in others against him. His popular support greatly exceeded that for any previous Democratic candidate, but the Republican ballots far overtopped his. In an election which "brought out the vote" in numbers[2] never before witnessed, the Democrats were overwhelmingly defeated.

[1] Secretary of Commerce under both Harding and Coolidge.

[2] The percentage of possible votes cast, however, was not greatly larger than in 1920. See Chap. XIII, *infra*.

TABLE 45. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1928

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Anti-Smith and Republican* | *Democratic* | *Minor Parties* |
| Herbert Hoover, Pres. (Republican) | 21,392,190 | | |
| Charles Curtis, V. P. (Anti-Smith*) | 39,311 | | |
| Alfred E. Smith, Pres. | | 15,016,443 | |
| Joseph T. Robinson, V. P. | | | |
| Norman Thomas, Pres. (Socialist) | | | 267,964 |
| James H. Maurer, V. P. | | | |
| William Z. Foster, Pres. (Workers' or Communist) | | | 48,666 |
| Benjamin Gitlow, V. P. | | | |
| Verne L. Reynolds, Pres. (Socialist Labor) | | | 21,603 |
| Jeremiah D. Crowley, V. P. | | | |
| William F. Varney, Pres. (Prohibition) | | | 20,106 |
| James A. Edgerton, V. P. | | | |
| Frank E. Webb, Pres. (Farmer-Labor) | | | 6,390 |
| Totals | 21,431,501 | 15,016,443 | 364,729 |
| | *Electoral Vote* | | |
| Hoover and Curtis | 444 | | |
| Smith and Robinson | | 87 | |
| Totals | 444 | 87 | |

* Cast in Georgia, Mississippi, and South Carolina.

**The Downfall of Prohibition.** Whatever part the liquor issue may have played in this election, the prohibitionists were in error in thinking it a final victory. In spite of the friendship of President Hoover, their cause continued to flounder throughout his administration. And when he was able to obtain only a pronouncement for resubmission rather than repeal from the Republican convention of 1932 it was plain that the end was at hand.[1] But by this time events had occurred which directed elsewhere the main political attention of the country.

[1] The Twenty-first Amendment (repealing the Eighteenth) passed both houses of Congress and was ratified by the state within the one year 1933.

## TABLE 46. VOTES CAST FOR MORAL, RELIGIOUS, AND NATIONALIST PARTIES SINCE THE CIVIL WAR

| | *Prohibitionists* | | | *All Others* | | |
|---|---|---|---|---|---|---|
| *Date* | *States Run In* | *Party Name* | *Total Vote* | *States Run In* | *Party Name* | *Total Vote* |
| 1869 | 2 | Prohibition | 6,451 | | | |
| 1870 | 6 | Prohibition | 33,111 | | | |
| 1871 | 6 | Prohibition | 18,050 | | | |
| 1872 | 6 | Prohibition | 5,608 | | | |
| 1873 | 5 | Prohibition | 18,184 | | | |
| 1874 | 8 | Prohibition | 35,629 | | | |
| 1875 | 11 | Prohibition | 51,486 | | | |
| 1876 | 17 | Prohibition | 9,522 | 5 | American Nationalist | 539 |
| 1877 | 1 | Prohibition | 7,230 | | | |
| 1878 | 4 | Prohibition | 8,943 | | | |
| 1879 | 3 | Prohibition | 11,450 | | | |
| 1880 | 17 | Prohibition | 10,305 | 7 | American Nationalist | 700 |
| 1881 | 5 | Prohibition | 40,417 | | | |
| 1882 | 9 | Prohibition | 53,632 | | | |
| 1883 | 7 | Prohibition | 58,290 | | | |
| 1884 | 35 | Prohibition | 151,830 | | | |
| 1885 | 9 | Prohibition | 105,076 | | | |
| 1886 | 20 | Prohibition | 211,522 | 1 | American | 7,347 |
| 1887 | 9 | Prohibition | 134,506 | | | |
| 1888 | 37 | Prohibition | 250,124 | 2 | American | 1,591 |
| 1889 | 12 | Prohibition | 130,425 | | | |
| 1890 | 15 | Prohibition | 110,444 | 1 | American | 10,073 |
| 1891 | 11 | Prohibition | 116,989 | 1 | National | 384 |
| 1892 | 41 | Prohibition | 271,058 | | | |
| 1893 | 9 | Prohibition | 128,876 | | | |
| 1894 | 33 | Prohibition | 237,275 | | | |
| 1895 | 12 | Prohibition | 173,344 | | | |
| 1896 | 41 | Prohibition | 141,676 | | | |
| | 18 | National or Silver Prohibition | 13,968 | | | |
| 1897 | 8 | Prohibition | 121,622 | 1 | Negro Protective | 483 |
| 1898 | 28 | Prohibition | 166,712 | | | |
| 1899 | 8 | Prohibition | 57,068 | 1 | United Christian | 483 |
| 1900 | 40 | Prohibition | 209,166 | 2 | United Christian | 1,059 |
| 1901 | 8 | Prohibition | 61,629 | | | |
| 1902 | 31 | Prohibition | 207,053 | | | |
| 1903 | 10 | Prohibition | 91,191 | | | |
| 1904 | 40 | Prohibition | 259,257 | | | |
| 1905 | 4 | Prohibition | 29,252 | | | |
| 1906 | 27 | Prohibition | 196,464 | | | |
| 1907 | 6 | Prohibition | 54,853 | | | |
| 1908 | 38 | Prohibition | 252,683 | 2 | United Christian | 461 |

TABLE 46. VOTES CAST FOR MORAL, AND RELIGIOUS, AND NATIONALIST PARTIES SINCE THE CIVIL WAR (*Continued*)

| | *Prohibitionists* | | | *All Others* | | |
|---|---|---|---|---|---|---|
| *Date* | *States Run In* | *Party Name* | *Total Vote* | *States Run In* | *Party Name* | *Total Vote* |
| 1909 | 3 | Prohibition | 37,195 | | | |
| 1910 | 25 | Prohibition | 166,052 | | | |
| 1911 | 4 | Prohibition | 10,443 | | | |
| 1912 | 40 | Prohibition | 208,923 | | | |
| 1913 | 2 | Prohibition | 19,294 | | | |
| 1914 | 22 | Prohibition | 173,386 | | | |
| 1915 | 4 | Prohibition | 28,175 | | | |
| 1916 | 43 | Prohibition | 220,506 | | | |
| 1917 | 3 | Prohibition | 32,952 | | | |
| 1918 | 8 | Prohibition | 91,340 | | | |
| 1919 | 3 | Prohibition | 36,334 | | | |
| 1920* | 31 | Prohibition | 189,408 | | | |
| 1922 | 8 | Prohibition | 47,326 | | | |
| 1924 | 17 | Prohibition | 57,551 | 8 | American | 24,430 |
| 1926 | 6 | Prohibition | 63,605 | | | |
| 1928 | 8 | Prohibition | 20,106 | 3 | Anti-Smith | 39,311 |
| 1930 | 3 | Prohibition | 58,219 | | | |
| | 1 | Law Preservation | 190,966 | | | |
| 1932 | 26 | Prohibition | 81,869 | | | |
| 1934 | 1 | Law Preservation | 20,449 | | | |
| | 8 | Prohibition | 23,754 | | | |
| 1936 | 27 | Prohibition | 37,487 | 1 | Christian | 1,598 |
| 1938 | 9 | Prohibition | 43,674 | 1 | Protestants United | 177 |
| 1940 | 29 | Prohibition | 58,600 | 1 | American | 257 |

* No significant elections held in off years after this date.

## VIII. THE DEPRESSION AND THE NEW DEAL

As a candidate in the 1928 campaign, Mr. Hoover had made an issue of the continuation of "Coolidge prosperity." He spoke of the prospect of the abolition of poverty "The slogan of progress is changing from the full dinner pail to the full garage," he said.[1] And who could doubt when the signs of growing prosperity were all around us?

[1] Commonly but erroneously quoted as "a chicken in every pot and two cars in every garage." See *New York Times*, Oct. 30, 1932, Sec. VIII, p. 12.

**The Election of 1932.** Then Mr. Hoover was elected and the "boom" was soon succeeded by the "bust" as the depression set in.[1] Thoroughly convinced of the value of "*rugged individualism*," he was slow to interfere to prevent the normal play of economic forces. His tardy efforts proved insufficient and failed to win him re-election in 1932.[2]

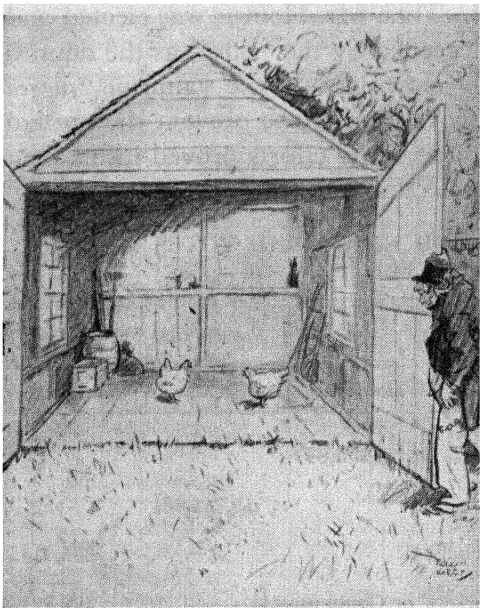
TABLE 47. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1932

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *Democratic*‖* | *Republican*§* | *Minor Parties* |
| Franklin D. Roosevelt, Pres.<br>John Nance Garner, V. P. | 22,821,857 | | |
| Herbert Hoover, Pres.<br>Charles Curtis, V. P. | | 15,761,841 | |
| Norman Thomas, Pres.<br>James H. Maurer, V. P. (Socialist†) | | | 885,314 |
| William Z. Foster, Pres.<br>James W. Ford, V. P. (Workers' or Communist†) | | | 102,991 |
| William D. Upshaw, Pres.<br>Frank S. Regan, V. P. (Prohibition‡) | | | 81,869 |
| William H. Harvey, Pres.<br>Frank B. Hemenway, V. P. (Liberty¶) | | | 53,425 |
| Verne L. Reynolds, Pres.<br>John W. Aiken, V. P. (Socialist Labor) | | | 33,275 |
| Jacob S. Coxey, Pres.<br>Julius J. Reiter, V. P. (Farmer-Labor†¶) | | | 7,294 |
| James R. Cox, Pres. (Jobless†) | | | 740 |
| Totals | 22,821,857 | 15,761,841 | 1,064,908 |
| | *Electoral Vote* | | |
| Roosevelt and Garner | 472 | | |
| Hoover and Curtis | | 59 | |
| Totals | 472 | 59 | |

* Parties declaring for unemployment relief by federal loans to states.
† Parties declaring for unemployment relief by direct federal appropriation.
‡ Party favoring study of unemployment relief by an economic council.
§ Party favoring the gold standard.
‖ Party favoring the "rehabilitation of silver."
¶ Parties favoring "free silver."

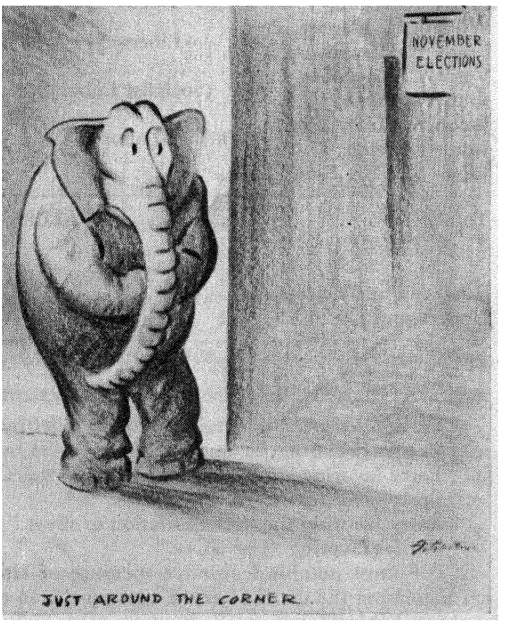
[1] The most notable legislative measure of Hoover's administration was an act increasing the tariff. For the vote on this in the House see Table 50.

[2] See Table 47.



TWO CHICKENS IN EVERY GARAGE BY ROLLIN KIRBY

(Courtesy of the Kirby Political Science Museum of Lafayette College, the *New York World Telegram*, and Mr. Rollin Kirby)




JUST AROUND THE CORNER BY D. R. FITZPATRICK

(Courtesy of the Kirby Political Science Museum of Lafayette College, the *St. Louis Post-Despatch*, and Mr. D. R. Fitzpatrick)




THEY'RE ALL FOR FRANK BY "DING"

(Courtesy of the Kirby Political Science Museum of Lafayette College, the *New York Herald Tribune*, and Mr. J. N. Darling)

The choice of Governor Franklin D. Roosevelt of New York, the Democratic candidate, as President was far less an endorsement of the plans for economic reconstruction somewhat vaguely set forth in his campaign speeches than a reaction against the failure of Republican prosperity. Mr. Roosevelt had promised to supply us with a better and more durable article, "a New Deal" for the benefit of "the forgotten man." The nation waited in suspense for his inauguration to see what this program would be and while it waited, conditions went on from bad to worse.

**The Great Bank Holiday.** The winter of 1932–33 was signalized by the complete collapse of the credit system of the country. Immediately upon taking office Mr. Roosevelt proclaimed a general bank holiday by virtue of a strained construction of existing laws, banks to remain closed until in each case there was an assurance of solidity. The banking system was effectively rescued and thus began the New Deal policy of saving the country in disregard of legal principles. The thought apparently was that such action could not be unconstitutional and that if it were, no one would dare say so.

**New Deal Legislation.** Under this motivation an abundance of very sweeping legislation was passed in the Congressional sessions of 1933 and 1934. The policy of the New Deal was to experiment and to try to do something for everybody. Where the Hoover Administration had been loath to interfere with economic processes, the Roosevelt "Brain Trusters" were allowed to try one idea after another.[1]

Benefits were distributed roughly as follows: By the N.I.R.A.,[2] business received a suspension of the anti-trust laws

[1] Many of these ideas were outgrowths of various minor party planks. This was the ground for the charge that "Roosevelt has stolen the Socialist platform." The charge was true in a degree, but only in the same sense that the Republicans and Democrats have been "stealing" from the minor parties ever since they first came into existence. A new idea has no chance with a major party; it cannot afford to sponsor one. The minor parties can and do sponsor such ideas. Thus nurtured, they increase their strength until the major parties can no longer afford to ignore them. Such was the history of railroad-rate regulation, of the anti-trust laws, and of conservation — to cite only a few of the ideas borrowed and put into effect in times past by both major parties.

[2] For the vote by which this measure passed the House see Table 50.

and a chance for each industry to write its own code of fair practices (subject to the President's approval), and labor obtained collective bargaining, minimum wages, maximum hours, and the abolition of child labor and of the "yellow-dog contract"; by the A.A.A., the farmer received subsidies for limiting his production and, by other legislation, partial relief from his liabilities; the Securities Act gave the investor a safer market; deposit insurance and the ban on security affiliates gave the depositor a safer banking system; all types of relief aided the unemployed; and all indigent classes were indirectly aided by inflation. All this was done on the theory of spending our way back to prosperity and giving money to the consumer with which to buy goods. It worked to some extent, and on its strength the Democrats increased their already huge congressional majorities in the election of 1934.[1] They went on in 1935 to enact the Wagner Labor Relations Act, the Social Security Act, and an anti-holding company statute in the field of public utilities.

**The Fight Against the New Deal.** Already a storm of opposition was rising which was strong enough to moderate the terms of the statute last named. The New Deal was being attacked from both extremes: by the American Liberty League on the right, and on the left by the Townsend Plan group, by Father Coughlin's League for Social Justice, and by Senator Huey Long's Share-the-Wealth organization.

It now came into collision also with the Supreme Court. The N.I.R.A., the A.A.A., and the Guffey Coal Act (besides minor legislation) were each in turn held unconstitutional. Some of these measures had been drawn without much concern for constitutional limitations. All had to run the gauntlet of a Court made up of four hostile, two highly skeptical, and three mildly favorable judges. The Administration sought to salvage some of its objectives (notably by the Soil Conservation Act) and pushed forward the Norris-Rayburn Bill for rural electrification.

In *the election of 1936* the Republicans opposed the New

[1] See Table 50.

Deal and nominated Governor Alfred M. Landon of Kansas on a platform pledging: maintenance of "the American system of constitutional and local government, and to resist all attempts to impair the authority of the Supreme Court, . . . to preserve the American system of free enterprise . . . Stop the folly of uncontrolled spending . . . Balance the budget"; and to stop the use of the taxing power "for punitive or political purposes." They called for the settlement of all labor problems by state laws and interstate compacts[1] and proposed to satisfy the farmer mainly by subsidies for increased produc-

TABLE 48. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1936

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *American Labor† and Democratic* | *Republican* | *Minor Parties* |
| Franklin D. Roosevelt, Pres. } Democratic, American Labor† } John Nance Garner, V. P. } | 27,201,749 | | |
| | 274,924 (N. Y.) | | |
| Alfred M. Landon, Pres. } . . . . . Frank Knox, V. P. } | | 16,979,583 | |
| William Lemke, Pres. } (Union) . . . Thomas O'Brien, V. P. } | | | 882,479 |
| Norman Thomas, Pres. } (Socialist) . . George A. Nelson, V. P. } | | | 187,720 |
| Earl Browder, Pres. } (Workers' or James W. Ford, V. P. } Communist) . | | | 80,159 |
| D. Leigh Colvin, Pres. } (Prohibition) Claude A. Watson, V. P. } | | | 37,487 |
| William Dudley Pelley, Pres. (American*) | | | 1,598 |
| Totals . . . . . | 27,476,673 | 16,979,583 | 1,189,443 |
| | *Electoral Vote* | | |
| Roosevelt and Garner . . . . . | 523 | | |
| Landon and Knox . . . . . | | 8 | |
| Totals . . . . . | 523 | 8 | |

* See *infra*, p. 286. † See *infra*, pp. 286–287.

[1] In a telegram read to the Republican convention just before his name was placed in nomination Governor Landon declared in favor of a constitutional amendment to make such legislation valid.

tion to be dumped abroad. They demanded a "pay-as-you-go policy" for social security financed by "a direct tax widely distributed." At the instance of Senator Borah they denounced monopolies. The followers of Townsend, Coughlin, and Long[1] formed a particularly inept combination known as the Union Party. Against this diversified opposition the Democrats renominated President Roosevelt on a platform endorsing the New Deal and returned him to office by a margin of eleven million votes[2] and with an increased Democratic majority in Congress.[3] Having dealt with his opponents in the election field, Roosevelt now turned to deal with the Supreme Court.

## IX. THE DEFEATS OF ROOSEVELT'S SECOND ADMINISTRATION

### A. THE COURT BILL

**Earlier Attacks on the Supreme Court.** Radicals and reformers had long been attacking the Supreme Court for its decisions tending to curb the activities of organized labor and overthrowing statutes limiting and regulating business operations. The attacks had begun in the mid-nineties when decisions were made invalidating the income tax and authorizing the use of the injunction against strikers. From then on, condemnation of the labor injunction was a plank commonly to be found in radical and Democratic party platforms.

Conservative parties, on the other hand, tended to rally to the courts. Thus the National Democratic Party (Gold Democrats) platform for 1896 pledged maintenance of the "independence and authority" of the Supreme Court. Similar ideas were expressed at more length in the Republican platform for 1912.

Beginning in 1908 the Socialist Party, on the other hand, regularly demanded "the abolition of the power usurped by the supreme court of the United States to pass upon the constitutionality of legislation enacted by Congress." The

[1] Long himself had been assassinated.

[2] See Table 48.

[3] See Table 50.

Progressive Party in 1912 declared for the so-called "recall of judicial decisions," a popular vote to determine the validity of a law which had been held unconstitutional. This practice was to be limited, however, to the decisions of state supreme courts. The Progressives of 1924 went further and favored a constitutional amendment "providing that Congress may by enacting a statute make it effective over a judicial veto." Various radical parties favored the election of all judges for short terms, and in 1928 the Communists (Workers' Party) topped all by demanding "the abolition of the Supreme Court."

**The Court and Social Legislation.** Behind this controversy was the patent fact that the Court, dominated by judges nursed in the economic conceptions of laissez-faire, was holding unconstitutional a great deal of social legislation. Conspicuous instances were two successive federal attempts to exterminate child labor and enactments both state and national establishing minimum wages for women. It was held also that a state could not forbid the use of the injunction in labor disputes.

**Mr. Roosevelt's Court Plan.** Nothing had been said about changing the Supreme Court in the Democratic platforms for either 1932 or 1936. Early in 1937, however, came like a thunderbolt the President's proposal that he be allowed to appoint additional members of the Court (up to six) when justices after reaching the age of seventy should fail to resign within six months. The immediate effect would have been to compel the President's opponents on the Court to resign or else be swamped by new appointees. Tremendous uproar ensued. Many of Mr. Roosevelt's own party hesitated to back such legislation, and soon a strong opposition grew up in Congress with Senator Wheeler of Montana at its head.

In the midst of all this the Court began to uphold legislation of types it had formerly held unconstitutional, drawing technical distinctions invisible to the layman. Federal farm mortgage moratorium and state minimum-wage legislation were sustained in March 1937; in April, the Wagner Labor

Act; and in May, federal social security legislation. People began to ask what all the shooting was about. If the justices were really "following the election returns" why meddle with the Court?

It was obvious, too, that it was not the Court's power that was attacked but its independence. It was one thing to say that judges should not veto the people's will as expressed by Congress, and quite another that they should be the puppets of the President. If this act passed, would not the Court be "packed" every time a President favored a new and doubtful policy? Backed by such considerations, the defeat of the measure was accomplished.[1] The fight did much to prevent other legislative action in the session of 1937 and left the President with a much injured prestige and a badly shattered party.

### B. THE PURGE

As an immediate result, Roosevelt was faced by widespread revolt in the fields of both economics and politics. In the former he was confronted by what his supporters called "a sitdown strike of capital" and what his opponents referred to as "a want of confidence." In the latter, conservative Democrats united with Republicans and succeeded in seriously slowing down the progress of reform legislation.

The President tried to prevent this obstruction by conducting a so-called "party purge," calling for defeat in the primaries of unruly Democratic Senators and Representatives. In this he was on the whole unsuccessful. Of six members of Congress selected for elimination, the President was successful in defeating only one. This lone success was of some importance, since it removed a conservative Democrat who had been chairman of the powerful Rules Committee of the House, but clearly it was not enough to restore discipline to a badly divided party.

[1] For full details of this struggle see Alsop and Catledge's *The 168 Days* (Garden City, N. Y.; Doubleday, Doran & Co.; 1938). The final vote by which the measure was defeated by recommitting it to the Judiciary Committee of the Senate is given in Table 50.

### C. OTHER CHECKS TO THE NEW DEAL

**Defeat of the Reorganization Bill.** The President had suffered another defeat in the 1938 session of Congress in the rejection of his Governmental Reorganization Bill on the strength of arguments that it would give him undue power over federal commissions and agencies. This left as his only important achievement at that session the enactment of legislation setting minimum wages and maximum hours for workers in industry. The Reorganization Bill, it is true, passed in the 1939 session but only in an emasculated form.[1]

Meantime, in the 1938 elections the Republicans had cut into the Democratic majority in Congress for the first time since 1932, although still in a minority of one to three in the Senate and two to three in the House.[2] The spending program was also being embarrassed by recurrent economy drives, to some of which the President prematurely gave his assent on the ground that the crisis was nearly over.

**The Influence of Foreign Events.** The truth was that the New Deal was being gradually brought to a stop, as the New Freedom before it had been,[3] by the distraction of the popular mind to a prime concern with affairs abroad. A brief summary of foreign events will show the reasons for this situation.

## X. FOREIGN QUARRELS AND THE ELECTION OF 1940

The Versailles settlement, weakened from the beginning by America's refusal to participate in the League of Nations and the World Court, was visibly breaking up under a stress of conditions accelerated by the world-wide economic depression. Everywhere governments sought to protect or to distract their people from this crisis by policies of exaggerated

[1] The bill as originally proposed placed every federal agency and commission within a government department headed by a Cabinet member, and replaced the Civil Service Commission by a single administrator. These features were excluded from the Bill as finally passed.

[2] See Table 50.

[3] See *supra*, p. 234, n. 2.

nationalism. In too many cases this took the forms of aggression against other nations and of repression or persecution of minorities and dissenters within the country itself. Japan seized Manchuria in 1931 and set up there a puppet state under the rule of the last of the former Chinese emperors; Hitler gained control of Germany in 1933 and immediately began his constantly intensified persecutions against the Jews; Mussolini seized Ethiopia in 1934–1935; in 1936 the German Army reoccupied the Rhineland, demilitarized by Versailles, and a rebellion broke out against the radical government in Spain, a movement soon to be supported by German and Italian troops.

**The Neutrality Act.** The attitude of the American government toward these developments was for a long time quite negative. The Hoover Administration had, it is true, endeavored to arouse international opposition to the Manchurian enterprise, but had met with no adequate support — and by the time the Japanese spread further into China, European governments were in no position to concern themselves with conditions so far from home. America, on the other hand, did not participate in the economic sanctions imposed against Italy in the Ethiopian crisis, Congress being satisfied with enacting a so-called "neutrality resolution" forbidding the export of arms and munitions of war to belligerent countries. By 1937 this had been developed into a supposedly permanent Neutrality Act intended to govern all crises in future. As its invocation in a particular case required an executive proclamation, it could be applied capriciously, as became evident when the President recognized a state of war in Spain but not in harassed China.

**The Good Neighbor Policy.** The foreign policy of Mr. Roosevelt's first term was localized almost entirely in the western hemisphere. An attempt at general international economic cooperation was quickly scrapped when it seemed likely to interfere with his own internal program. Aside from reciprocal tariff agreements which were offered to the world generally, the interest of the Administration was concentrated

in a "Good Neighbor Policy" for improving relations with Latin America. This proved very successful. By abandoning the "Big Brother" attitude which many of our southern neighbors considered too domineering — an abandonment signalized by the renunciation of the right of intervention and of other coercive interpretations of the Monroe Doctrine — a degree of cooperation was arrived at through successive meetings of the Pan-American Conference such as the most seasoned observers of international affairs would hardly have believed possible.

**"Quarantining the Aggressors."** Early in Mr. Roosevelt's second term there came a sharp change in the attitude manifested toward foreign quarrels. Shortly after the final defeat of the Court Bill the President, in an address delivered at Chicago, spoke of the "solidarity and interdependence" of the modern world and of the necessity for "quarantining the aggressors." By 1939 he had reached a point where he could speak in a message to Congress of "bringing home to aggressor governments the aggregate sentiments of our own people" by "methods short of war." All through this period he urged Congress on to greater and greater military appropriations. He also used all his influence to prevent its considering a constitutional amendment requiring a referendum before war could be declared, called home the American ambassador to Germany "for consultation" with evident intent that he should never return, and on the outbreak of the European War obtained the repeal of the embargo against arms shipments.

Popular feeling meantime was in a somewhat mixed state. Those nations that were obviously referred to by the President as "aggressors" had either no sympathizers here or only such as tended to strengthen the very general dislike for their governments. Their rivals and, later, their enemies had many and important friends who were particularly strong in the commercial and cultural centers of the East and, it was believed by competent observers, even in the State Department at Washington. On the other hand, the West and its represen-

tation in Congress were centers of so-called "isolationist" feeling, suspicious of Europe and all that might involve us in her affairs, though not always so averse to steps that might involve us in Asia.

**1940.** Into this state of the public mind the fall of France struck like a thunderbolt. Domestic issues were forgotten and both parties waged their 1940 campaigns on the somewhat irreconcilable basis of "all aid to Britain" and "keeping out of war." Mr. Wendell Willkie,[1] the Republican nominee, criticized President Roosevelt for provocative language against the dictatorships but himself promised "to outdistance Hitler in any contest he chooses." He refused to attack the main features of the President's international policies, limiting himself to mere criticisms of detail. As a result, the election seemed to many like mere shadow boxing. Accepting the results of the New Deal as desirable, Mr. Willkie, like Mr. Landon in 1936, seemed to be saying simply that he could do the same things and do them better than the Democrats. He returned to the supposedly obsolete technique of "stumping the country," speaking every day and often several times a day, and depended very heavily on so-called Willkie Clubs outside the regular party setup. He waged an intense but somewhat inept campaign, trusting to amateurs to a degree which somewhat disgruntled the Republican professionals. Toward the close of the contest his hammering at the issue raised by the President's acceptance of a third-term nomination drove Mr. Roosevelt from his detached position of making merely non-political speeches into a very trenchant counter-attack which the results proved was after all probably unnecessary.

Mr. Willkie's efforts and the support of the business interests for the man who had for so long been one of themselves brought the Republican Party back somewhere near hailing distance of the Democrats but still left it behind them by nearly five million votes. The allegiance of the western farm-

[1] Before his nomination president of the great utility company known as Commonwealth and Southern.

ing states to Roosevelt cracked, but the industrial workers held firm in spite of the defection to Willkie of John L. Lewis, head of the C.I.O. Their continued adherence was the decisive factor in the election which was carried for Mr. Roosevelt by an electoral vote of 449 to 82 and by a popular majority of nearly 5,000,000.[1]

TABLE 49. POPULAR AND ELECTORAL VOTES IN THE PRESIDENTIAL ELECTION OF 1940

| *Candidates* | *Popular Vote* | | |
|---|---|---|---|
| | *American Labor* and Democratic* | *Jeffersonian Democratic, Union, and Republican* | *Minor Parties* |
| Franklin D. Roosevelt, Pres. (Democratic, American Labor*) | 26,826,048 | | |
| Henry E. Wallace, V. P. (Democratic, American Labor*) | 417,418‡ | | |
| Wendell L. Willkie, Pres. (Republican,† Jeffersonian Democratic, Union) | | 22,304,094 | |
| Charles L. McNary, V. P. (Republican,† Jeffersonian Democratic, Union) | | 2,633§ | |
| | | 798‖ | |
| Norman Thomas, Pres. / Maynard C. Krieger, V. P. (Socialist) | | | 116,796 |
| Roger W. Babson, Pres. / Edgar V. Moorman, V. P. (Prohibition) | | | 57,812 |
| Earl Browder, Pres. / James W. Ford, V. P. (Workers' or Communist) | | | 48,610 |
| John W. Aiken, Pres. / Aaron M. Orange, V. P. (Socialist Labor) | | | 14,861 |
| Totals | 27,243,466 | 22,304,094 | 238,079 |
| | *Electoral Vote* | | |
| Roosevelt and Wallace | 449 | | |
| Willkie and McNary | | 82 | |
| Totals | 449 | 82 | |

* See *infra*, pp. 286–287.
† Including votes for two electoral tickets in South Carolina.
‡ In New York.
§ In Georgia and South Carolina.
‖ In Connecticut.
[1] See Table 49.

TABLE 50. PARTY LINES IN CONGRESS DURING THE PERIOD OF NORMALCY AND THE NEW DEAL

| Congress Number | Date | Senate | | | | | House | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Republicans | | | | Democrats | Republicans | | | Socialists | Democrats |
| 67 | 1921–23 | 59 | | | | 37 | 300* | | | 1 | 132† |
| | | | Farmer-Laborites | | | | | Farmer-Laborites | | | |
| 68 | 1923–25 | 53 | 1 | | | 42 | 225* | 2 | | 1 | 207 |
| 69 | 1925–27 | 55 | 1 | | | 40 | 247* | 3 | | 2 | 183 |
| 70 | 1927–29 | 48 | 1 | | | 47 | 238* | 2 | | 1 | 194 |
| 71 | 1929–31 | 56 | 1 | | | 39 | 269* | 1 | | | 165‡ |
| 72 | 1931–33 | 48 | 1 | | | 47 | 220 | 1 | | | 214*§ |
| 73 | 1933–35 | 35 | 1 | | | 60 | 117 | 5 | | | 313*‖ |
| | | | Progressives | | | | | Progressives | | | |
| 74 | 1935–37 | 25 | 1 | 1 | | 69 | 103 | 3 | 7 | | 322* |
| 75 | 1937–39 | 18 | 2 | 1 | | 75¶ | 89 | 5 | 8 | | 333* |
| | | | | New Deal Independent | | | | | American Labor | | |
| 76 | 1939–41 | 23 | 2 | 1 | 1 | 69 | 169 | 1 | 2 | 1 | 262*†† |
| 77 | 1941–43 | 28 | | 1 | 1 | 66 | 162 | 1 | 3 | 1 | 268*‡‡ |

* Speaker elected from this party.

† This House passed a protective tariff: Yeas 292; Nays 131.

‡ This House passed an increased protective tariff: Yeas 245; Nays 176.

§ Democrats organized House due to deaths of several Republicans.

‖ This House passed the N.I.R.A.: Yeas 323; Nays 76.

¶ This Senate defeated the Supreme Court Reorganization Bill: Yeas 70; Nays 20.

†† This House passed the Conscription Act: Yeas 262; Nays 149.

‡‡ In this Congress the Senate passed the Lease-Lend Act: Yeas 60; Nays 31; and the House passed the Conscription Extension Act: Yeas 203; Nays 200; and amended the Neutrality Act: Yeas 212; Nays 194.

## XI. MINOR PARTIES DOWN TO DATE

**Farmer-Labor.** By the breakup of the LaFollette Progressive movement after 1924 its component elements were returned to their original sources. The LaFollette forces in

Wisconsin [1] went back to the Republican Party. Wheeler and his supporters (including many labor leaders) returned to the Democrats, and the Socialists and the Minnesota Farmer-Laborites resumed their independent courses. Since then the latter have not done badly, persistently remaining the first or second party at every election, although outside that state the Farmer-Labor group soon dwindled to a sporadic handful. The Minnesota organization has strongly supported the New Deal, reducing the Democratic Party there to the position of a relatively poor third at all elections.[2]

**The Socialist Party.** The Socialists, on the other hand, have not done so well in spite of conditions tending to benefit a party opposed to the capitalist system. They had been on the decline at the time they fused in the Progressive movement, and the decline continued after it. Even the depression did not benefit them to the extent that might have been expected. With Norman Thomas succeeding Debs in the role of perpetual candidate, the Socialists did indeed climb from 268,000 in 1928 to 885,000 in 1932. But then the New Deal, together with the formation of the Union Party by newer radical elements, gave them a setback and drove the Socialist vote down to 188,000 in 1936. From there it fell to 118,000 in 1940,[3] the party's peace position losing it some votes and not gaining it many — the isolationist groups in both major parties being held in line by platform pledges against overseas military adventure.

**The Communists.** The so-called Workers' or Communist Party first appeared upon the ballot in the New Jersey and Washington elections of 1922. Two years later it entered the

[1] LaFollette himself died in 1925.

[2] Since 1936, when it lost the governorship, the Farmer-Labor Party has been relatively less successful in Minnesota. All but one of its candidates for the lower House of Congress were defeated in 1938 and before 1940 it had lost both its Senators, one by death, the other by desertion to the Republicans. It was alleged that extreme radical leadership was gradually killing off the party. In 1941 Mr. Flynn, the Democratic National Chairman, visited the state with a view to bringing about a coalition there against the Republicans. See *Christian Century*, July 2, 1941. For Farmer-Labor representation in Congress see Table 50.

[3] See Table 51.

presidential election in fourteen states, receiving a total of slightly over 36,000 votes. With William Z. Foster and Benjamin Gitlow repeating as its candidates it rose to nearly 49,000 votes in 1928. In 1932 it went up to nearly 103,000. In this election Gitlow (who had been originally selected because of the éclat of his conviction under the New York statute against criminal anarchism) was dropped and his place taken by James W. Ford, a full-blooded Negro, nominated to emphasize the party's demand for race equality. Ford has remained on the ballot in every subsequent election, but Foster, whose health had weakened under the stress of campaigning, was replaced by Earl Browder after 1932. In 1936 the party's vote dropped to 80,000, affected like the Socialists' by the New Deal and the rise of the Union Party. In 1939 came the Nazi-Soviet pact, and the Workers' Party, while turning that sharp corner in compliance with directions from Moscow, spilled out nearly all its "fellow travellers" and many a regular member as well. Its tactics angered public opinion, resulting in its exclusion from the ballot in many states. The combination of these circumstances drove the party vote in 1940 down to about the level of 1928. Browder's campaign was hindered by his inability to leave the jurisdiction of the Federal Court for the Southern District of New York, which had recently sentenced him to jail for false statements in obtaining a passport. His appeal from this conviction was denied and he began to serve his sentence early in 1941 only to be released by presidential order in May 1942.[1]

**Depression Parties.** The depression has spawned several parties, none of which has attained permanence. The remains of several of them are still discernible, however, and

[1] The dissenting Communists (supporters of the ideas of Leon Trotsky, Lenin's chief lieutenant) have broken off from the American Communist Party and are attempting to form their own organization under the name Socialist Workers Party. To avoid confusion with the Socialist Labor Party they have generally appeared on the ballot under the designation Anti-War. A candidate for Senator under this title received nearly 9000 votes in Minnesota in 1940 and a Trotsky Anti-War candidate for the New York Mayoralty was given 1138 votes in 1941.

renewed "hard times" or the backwash of war may suffice to galvanize them into further activity.

Two parties achieved a momentary existence in 1932. The Rev. James R. Cox of Pittsburgh undertook to form the Blue Shirts, otherwise known as the Jobless Party of America, and actually succeeded in getting on the ballots of several states before he withdrew in favor of Roosevelt. As a result he received only 740 votes.[1] In the same election came the last whirl of free silver, with "Coin" Harvey, the great pamphleteer of the Bryan campaigns, making the run as candidate of the Liberty Party. It amassed 53,000 votes from eight commonwealths.[2] Over 30,000 of these, however, were cast in the one state of Washington.

These parties were entirely transitory, as was another revival attempted by the Greenback Party in Indiana in 1934.[2] Nor was the somewhat formidable Union Party of 1936 any more lasting. Fragments of it, however, in the shape of Townsend Clubs, Leagues for Social Justice, and local Union parties still lie about, both inside and outside politics. In possibly dangerous proximity to some of these are various "shirt organizations," anti-Semitic groups, and "two-hundred-per cent" American orders or societies. These occasionally appear in politics, as when William Dudley Pelley [3] of the Silvershirts ran as the presidential candidate of the Christian Party on the Washington ballot of 1936 and received 1589 votes, or when two years later both the American and the Protestants United parties were on the Michigan ballot and received 434 votes between them.[2] When sneers are directed at the size of these parties the fanatics composing them remark that Hitler was once sneered at too, and for the same reason.

**American Labor.** Very different from any of these was another group first appearing in the election of 1936 — the American Labor Party. This, like the Farmer-Labor Party of Minnesota, is a state rather than a national organization, being confined to the state of New York. It was formed

[1] See Table 47. [2] See Table 51.
[3] Now (1942) under arrest for sedition.

by Labor's Nonpartisan League (a Democratic campaign auxiliary) and contributed 275,000 votes to re-elect Roosevelt.[1] In 1937 it proved its independence by contributing 483,000 votes to the re-election of La Guardia as Mayor of New York and elected five members [2] to the City Council and five to the State Assembly.[3] In 1938 it cast 420,000 votes to re-elect Governor Lehman and 398,000 to re-elect Senator Wagner. Its vote was 423,000 for Roosevelt in 1940 and 434,000 for La Guardia in 1941.

**Progressives.** Another single-state party is the Progressive Party of Wisconsin. Organized in 1934 by the LaFollette brothers under the name of their father's Progressive movement, it has occupied a place rather like that of the Farmer-Laborites in Minnesota — usually first but always at least second in the state. An attempt by Governor Philip LaFollette in 1938 to organize a national Progressive Party was a failure though in that year over 375,000 votes were cast for candidates under the Progressive label in five states.[4]

**Prohibitionists.** Lastly comes the Prohibition Party, the grand old dodo of politics. From the beginning of the century until the adoption of national prohibition it regularly cast more than 200,000 votes in presidential elections, rising on two occasions above 250,000.[5] National prohibition started it on the toboggan. It fell below 190,000 in 1920, below 60,000 in 1924, and almost to 20,000 in 1928.[6] It came back to almost 82,000 in 1932, and fell again to 37,000 in 1936, and even with revised leadership and a new and wealthy angel could

[1] See Table 51. The congressional representation of these parties appears in Table 50.

[2] Reduced to three by the November election of 1941 out of a council membership of twenty-six.

[3] The party's membership in this body dropped to one in 1938 and disappeared entirely in 1940.

[4] In 1934 a moderate liberal group in California organized a Progressive Party there to avoid going to extremes with either Sinclair or Merriam. See p. 427, *infra.* This organization received over 300,000 votes but proved lacking in permanent basis. In 1940 its remnants were captured by the Socialists. For Progressive members of Congress from Wisconsin see Table 50.

[5] See Table 46 for statistics on this party.

[6] The party stayed off the ballot in most states in that year to avoid drawing votes away from Hoover.

TABLE 51. VOTES CAST FOR ECONOMIC RADICAL AND REFORM PARTIES SINCE 1924*

| | *Agrarian and Single Tax* | | | *Marxist* | | | *Progressive, Reform, and "Social Justice"* | | |
|---|---|---|---|---|---|---|---|---|---|
| *Date* | *States Run In* | *Party Name* | *Total Vote* | *States Run In* | *Party Name* | *Total Vote* | *States Run In* | *Party Name* | *Total Vote* |
| 1926 | 1 | Commonwealth Land | 1,069 | 13 | Socialist | 160,837 | 3 | Progressive | 45,671 |
| | 6 | Farmer-Labor | 282,415 | 6 | Socialist Labor | 14,724 | | | |
| 1928 | 3 | Farmer-Labor | 229,526† | 3 | Workers' | 12,186 | | | |
| | | | | 38 | Socialist | 267,964 | | | |
| | | | | 34 | Workers' | 48,666 | | | |
| 1930 | 2 | Farmer-Labor | 474,521 | 19 | Socialist Labor | 21,603 | | | |
| | | | | 12 | Socialist | 274,079 | | | |
| | | | | 10 | Workers' | 48,825 | | | |
| | | | | 3 | Socialist Labor | 24,369 | | | |
| | *Agrarian, Labor, and "Soft Money"* | | | | | | | | |
| 1932 | 1 | Farmer-Labor | 522,438† | 46 | Socialist | 885,314 | | | |
| | 8 | Liberty | 53,425 | 37 | Workers' | 102,991 | | | |
| | 2 | Jobless | 740 | 17 | Socialist Labor | 33,275 | | | |
| 1934 | 5 | Farmer-Labor | 564,844 | 26 | Socialist | 267,688 | 2 | Progressive | 675,612 |
| | 1 | Greenback | 3,052 | 20 | Workers' | 92,572 | 2 | Tax Reform | 94,572 |
| | | | | 10 | Socialist Labor | 27,025 | 1 | Plenty-for-Everybody | 528 |
| 1936 | 7 | Farmer-Labor | 723,285† | 38 | Socialist | 187,720 | 37 | Union | 882,479 |
| | 1 | American Labor | 274,924 | 33 | Workers' | 80,159 | 1 | Progressive | 573,724† |
| | | | | 16 | Socialist Labor | 12,777 | | | |
| 1938 | 2 | Farmer-Labor | 397,449 | 13 | Socialist | 185,579 | 5 | Progressive | 384,797 |
| | 1 | American Labor | 419,979 | 10 | Socialist Labor | 22,781 | 4 | Townsend | 17,978 |
| | 1 | Labor | 773 | 9 | Workers' | 13,249 | 2 | Square Deal | 12,901 |
| | | | | | | | 2 | Good Government | 3,154 |
| | | | | | | | 1 | Tax Reform | 3,118 |
| 1940 | 1 | Farmer-Labor | 459,609† | 30 | Socialist | 116,796 | 2 | Progressive | 547,439† |
| | 1 | American Labor | 417,418 | 22 | Workers' | 46,251 | | | |
| | | | | 14 | Socialist Labor | 14,861 | | | |
| | | | | 1 | Trotskyist Anti-War | 8,761† | | | |

* After 1924 elections in off (i.e., odd-numbered) years are so uncommon as to furnish no adequate basis for comparison.
† Votes cast in presidential years for other than presidential candidates.

not get back to 60,000 in 1940. Unless the new crusade for Democracy should sire a new fervor for moral reform, the chances of the Prohibition Party remain minute.

## *AUTHORITIES AND EVALUATIONS*

The same general authorities carry over, with a few additions such as Slosson's *The Great Crusade and After, 1914–1928* (1930) in the "History of American Life Series" and Mark Sullivan's six-volume history, *Our Times* (1926–35). In different ways these supplement and replace the "American Nation Series," the last of whose volumes, Ogg's *National Progress*, appeared in 1918. Most of the new material relates to particular men, movements, or issues. A large part of it can be roughly aggregated into two classes: that relating to Progressivism, Liberalism, or Reform; and that relating to Labor, Socialism, or Communism. This classification is made merely for purposes of unity and convenience and is not meant to indicate any connection between movements beyond that stated in the text. In statistical matters Robinson's *Presidential Vote 1896–1932* (1934) is supplemented by a pamphlet covering the 1936 election.

The authorities cited with the last chapter give some picture of the conditions against which the Progressives and Reformers revolted. For further description of them reference may be had to such general works as Spelling's *Bossism and Monopoly* (1905) and to such accounts of the old regime as Coolidge's *An Old Fashioned Senator, Orville H. Platt* (1910). The movements themselves have rarely been described without bias which, however, is generally so obvious that no intelligent person is likely to be misled by it. See generally Chamberlain's *Farewell to Reform* (1932), an unsympathetic view; Faukner's *Quest for Social Justice 1898–1914* (1931), in the "History of American Life Series," which also includes the Labor and Socialist movements; and De Witt's *Progressive Movement* (1915), the last very favorable, having been written in a height of fervor over the supposed success of the Roosevelt Progressive Party. Regier's *Era of the Muckrakers* (1932) deals with a particular phase, Hechler's *Insurgency* (1940) with the early stages of the movement, and Bowers' *Beveridge and the Progressive Era* (1932) traces the rise and fall of the party in the light of the experience of one of its most sincere leaders. Great light is thrown on many of its objectives by McCarthy's *Wisconsin Idea* (1912). A recent article by a participant in the movement is Ickes' "Who Killed the Progressive Party?" *American Historical Review*, XLVI (January 1941), 306. A study confined to a particular state is MacRae's *Rise of the Progressive Movement in California* (1923).

No movement can be thoroughly understood without a clear knowledge of the lives of its leaders. For this, reference should be had to the numerous biographies of Theodore Roosevelt and to LaFollette's *Autobiography* (1913), with which for events in Wisconsin compare Stephenson's *Recollections of a Long Life, 1829–1915* (1915). For a leadership that failed see the "Perennial Candidate" chapter in Carlson and Bates' *Hearst, Lord of San Simeon* (1936). A collection of vivid, brief biographies is Bradford's *The Quick and the Dead* (1931).

The labor movement and radical parties generally are dealt with in Haynes' *Social Politics in the United States* (1924) and Symes and Clement's *Rebel America* (1934); also in Fine's *Labor and Farmer Parties, 1828–1928* (1928), which is much more valuable in connection with the former than with the latter of its subjects. Reference may also be had to a work with an extreme radical bias, Bimba's *History of the American Working Class* (1927). Bryce's *American Commonwealth* contains a prejudiced but interesting account of an incident in the early development of labor parties in the chapter on "Kearneyism in California."

Many books dealing primarily with labor are of importance for their accounts of its political connections. Among these are Orth's *Armies of Labor* (1919) in the "Chronicles of America Series"; the *History of Labor in the United States* by Commons, Lescohier, Brandeis, Perlman, and Taft (1918–35); and Lorwin's *American Federation of Labor* (1933). The political activities of the Federation are surveyed in Carroll's *Labor and Politics* (1923), while the interrelations of two important economic interests in that field are considered in Rice's *Farmers and Workers in American Politics* (1924), a Columbia University Study. A particular radical labor movement is discussed in Gambs' *Decline of the I.W.W.* (1932). Inside information on both the Progressive parties is to be found in Howe's *Confessions of a Reformer* (1925).

The history of radical economic parties can be traced by beginning with the works of their ideological founders mentioned in the text and proceeding down to the present time. For this evolution see: on Henry George and single-tax politics, Post's *Prophet of San Francisco* (1930) and Young's *History of the Single Tax Movement in the United States* (1916); on Karl Marx and Socialism, Laski's *Karl Marx* (1922) and Laidler's *Socialism in Thought and Action* (1920); on Nicolai Lenin and Communism, Rosenberg's *History of Bolshevism* (1934) and Stalin's *Leninism* (1928). Individual experiences in the Socialist and Communist parties are recounted in Hick's *John Reed* (1936); Freemen's *An American Testament* (1936); Beal's "I Was a Communist Martyr," *American Mercury*, XLIII (1937), 32; Gitlow's *I Confess* (1940); and Rushmore's "Rebirth of an American," *American Magazine*, April 1940, p. 16. A similar work, of peculiar interest

for the cartoons it reprints, is the autobiography of a radical artist, *Art Young, His Life and Times* (1939).

A recent general survey of minor parties is to be found in the *New Republic*, CIII (1940), 492. The Communist Party has received a great deal of attention of late years, largely from hostile critics, although the Communists' own side of the story may be found in Bittleman's *Milestones in the History of the Communist Party* (1937), Browder's *Communism in the United States* (1935) and the same author's *What Is Communism?* (1936), and Foster's *From Bryan to Stalin* (1937). Among the more notable articles are High's "Communism Presses Its Pants," *Saturday Evening Post*, CCXI (July 9, 1938), 5; Lasky's "How Dead Is Communism?" *Commonweal*, XXXII (1940), 187; Ryan's "Organized Riot," *Catholic World*, CLI (1940), 523; and the anonymous "C. P. Column," *Fortune*, XXII (1940), 88. Lyons' *Red Decade* (1941) is a particularly violent attack and is partially answered by Bliven's "Scotch Plaid Decade," *New Republic*, Oct. 6, 1941, p. 432. The Socialists have been treated in "Socialist Party Breaks Up" in *Christian Century*, LIV (1937), 1123, which, even if its title is an obvious exaggeration, is perhaps better based than the article, "Socialists Are Back on the Map" to be found in the *Nation*, CLI (1940), 432. An official Socialist reply to the *Christian Century* article is to be found in the same volume of that journal on p. 1237 (1937).

The American Labor Party issued a *Handbook* during the campaign of 1937 in New York City and has since put out at regular intervals mimeographed publications called *Legislative Facts* and *News of the Week*. The Birthday Edition of the latter, published July 17, 1939, contained a history of the party down to that date. A study of its forerunner, Labor's Nonpartisan League, is Taft's "Labor's Changing Political Line," *Journal of Political Economy*, XLV (1937), 434. The Progressive Party in Wisconsin is dealt with in the anonymous Fortune Survey, "LaFollette Progressives," *Fortune*, XVIII (1938), 90, and in Gosnell and Cohen's "Progressive Politics," *American Political Science Review*, XXXIV (1940), 920. For information concerning the Progressive Party in California the writer is indebted to his former student, Mr. Duane Beeson. The Prohibition Party can be studied in Cherrington's *Evolution of Prohibition in the United States* (1920) and Colvin's *Prohibition in the United States* (1926). A "History of the Prohibition Party" will be found published serially in the *National Prohibitionist*, the party organ, at intervals during 1939–40. A speech by Babson, the candidate of the party in 1940, entitled "The New Prohibition Party" is to be found in *Vital Speeches*, VI (1940), 668.

As we advance in our study of this latest period of American polit-

ical life we are increasingly dependent on newspaper and magazine material. The metropolitan press is most useful for the affairs of the major parties, the minor ones sometimes possessing their own journalistic organs. The bias of these latter need scarcely be pointed out, but it should be said that it could hardly be greater than the opposite prejudice often shown by papers of more general circulation. The *New York Times* deserves special mention for its publication of an *Index* (continuous since 1913) enabling the research student to find whatever material has been published in its columns on any subject.

Magazine material is of widely varying character. Some publications (such as *World's Work* and *Review of Reviews*) have placed their emphasis on chronicling passing events; others (like the *Outlook* and the *Independent*), on comment and opinion. In this field the *Literary Digest* performed a unique service by collating the published comment of the country. To discriminate among existing magazines would be invidious, but the student should realize that one who does not browse widely among them risks having a biased and parochial view of current events. Attention is specifically called to the *Political Science Quarterly* and the *American Political Science Review*, technical journals in the field of government in which matters concerning politics often receive valuable and learned consideration.

Publications of the campaign years become a more important source as we approach the present day. Much material, as yet uncollated, lies in them awaiting the student's attention. Some information, otherwise uncollected, is to be found in various annually issued manuals of information. Prominent among these are the *American Yearbook* and the *International Yearbook*. Concerning radical party movements, the *American Labor Year Book* and the *Labor Fact Book* (the former of which has now ceased publication) are of particular importance. For foreign affairs the British *Annual Register* is useful, especially of late years, as summarizing from a detached viewpoint activities sadly in need of clarification.

The material on the New Deal is of necessity thus far mainly ephemeral. Two permanent sources may be suggested in *The Public Papers and Addresses of Franklin D. Roosevelt* (1938, 1941) and Farley's *Behind the Ballots* (1938). For the election of 1940 one must still depend on material issued during the campaign, some of which is biased and all of which is necessarily partial in its treatment. In addition to the campaign handbooks and propaganda of all parties, reference may be had to such pamphlets as Odegard's *Prologue to November, 1940* (published in August); the *New Republic's* "This Man Willkie" (September 2) and "Voters' Handbook" (October 7); and *Propaganda Analysis'* "The Presidential Campaign" (October 15). All but the last named are written with a pro-Roosevelt bias.

# *PART III*

# THE POLITICAL PROCESS IN AMERICA

# *Chapter VIII*

## POLITICAL LEADERSHIP AND ORGANIZATION

### I. CHAIRMAN, LEADER, AND BOSS

**The Function of the Chairman.** A sharp differentiation between official and unofficial leadership is one of the outstanding features of American politics. The official heads of the party organization are not ordinarily the real leaders of the party. Mr. James A. Farley, for example, was for eight years chairman of the Democratic national committee. No one thought, however, of describing him as the leader of the national Democratic Party. It would have been easy to name a dozen prominent Democrats whose opinions were of more weight in forming national policies. In fact, it was not Mr. Farley's business to influence national policies or even to have opinions about them. He was not selected for any such purpose. It was his duty to see that elections were won and to that end, of course, he sought to have the policies of his party placed before the voters in the most favorable light. But in all probability he followed even here the guidance of the policy-forming leaders of the national Democracy. His real business was political manipulation. He governed the distribution of patronage, he devised campaign strategy, he supervised the actual vote-getting activities of the lower party committees and of the party workers throughout the land.

Such is the work of the official head of an American party in the national field, where Mr. Farley is instanced personally largely because he so nearly approximated the political ideal in the performance of his functions. In the state and local

fields a like differentiation exists between policy-forming and vote-getting, as will be more fully explained in the course of our later discussion. For the moment it might be observed that this differentiation has at times existed abroad, as in England when the elder Pitt acted as policy-determining Prime Minister and left the distribution of patronage (a function then of far greater importance than it is even in America today) exclusively to the Duke of Newcastle.[1]

**The Leader Distinguished from the Boss.** Turning to the field of unofficial party leadership, we find the further differentiation which is persistently made, or sought to be made, between a leader and a boss. This distinction, while not always satisfactorily described by technical writers on politics, rests on the usually sound basis of popular impression. Unbiased observers will concede that the positions of President Franklin D. Roosevelt and of Mayor Frank Hague are not the same in kind, though each is at the head both of a unit of American government and of the Democratic Party within that unit. Whatever may be the elements of similarity, there are elements of difference also and those not of size alone.

It is frequently said in academic writings that the boss is interested only in spoils. He is "in politics for what he can get out of it." That this is very generally true, especially of the local or city boss (by far the most common type) admits of no dispute. Among such bosses, apparent innocence and the pretense of being in politics for the mere love of the game or of power are quite warrantably regarded as mere evidence of greater skill in concealment and greater hypocrisy in assertion, proceeding sometimes (where the source of revenue is indirect) even to self-deception. But most of them would admit, at least in the privacy of their own souls or among a small circle of chosen henchmen, what bolder ones have avowed most publicly: that they are out for "honest graft" or are "in politics working for their own pockets all the time."

State bosses are frequently only local bosses "writ large."

[1] Bubb Dodington was another English politician principally renowned for his skillful use of the patronage.

Pendergast has ruled Missouri from Kansas City; Hague, New Jersey from Jersey City; Brennan from Chicago dominated the Democratic Party of Illinois, as the various Tammany bosses ruled the party in their state from New York. But this has not been the only kind. In the bygone period when state legislatures elected to the United States Senate it was quite common for a senator to be the state boss. Some of these men had interests higher than mere profit, above the necessity for which they were frequently raised by large fortunes. There seems reason to believe that some of them (Conkling of New York and Crane of Massachusetts, for example) were not mere vulgar spoilsmen but rulers after the ancient Greek or Renaissance Italian manner, men who found their satisfactions in political domination without necessary reference to any other motive.

It seems to be the necessary characteristic of the boss that he rules rather than leads. His methods are those of command. His punishments generally consist in the political decapitation of delinquents. And like the official head of the party (which the boss sometimes is and sometimes is not), he is mainly or almost exclusively concerned with patronage and spoils. Policy does not interest him except with a view to at least political profit. Contrast with this the attitude of the leader, whose chief aim is to carry through his program, and it will be seen that here are two types clearly distinguishable in the phenomena of politics.

**National Leaders.** Fortunately the nation has never lacked leaders. Our party history is very largely the history of them — of Hamilton and Jefferson; of Jackson, Webster, Clay, and Calhoun; of Cleveland and Blaine; of McKinley and Bryan; of the two Roosevelts and of Woodrow Wilson. One might dislike any of these men but one had to admit that they had ideas and that these were what they worked to accomplish. Mere power, much less mere monetary aggrandizement, was not their aim. What is more, in ideas lay their strength. The most arbitrary of them, such as Jackson and Theodore Roosevelt for example, prevailed by arousing enthusiasm for a pro-

gram. It might be one of the utmost simplicity, as with Jackson's rule of the common man. But it was the ideas of the leader and not the commands of a boss to which the people responded.

There has never been a national boss. It seems likely that a national boss would be impossible in a modern democracy. While it is sometimes pointed out that Sir Robert Walpole's rule in eighteenth-century England resembled that of a modern party boss in all essentials, it should be recalled that this was accomplished under the combined circumstances of a capriciously limited electorate and an opposition far more inclined to treasonable conspiracy than to ordinary political action. It is notable that even in Italy and Germany the dictators originally came into power on the strength of ideas, even if those ideas meant all things to all men. It was a proclaimed program then that the Fascists willed into power; devotion to a hero's fiat came later.

**State and City Leaders.** States also have leaders. We may speak at the present day of Lehman in New York, of Norris in Nebraska, of Johnson in California. All these have long held power because they stood for ideas endorsed by the people. State leaders yearn perennially to become national, and among them appear such unsuccessful candidates for the presidential nomination as Oscar Underwood of Alabama, Albert C. Ritchie of Maryland, and Frank O. Lowden of Illinois.

Cities, although perhaps more rarely, also have their leaders. They may simply stand for the ideas of honesty and efficiency in government, but they nevertheless stand for ideas. One thinks of mayors like La Guardia in New York and Hoan in Milwaukee, of prosecutors like Dewey, judges like Curtis Bok, city managers like Dykstra. At no level in American democracy do we fail to find leaders, honest men standing for an idea.

Leader and boss alike are compelled to work through and with the official party organization, to which we must now turn before considering the specific problem of the boss in his relation to so-called machine politics.

## II. OFFICIAL PARTY ORGANIZATION

**The National Committee.** At the head of the system in each party stands the national committee. This originally comprised one committeeman from each state, but now, since woman suffrage, includes from each state also a national committeewoman. The committee dates from the Democratic convention of 1848, where Mr. Benjamin Hallett of Massachusetts moved the creation of a "Central Committee" of fifteen but accepted the amendment of Senator Jesse D. Bright of Indiana for a "National Committee" consisting of one from each state. After the adoption of this motion, Mr. Hallett was appropriately enough appointed first chairman of the committee. At their first convention (a preliminary meeting solely for organization purposes), the Republicans adopted the same machinery and in both parties it has come down to the present day unchanged, except by additions such as vice chairmen, committeewomen, and representatives from the territories and insular possessions.

The chairman of the national committee is a potent figure. The general scope of his duties has been indicated earlier in this chapter. Using as our example the beau ideal of campaign managers, Mr. James A. Farley, we have explained what the national chairman does and does not do. We might have done so more briefly. We might have said: *The chairman of the national committee manages the national campaign.* This statement covers the ground and requires little further explanation. By national campaign is meant presidential campaign. The congressional campaign at midterm is handled by senatorial and congressional committees. The national chairman may cooperate but he cannot command. He remains politically active between campaigns but it is all in the way of preparation for the next contest. Such intermediate activities are of fairly recent origin. The Democrats, the only major party to publish stenographic reports of the meetings of their national committee, are revealed as having begun official inter-campaign action as lately as the administration of Presi-

dent Wilson. The work of their two extraordinarily able national chairmen, Vance McCormick (1916–1919) and Cordell Hull (1921–1924), doubtless compelled the Republicans to follow suit. Party activity among minor party organizations is generally as persistent or as ephemeral as the parties themselves, but even hardy, hopeless triers like the Socialist-Laborites and the Prohibitionists show rather more activity in a national campaign year.

**The Congressional and Senatorial Committees.** Next in this great hierarchy of committees come the senatorial and congressional groups, each upon a level of comparatively equal importance. The congressional committee was the first to evolve, coming as a result of distrust by the Radical Republicans of the national committee controlled by the Conservative group under President Johnson. Fearing that the latter might "knife" Radical candidates in the congressional elections of 1866, a joint caucus of Republicans from both houses chose a committee consisting of one member from every state having a Republican representation. This body for long managed both congressional and senatorial campaigns — the latter, of course, formerly amounted merely to securing the election of Republican state legislatures, which in turn chose Republican senators. When this changed, a further specialization in campaign methods was thought necessary, and the Senatorial committee was formed. Here, as before, the Republicans originated the institution, initiating their separate committee within three years of the adoption of the Seventeenth Amendment.

The Democrats imitated both these developments with slight differences in method. Where the Republican Congressional committee consists of one congressman from each state having representatives of that party, the Democratic, more than twice as large, includes members from every state in the Union. The method of selection differs too, although more in form than in substance. The choice by caucus of the Republican members of the House is really only a ratification of nominations made by each state delegation. The Demo-

cratic method of election by each state delegation of one member, supplemented by the appointment of one committeeman from states not having party members in Congress and of one committeewoman for each state (both appointed by the committee chairman), is doubtless administered in practice with at least equal regard for the wishes of state delegations.

The methods of choosing senatorial committees are identical in both parties. The chairman of the party conference in the Senate appoints a small committee for the term of two years. The Democratic committee consists of six and the Republican of seven members. The term of each committee is necessarily so limited that it covers only one election in order that it may never include senators whose own seats are in question, who might therefore be tempted to divert campaign efforts to their own personal support.

An interesting but temporary development took place in 1934 when the Republican senatorial and congressional committees, unable to obtain the usual campaign cooperation from the national committee chairman, Mr. Everett Sanders, formed a joint committee the better to manage the current campaign. Arising from an unusual circumstance, this arrangement did not continue, the committees in subsequent campaigns acting with their previous independence. Another variation took place in the campaign of 1940. The Democratic congressional committee, having shown complete inefficiency in performing its duties, was practically superseded in the final stages of the campaign by an emergency organization set up by President Roosevelt at the urgent request of the Speaker and majority floor leader of the House of Representatives. This new group, headed by a dynamic young congressman, Representative Lyndon Johnson of Texas, did a lightning-fast and thoroughly efficient job, turning what seemed in early October to be a probable Democratic rout into a victory in which the party even slightly enlarged its previously existing majority.

**The State Committees.** Next in line is the State Committee of the party. This body bears a strong resemblance to the

national committee in that its composition is based on a distribution of so many members to some chosen governmental unit (congressional district, legislative district, county, or what not). It is selected by the widest possible variety of methods. Direct primary, state convention, county convention, council of party candidates, county committee, and congressional district committee are among the various electing agencies, and sometimes the committee is constituted ex officio, including all the county chairmen or even (in one instance) all the members of the county committee. It is headed by a chairman who is the official head of the state party. He manages the state campaign in much the same way that the national chairman does the national. He alone is in command and he alone is responsible for results.

Nevertheless the other committee members, or some of them, have an active share in party affairs to a degree that is unknown in national party management. Considerations of comparative distance are the principal cause of this variation. Even with all modern improvements in transportation, the continental United States is still too large to make feasible frequent meetings of important party leaders from every state during the course of a national campaign. Many states, on the other hand, are sufficiently compact to permit persons from their most remote localities to reach the capital or some other centrally located city in one day or less without much inconvenience or expense. Accordingly, in many commonwealths meetings of the full state committee of a party are matters of fairly frequent and regular occurrence during the campaign period. Where this is not thought necessary or desirable, an executive committee (often existent in any state committee organization) is brought into active use, this smaller body performing the functions which are elsewhere those of the state committee as a whole.

It is the size of the committee rather than distance which its members must travel that usually is the cause of this devolution of powers. Naturally a state committee with more than a hundred members (like those in Kansas and Montana, for

example) will usually act through its executive organization, a process quite unnecessary in Wyoming where the state committee of each major party is only 23 in number. These variations are, of course, the result of the basis of representation. Wyoming has a small committee because its election law fixes the membership at one from each county of this thinly populated state. But the same basis in different applications produces very different results. In Kansas the basis of one member per county produces a committee of 105 members.

**District Committees.** Next below the state committee come the district committees of various types — congressional, legislative, judicial. These hardly possess the importance which their size and the prominence of the officers they elect would seem to justify. This fact is perhaps due to their *ad hoc* nature and to their lack of organic unity. Existing purely for the purpose of electing to a single office, and representing an area constantly changed by successive reapportionments, they do not obtain any extensive control over the party. Large strategy is a matter for the state organization; local maneuvering is for the city or county.

District committees are variously constituted, depending upon state law or, in its absence, upon the rules of the particular party in a given locality. These in turn are generally governed by the size or populousness of the districts in question. In large districts the committee may comprise either all the county chairmen or members elected in equal numbers by each county committee. In small it may include all the members of the county committees resident in the district or (what is often quite the same thing) all the precinct committeemen.

**County Committees.** The county committee is by far the most potent local organization, for a variety of reasons. The county is a unit having a certain conscious existence, it is usually of a size convenient for campaign purposes, and the offices to be filled therein command a great deal of patronage and receive a minimum of public attention. This is especially true in a city large enough to include most of the area of one

or more counties. There the undramatic functions of the county become almost entirely concealed behind the imposing facade of the city government, and vicious machines, clustering around the county organization, dominate and control both. Thus we find the Suffolk County machine in Boston, the Cook County machine in Chicago, the various Democratic county machines in New York City. Tammany itself is the Democratic county machine of New York County. Philadelphia is an exception. Owing to the exact coincidence of city and county there, the city committee has complete control, managing even the campaign for county offices.

The county chairman, chosen by his committee, is in general command of local strategy and possesses considerable power. In rural areas he sometimes rises to the full stature of a local boss. This situation is not unknown in the cities, but it is perhaps rather more common there for the boss, if one exists, to eschew any actual official position. State law and party rule frequently reinforce the county chairman's power by making him ex officio a member of the district or even of the state committee. Where the county committee elects to the state organization, their chairman is likely to be their choice.

Methods of choosing county committees vary, but by far the most prevalent is choice by primary. The party voters elect a precinct committeeman who also serves as a member of the county committee. This, for instance, is the rule in Idaho, Kansas, Washington, and Wyoming. Many states also require the election of committeewomen, thereby doubling the committee's size and often compelling it to function mainly through its executive organization. We may note here a number of interesting variants. The New York election law calls for supplementing the two members to be elected from each precinct with additions proportional to the last party vote for governor. That of North Dakota supplements by the appointment of one "member at large" by each legislative candidate within the county, while those of Michigan and Vermont call for selection of the entire county committee by the candidates for office. This last rule would seem the most logical.

The business of the committee is managing the county campaign. Who can choose the men for that duty better than the candidates for county office?

**City Committees.** The city committee, which at times — as in Philadelphia and the cities of Virginia — also performs the usual functions of the county organization, is generally constituted on the same basis as the county committee. It usually consists of precinct leaders, including all within the city, even when such a makeup is so unwieldy as to reduce the committee to practical impotence and to compel it to function almost entirely through its executive organization. The Tammany organization (officially the New York County Democratic Committee), for instance, has a membership of nearly 15,000 and does all its work through its executive committee. The city chairman is often a functionary of some importance, though usually less powerful than the county leader, and sometimes acts as a mere "front" for a local boss.

**Lesser Committees.** Town, village, and township committees in the country, and ward committees in urban areas are generally similarly constituted and perform obvious functions of local campaign management.

*The precinct committeeman* or active party worker is the foundation upon which all this vast structure is reared. Chosen by the local party voters in primary or caucus, or appointed from above by higher officials in the party organization, he retains his position only by his ability to produce results. He is expected not only to keep his party voters in line and to "deliver" their votes safely at the polls on election day, but also to guide their primary-voting. From both good and bad motives, party managers are highly concerned about controlling nominations. To do this they depend upon the precinct committeeman. If he regularly gets the majority of the party's primary vote in his precinct for the organization candidates, he has performed the more difficult half of his duty.

Both for this purpose and for obtaining the right result in elections, the precinct committeeman must do everything to oblige and conciliate the voters. He is the one political agency

that is perfectly sure to be working all the time, in season and out of season, off year and on. He becomes a kind of public service agency, charitable in seeming, but expecting payment in votes. He gets jobs in public and private employment, "fixes tickets," distributes food, clothes, coal, wedding presents, funeral remembrances, information, advice, anything and everything that may corral a vote. His power is therefore almost in direct proportion to the need of the people in his district. It is greatest in those precincts whose voters are mainly on the margin of economic subsistence, and least where the electorate is largely above the immediate necessities which the precinct leader is best equipped to supply. His position has been greatly affected by the New Deal's help to the needy. Unless he controls such services as the W.P.A. as applied to the people of his precinct, his power will be greatly diminished.

## III. MACHINES AND FACTIONS

In politics, the term *machine*, like *boss*, is possessed of very evil connotations. It is the common inference that a machine is a political organization existing only for corrupt purposes. While too commonly true, this statement is not sufficiently explanatory to afford much guidance and, in fact, tends to reduce the term to a mere derogatory epithet, capable of being applied to any political grouping of which one wishes to express disapproval. More fruitful indications may be gleaned from the following principles:

A machine may or may not coincide with the official party organization.

It may include many persons not contained in the official organization.

It may even be conducted in active opposition to the official organization of its own party.

Its primary objective is invariably the success, not of the party, but of a particular group which endeavors to get the party under its control.

In other words, *the machine is the political organization of a faction within the party.*

The term *faction* is another which has served principally to convey an impression of political ill repute, or rather, it is one which has continued to convey the ill repute that formerly attended all expressions implying political difference. The framers of our Constitution, in their political writings, regularly used *faction* and *party* interchangeably and both with a bad significance. When the party system came to be accepted, *faction* remained an opprobrious term to be applied to those opposing the control of the party by its regular management. Until party lines became crystallized it was at times a matter of doubt whether a given faction was in the party or outside it. John Randolph's Quids, for instance, are sometimes rated as a Jeffersonian Republican faction and sometimes as the first third party.

Philosophically considered, *a faction is any group within the party seeking to control it*, whether or not it is actually in control. Thus we have had the Long and anti-Long factions in the Democratic Party of Louisiana, the LaFollette and conservative factions in the Republican Party of Wisconsin, the New and Old Guard Democrats in Connecticut. Each faction is managed by a *machine*, the technical equivalent for it of the party organization. Machines and factions are too often personal, that is, they too often have no objective but their leaders' aggrandizement. They commonly bear their leaders' names. Thus we have had the Pendergast machine in Missouri, the Mellon, Vare, and Pinchot machines in Pennsylvania, the Hague machine in New Jersey. Even the historic Tammany organization is generally regarded as being largely the temporary property of its current leader.

## IV. TWO TYPICAL URBAN MACHINES

### A. TAMMANY HALL

Tammany, the most notorious of all machines, is usually emphasized in the writings of political scientists in a way which has at times proved misleading. Too often there has seemed a lurking inference that it was not only the greatest — the most

important — but also by far the worst political machine to be found in the history of American politics. This implied condemnation is not wholly deserved. Without apologizing for Tammany or denying that it has almost from its inception been an organization of a most undesirable kind, it is still only fair to say that its preeminence in infamy has been largely a matter of chance. It has had the bad fortune to be a Democratic machine dominating a great city in an opposition (Whig-Republican) state. Consequently, its management of city affairs has always been considered fair game by the state government and has, especially since the 1890's, been the subject of recurrent legislative investigations. Contrast with this the situation in Philadelphia, where until very recently municipal scandals of the most atrocious sort have quite commonly been smothered by the connivance of the state Republican organization with the local Republican machine.

If these facts are fully understood, there remains a sufficient reason for dealing first with Tammany in any consideration of American municipal machines. *We know more about it than about others* which have not been repeatedly subjected to unfriendly scrutiny. It is therefore common and reasonable to use it as our first example of an American municipal machine, always taking into account the peculiarities of the local New York situation and taking pains to check our conclusions by data from other cities so far as they may be available.

### *1. History*

**The Early Tammany Societies.** Tammany began as a fraternal organization under the leadership of one William Mooney, an Irish veteran of the American Revolution, in 1786 or 1789.[1] It was but one of a number of so-called "patriotic societies" which took their name from Tammany, Tamanend, or Tatamy, an Indian chief who flourished at the time of William Penn's settlement of Pennsylvania and earned a reputation as a "good Indian," a great friend of the white

[1] The exact date is in some dispute.

man. At the time of the Revolution the patriots found the Tories rallying in societies which assumed the name of St. George, the patron saint of England. America, too, must have a patron saint. The colonists looked around them, seeking an indigenous hero. Then half in earnest, half in jest, they fixed upon Tammany and declared him the American saint. The idea caught on and the name traveled far.[1] Tammany societies sprang up everywhere and many of them, like their New York representative, became involved in the politics of the early Republic.

The societies were composed mostly of urban working men who quite naturally took the Jeffersonian side. These organizations became active in Democratic-Republican politics, helped Jefferson to his triumph in 1800, and then nearly all of them appear to have died of political inanition. There was no federal patronage forthcoming. Jefferson, bound partly by his political conscience and partly by the understandings upon which his election by Congress was obtained,[2] steadfastly refused to proscribe the Federalists.[3] The Tammany societies generally found this attitude fatal to their continuance.

**Survival of Tammany Hall.** That it was not fatal to the New York City organization was largely due to the fact that New York State politics were being conducted on a different principle. Tammany flourished under the leadership of Aaron Burr, who, although not a member, was a great patron of the society and appears to have given it some of its earliest lessons in corrupt politics. Burr's downfall was followed by a series of investigations of the official conduct of his followers in the city, and a number of members of the society were caught in the toils. Mooney himself was called to account for his misconduct in the office of Superintendent of the Municipal Alms-

[1] In Louisiana there is a St. Tammany Parish (or what would be called a county in any other commonwealth) lying on the eastern border between the Pearl River and Lake Pontchartrain.

[2] See *supra*, pp. 92–95.

[3] See the interesting colloquy between Jefferson and a delegate from the Tammany Society of Baltimore, recorded in James Parton's *Life of Thomas Jefferson* (Boston, Houghton, Mifflin & Co., 1874), pp. 610–611.

house, and the item on his books, "Trifles for Mrs. Mooney," was for long a standing jest among New York politicians.

A long period of vicissitudes followed. Tammany erected its first Wigwam in 1811 and set up there a political organization, nominally separate from the society but actually either identical with it or under its domination. This is the Democratic-Republican General Committee of New York County, which has survived under the same name down to the present day. It is now the official county Democratic organization, alone and undisputed.

**The Jackson Era.** It took a long time to build up this position of power. Not only was the Hall often rent by dissension within its own ranks, but also it was compelled to fight with other Democratic machines for control of the city.[1] It profited by its support of Andrew Jackson, whose principles as to patronage it found very satisfactory. One Samuel Swartwout, a prominent Tammany leader, was created Collector of the Port, only to steal $1,220,000 over a period of eight years and then to depart for Europe, never to return. This was but the greatest of a number of Tammany defalcations revealed about the same time.

It is to be noted that all this occurred while Tammany was an organization entirely under native American control. It was in fact rather anti-foreign in its outlook during its early career, so much so that on one occasion, in 1817, the Wigwam was the scene of a riot caused by an incursion of resentful Irish. Five years later the situation was greatly altered by the abolition of the property qualification for the suffrage in New York, and the society showed great wisdom and flexibility by promptly reversing its stand and seeking to attract foreigners.

As time went on, this policy became even more pronounced. Its success was assured by the unconcealed aversion which the Whigs held for all aliens and their willingness to combine with a Native American party which had appeared in local politics. When the full tide of European immigration set in in the late forties, it made New York definitely a Democratic

[1] Then, but not now, coterminous with New York County.

city. The only question that remained was whether it should be ruled by Tammany or by some other Democratic faction.

**Rise of the Boss System.** From the first the Hall had been dominated by small groups or cliques. Now the boss system began to evolve. Credit for its inception should go very largely to Fernando Wood, an unscrupulous genius who, after twice being elected Mayor as a Tammany candidate and thereafter being defeated by a reform organization, broke with the Wigwam, set up his own machine known as Mozart Hall, and was reelected Mayor, defeating both a Tammany and a reform candidate.

Mozart Hall was Wood's personal organization. It faded away upon his eventual retirement from politics, but it had served to show the superior efficiency of a machine taking its orders entirely from one man.

This lesson was one from which Tammany was ready to profit. The time was ripe and the time found the man — the Napoleon of political corruption, William Marcy Tweed.

A wide combination of circumstances made Tweed possible. First, in point of time, was spoils politics, which had flourished in New York State long before Jackson introduced it nationally.[1] Next came the huge influx of alien voters, whom the aversion of the Whigs turned to blind support of the Democratic ticket. Finally came the bitterness, first of anti-slavery and then of Civil War politics, causing the party voter to regard his opponents as mortal enemies and to "vote for the Devil if he received the regular nomination." And sometimes it seemed as if he did.

Tweed was not an isolated phenomenon. Corruption was sweeping through American life like a tide. It was not confined to New York. It was not confined to state government. It was not confined to politics. This was the period of the Erie Railroad frauds, of the Crédit Mobilier, of Jay Gould, Jim Fiske, and Daniel Drew. This was the time when Ben Butler

[1] It is interesting to note that the name "spoils system" originated from a statement of William Marcy (for whom Tweed was named), made while defending New York politics before the United States Senate.

led the House of Representatives, when Whittemore of South Carolina was expelled from Congress for selling West Point cadetships, when the Senate did *not* expel Pomeroy for buying up the legislature of Kansas. This, in short, was the time when business and political morality were alike at very low ebb, and the man of active affairs who would neither sell himself nor purchase another was sufficiently rare as to be commonly believed nonexistent.

Tweed was the product of these conditions. The son of a chairmaker, he obtained his start in politics through his popularity with the volunteer fire company to which he belonged — the renowned "Big Six" whose tiger's head insignia eventually suggested the cartoon emblem of Tammany. In the early fifties he was elected first to the City Council and then to Congress. Defeated for reelection by a Know-Nothing, he became a Sachem of the Tammany Society and was soon elected to the Board of County Supervisors. About the same time he began to make money as a lobbyist before the Board of Aldermen.

Defeated in 1861 for the lucrative position of Sheriff, Tweed nevertheless pushed on and was in the same year elected chairman of the Tammany General Committee. To this he soon added the position of Grand Sachem, thereby dominating both the political and the fraternal setup of the organization.

It was for his conduct in these positions that he received the name "Boss" — "the first . . . in such an honor named." Proposals favored by him were not imperiled by any request for negative votes when he was in the chair. He would declare unanimous a nomination he desired, in spite of the sharpest protest. The name of "Boss" did not disturb him. In fact, he reveled in it.

Meanwhile he pushed on deeper into power and plunder. To his Supervisor's position he added that of Deputy Street Commissioner (with control of the vast patronage of that department) and that of State Senator. The latter office allowed him to act as his own purchasing agent in the corrupt Republican legislature.

**The Tweed Ring.** Tweed's first bargain gave complete control of the municipal finances to his sturdy henchman, Richard B. ("Slippery Dick") Connolly, the City Controller. Connolly promptly laid down a rule that of all funds paid out there must be a "kickback" of 55 per cent to the "Ring," as Tweed and his principal lieutenants had now come to be designated. This amount, obtained, of course, by padding the bills upon which it was paid, was later increased to 67 per cent in order to take care, and secure the silence, of the treasury and auditing officials of the city and county and of the go-betweens who distributed the plunder, and to build up a corruption fund for the purchase of further legislation.

Meanwhile, as a contemporary writer put it, "the Ring was flourishing like a green bay tree." Tammany advanced to a position of new importance when the national Democratic convention for 1868 met in its newly built wigwam on Fourteenth Street and nominated a New York candidate (Seymour) for the Presidency, and when in the election of the same year Tweed was able to promote his mayor (Hoffman) to the state governorship, retaining the mayoralty for another henchman — one A. Oakey Hall. These elections were carried by an unparalleled combination of fraud and intimidation, every stage from the naturalization of aliens to the final tabulation of the vote being saturated with corruption.[1] Nominations for all offices, including the local judiciary, were matters of bargain and sale. The judges so chosen were assisting Fiske and Gould by the most brazen decisions in their notorious manipulation of the Erie Railroad. In fact, the financial robbers and the political robbers were working hand in glove.

But its insatiable desire for power and plunder was soon to be the Ring's undoing. Complete control over appropriations as well as payments was obtained from the corrupt legislature,

[1] The naturalization judges and the election officials were alike minions of the Ring. Tweed and his "pals" were enabled to win large bets on the Democratic state majority by manipulating the city returns to produce exactly a predicted result.

and the stealing went on faster than ever. Much of it was of such a barefaced kind that the only security from detection was in keeping the public accounts secret. This was done in defiance of law.

Such a situation could not long continue. A member of the Young Democracy, an anti-Tammany faction, obtained some of the records from the controller's office. They soon appeared in the *New York Times* under blazing headlines charging corruption. A citizen's organization (the Committee of Seventy) was promptly formed for the service of fighting the Ring. Tweed remained calm — his "What are you going to do about it?" is still proverbial in politics — but Connolly, the one most immediately affected by the disclosures, was frightened into turning his department over to an honest deputy. Even then, with all the damning facts in the hands of his opponents, Tweed fought on. If he could win the fall elections (1871) he would be considered vindicated, and the charges against the Ring would fall of their own weight. Fortunately, he could not quite make it. The strenuous efforts of the Committee of Seventy, backed by the *Times* and by Nast's unequaled cartoons in *Harper's Weekly* (in which the Tammany tiger first appeared), resulted in the general defeat of the Ring candidates. So decisive was the result that Tweed, who had succeeded in obtaining his own reelection to the state Senate, did not have the face to take his seat in that body and soon resigned his headship of the Tammany organization. He at once became the mark for the community's vengeance and what remained of his vast fortune was vainly spent in efforts to evade it. The criminal prosecution against him indeed failed on a technicality, but civil proceedings for fraud were more successful. Even escape, purchased at vast expense, could not save him. He was caught in Spain, identified on the strength of a Nast cartoon, and returned to die in the Ludlow Street Jail. Two of the Ring judges were removed by impeachment and a third resigned to escape the same fate. Some minor henchmen were imprisoned, but the other Ring chiefs saved themselves either by flight or by disgorging some



THE TAMMANY TIGER LOOSE BY THOMAS NAST

or all of their plunder. Hoffman and Hall, the respectable figureheads of the pirate ship Tammany, escaped all punishment. The former even found it possible in his position as Governor to block the reforms that were needed to give New York City a permanent deliverance. Such a result left the way open for the appearance of the "Reformed Tammany Hall" under the leadership of "*Honest John*" *Kelly.*

Kelly, the second Tammany Boss, deserved his reputation for honesty if not absolutely, at least by comparison with Tweed. Realizing that Tammany had a record to live down, he insisted upon respectable candidates and maintained for a time such a standard of apparent decency as to inveigle the leading Democrats among the reformers back into the Tammany organization. Some of these later admitted that they had been deceived by Kelly's pretensions, and others even went so far as to break off and form opposition factions within the party. At one time Tammany bolted the state ticket and at another it was in imminent danger of losing control of the county organization. In the face of these embarrassments, Kelly was practically compelled to earn a reputation for comparative honesty and moderation.

His successor, *Richard Croker*, found it possible to dispense with such precautions and to return to the example of Tweed. The substance was the same but the method was improved. Tammany could even afford to lose an occasional election, for the profits were all of the indirect or "honest graft" type and hence nothing could be proved by the city books.

Something could be proved by other methods, however, as was soon realized by Boss Platt, the Republican overlord of New York State. Three legislative investigations sponsored by him between 1890 and 1900 served to keep up a reform agitation against Tammany, and once during the period (1894) to drive it from office. With the possible exception of the Lexow inquiry of that year, the investigations were not thorough. Platt, like other bosses, had an aversion to "drawing up the curtain the whole way," as a political leader in another state once phrased it. "Pitiless publicity" about

others is only safe for those who can afford it for themselves.

But the rottenness and arrogance of Tammany were such that slight efforts sufficed to reveal first-class scandals. Croker told the counsel for the Mazet committee in 1899 that he was "in politics working for my own pocket all the time the same as you." The Lexow investigation of 1894 had disclosed that the Tammany police department rather licensed than suppressed crime, and in particular that it drew huge revenues from the most open and demoralizing forms of prostitution. Yet Tammany came back into office in 1897 with the slogan, "To hell with reform," and proceeded not only to restore most of the same abominations, but also to enter into commercial combinations to overcharge the city for its water supply and to monopolize its ice business through the so-called Ice Trust. The result was that Tammany was again driven from office in 1901.

The truth was that the machine was suffering from absentee control. At times Croker had found it convenient to go abroad to avoid testifying in investigations. He acquired an estate in Ireland where he set up a fine racing stable. He became well known on the English turf, and in his sporting capacity was more or less the associate of the Prince of Wales (later King Edward VII). He enjoyed this life, and remaining in New York did not seem necessary to his position there. After 1890 he held no public office and his control of the Tammany machine was for long so perfect that it could be maintained entirely by occasional visits. His departure after the defeat of 1901 proved too much for his supporters, however. After a brief period of confusion, his power devolved into the hands of *Charles F. Murphy*, fourth and last of the great bosses of Tammany Hall.

Murphy, though himself an ordinary spoils politician, had the wisdom to develop and promote young men of some social vision, such as Robert F. Wagner and Alfred E. Smith. He restored Tammany to its position of municipal dominance and even aspired to control the state. His first success in the

latter field — the election of Governor Sulzer in 1912 — proved a disappointment. The Governor refused to obey orders, whereupon the Boss had him impeached and removed from office. In all it amounted to a first-class scandal and was influential in producing a general debacle in the municipal elections of 1913. Reform not only swept into control but it also deprived Tammany of every city and county office and reduced it to a single membership in the Board of Estimate, a record not to be equaled again until 1937.

But Tammany came back at the next mayoralty election. Helped by Republican obstinacy in breaking away from the anti-Tammany coalition and by the pressure of wartime conditions, which drew a large vote from Fusion to the Socialists, Tammany won the election of 1917 and the next year pressed forward to place Al Smith in the governorship.

From then on, Murphy's regime was prosperous. In 1918 a new wigwam was erected at Union Square, a modern businesslike structure, replacing the frowsy building at East Fourteenth Street which had survived from the days of Tweed.

Smith's defeat for reelection in 1920 was but a temporary setback which was thoroughly retrieved by his return to office in 1922. Woman Suffrage, the adoption of which was facilitated by Tammany "neutrality," more than doubled the machine vote, while hardly doing as well for the opposition which was now thoroughly divided. National prohibition multiplied the revenues from graft, while strengthening the support that Tammany always drew from its nonenforcement of the liquor laws.[1] When Murphy died in 1924 Tammany was in complete control of the city, besides having in its loyal son, the governor of the state, an outstanding candidate for the Presidency.

[1] It was A. Oakey Hall who, as District Attorney for New York County (before his election to the mayoralty), remarked at a political rally amid cheers that he could somehow never find time to prosecute a saloon keeper for selling liquor after closing hours. Shortly after this, Tweed recommended Hoffman to the voters as "the foe to municipal oppression in the form of odious excise . . . laws." Nothing did more to defeat the reform regime in the nineties than Theodore Roosevelt's conscientious enforcement of the Sunday closing law as police commissioner.

*George W. Olvaney*, who succeeded Murphy as Tammany boss, devoted his best efforts to realizing the dream of a Tammany President. In so doing he endeavored to introduce an atmosphere of respectability and even of quasi-reform into the machine's proceedings, steps bitterly resented by leaders trained in the earlier traditions whom he was unable to control. A relaxation of discipline followed Murphy's iron-handed regime, and a return to the excesses of Croker's day followed.

**Curry.** After the defeat of Smith in the national election of 1928, Mr. Olvaney's support dwindled and he found it advisable to retire on the ground of ill health. Mr. John F. Curry, one of the most recalcitrant of the conservative leaders, succeeded, being chosen for the position at the behest of Mayor James J. Walker, despite the opposition of Governor Smith.

The choice of Mr. Curry must be ranked as a major error, for he proved almost totally lacking in political judgment. Opposing the nomination of Franklin D. Roosevelt in 1932 was only the chief of his mistakes of policy. The downfall of Tammany from its dominance of the city (while perhaps eventually inevitable) was certainly hastened by his ineptitude.

Ever since the creation of Greater New York in 1898, Tammany's power had in reality been dependent on its ability to dominate the Democratic machines or organizations in the outlying boroughs. These had of late become restive, so much so that Olvaney had been compelled to quell a definite rebellion headed by Boss McCooey of Brooklyn in the Democratic primaries of 1925. Curry's relations with McCooey were more cordial, but the hostility of the national administration allowed Boss Flynn of the Bronx [1] to "hog" the federal patronage, resulting in a revolt of the subordinate (district) leaders which finally caused the overthrow of both the Brooklyn and the Tammany bosses.

**The High Price of Tolerant Government.** At the same time, the sins of the Tammany regime were beginning to find

[1] Now and since 1940 Democratic National Chairman.

it out. In the flush times of prosperity and prohibition, not even the respectable Olvaney and the prospect of national power had been able to keep the Hall really "clean." But as long as money was plenty and liquor obtainable only by official connivance, there was a general willingness to treat graft of various types as a mere peccadillo. Tolerant government was thought worth obtaining at this price.

With the coming of the depression and the prospective return of legal liquor, a change came over public opinion. The inevitable exhaustion of patience had come. It was hastened by the intolerable abuses prevailing in the police and some other city departments. When innocent girls were "framed" as prostitutes, when respectable citizens were deprived of their livelihoods by the fraudulent refusal of municipal permits, only publicity was needed to bring about the work of destruction.

The publicity was supplied by the Seabury investigation of 1932, which drove Mayor Walker and other prominent officials from office. The national ticket saved Tammany the mayoralty in that year, but as it was only an election for a year's unexpired term, it was of little avail. The first election of La Guardia was the beginning of a general rout which Mr. Curry could not stem. He retired in 1934 and was succeeded by James J. Dooling.

**Dooling.** Dooling's choice had been dictated by the federal administration, which fact improved Tammany's prospects. They were still further heightened when the election of 1934 gave the Democrats a majority in the New York Legislature for the first time since 1913. At this point, just as the machine was beginning to reap its reward in the form of patronage, a break occurred which not only marred Tammany's external prospects but also split it internally into warring groups.

Governor Lehman and Mr. James A. Farley (in his minor capacity as New York State Democratic Chairman) were bent upon passing a reapportionment bill which, while beneficial to the Democratic Party in general, would have been detri-

mental to the particular interests of Tammany. Since the preceding apportionment (1916), the other portions of the metropolis had grown more rapidly than New York County, with the result that by the new proposal they were all to receive increases in legislative representation while the Tammany bailiwick would suffer a severe loss. It was openly predicted that dominance in the politics of the city would be transferred to the Kings County Democratic machine in Brooklyn, the borough which stood to gain most by the proposed change.

Dooling was pledged to support this measure but could not bring the Tammany assemblymen to execute his pledge. The immediate directors of their actions — the assembly district leaders — stood to be greatly reduced in number if the bill went through, and the whole internal setup of the Hall would have been thrown into confusion.

The revolt of the district leaders defeated the bill. Thereafter Tammany was at odds not only with the Democratic state and national organizations but also with those in the other four counties of greater New York. Revolts broke out within Tammany itself against the Dooling leadership. At the same time, the Boss's health began to fail. During several months of 1936 he was compelled to entrust his power to a triumvirate of district leaders, a device previously resorted to by Croker in the last stages of his absentee control.

On resuming active management, Dooling found himself confronted with increasing opposition. During the early months of 1937 he held on merely through the failure of the rebellious leaders to agree upon a successor. His choice of Senator Royal S. Copeland as Democratic candidate for the mayoralty was rejected by the other four county organizations and was in danger of being repudiated by Tammany itself. Only by a last-minute deal with his rebellious subordinates was he enabled to gain for it the approval of the county executive committee.

**Christopher D. Sullivan.** At this point Dooling's sudden death from apoplexy threw everything into confusion. Anti-

New-Deal elements in Tammany, acting promptly under the advice of former Governor Smith, forced a meeting of the executive committee and elected Christopher D. Sullivan to the leadership for a two-year term.[1] Mr. Sullivan, the last of the great Sullivan clan [2] of Tammany district leaders, is a quiet reserved man of rather "bankerish" appearance. During his early life he was engaged in the real estate business. In 1909 he inherited the leadership of "De Bloody Ate" (now the Second) District from his decidedly more strenuous brother, "Big Florrie" Sullivan. Mr. Sullivan was then aged thirty-nine and is thus a much older and more experienced leader than his predecessor Dooling, who was only forty-four at the time of his death and had then held his district leadership (also obtained by inheritance) only since 1931. Mr. Sullivan has maintained control over his district (largely Jewish in population) by the usual devices of personal kindliness and good fellowship, coupled with quasi-charitable activities on a rather large scale. "Occasionally he would eat a kosher meal at Greenberg's Casino in Broome Street — sometimes even gefuelte fish. During the pogroms in Russia he raised money for the relief of the homeless and after the great Allen Street fire he collected $3000 for poor families whose homes had been destroyed." [3] So strong has been his hold on his district that he has been able to maintain it in a manner comparable to Croker's absentee control of the city. "He went less and less to the Bowery and to his old home district. But he retained a voting address at 62 Forsythe Street [4] . . . though his family had moved out of the East Side to upper Park Avenue." [3] He nevertheless continuously represented the district, first in the state Assembly (1906–1916) and then in the federal Congress (1916–1941).[5] In both bodies he was a silent member.

[1] This is the first instance of the election of the Tammany leader for a limited term. Mr. Sullivan was reelected for a further term of two years in 1939.

[2] An account of the Sullivan clan in New York politics will be found in *New York Times*, Aug. 8, 1937; Sec. IV, p. 10.

[3] *New York Times*, Aug. 3, 1937, p. 3.

[4] Described as "a dingy tenement" in *New York Times*, Aug. 8, 1937.

[5] Mr. Sullivan did not run for reelection in 1940.

It is less significant perhaps of anything peculiar to Mr. Sullivan than of the Tammany situation in general to note that when elected leader he had recently been accused of having the backing of Johnny Torrio, Al Capone's former boss and predecessor in Chicago and more recently a powerful associate of Charles (Lucky) Luciano, the New York "vice king." Both Mr. Sullivan's principal opponent and his chief supporter in the fight for the leadership (leaders James J. Hines of the Eleventh District and Albert Marinelli of the Second District, West) have since his selection been prosecuted on charges involving association with the underworld. These led ultimately to the conviction of Hines, to the resignation of Marinelli from his office of County Clerk, and to the disappearance of both from their positions of leadership within the Tammany organization.

Sullivan adopted a distinctly anti-New-Deal policy, persisting in the candidacy of Senator Copeland for mayor and including in his slate for the New York Constitutional Convention of 1937 such prominent anti-Roosevelt leaders as Al Smith, former Boss Curry, and the eminent criminal attorney Max Steuer. Smith's influence was reported to be paramount within the organization, second and only second to which was that of Marinelli, the then County Clerk. Dissensions arose, partly from doubts as to the wisdom of persistent opposition to the New Deal and partly from objections to the influence of the gentleman last named. Neither of these motives was wholly noble or disinterested. Opposing the New Deal meant a continued loss of state and national patronage. The influence of Marinelli tended to increase the power of the Italian element within the Tammany organization, a thing long dreaded by the entrenched Irish and Jewish groups.

Torn by factional strife within and totally out of harmony with all other Democratic organizations, even those in the other New York boroughs, Tammany suffered a crushing defeat in the primaries of 1937. Mahoney, the mayoralty candidate of the other four county organizations, prevailed over Copeland, and several district leaders were driven from their posts.

The further results were summarized by the *New York Times* as follows: "Control of the Democratic Party in New York City has passed definitely from Tammany to Frank V. Kelly, Brooklyn leader, and Edward J. Flynn, leader of the Bronx, allies of Postmaster General James A. Farley and friendly to the President, and there is little likelihood that Tammany ever will be able to return to its one-time position of complete party dominance in the city.

"*The attempt of Tammany . . to discredit the President*[1] in the metropolis of his home State by nominating Senator Copeland, a known opponent of his policies, has failed dismally. Former Governor Alfred E. Smith, to whose advice this course of action has been attributed, was shown by the result to have lost much of his former influence. Tammany today is shorn of much of its power, rent by factions and faced with the prospect of losing two of its remaining sources of patronage, the offices of District Attorney and Borough President." [2]

This prophecy was fully realized in the November election. In "the most overwhelming defeat ever suffered by Tammany" [3] it lost not only the offices mentioned but two out of three City Court Justices and three Assembly seats as well. Curry was defeated by a very narrow margin in the race for the Constitutional Convention. One agency effective in causing this debacle was the newly formed (1936) American Labor Party, 90 per cent of whose votes at this election were drawn from the Democrats. This effective attempt to reach the worker's vote by means of a program rather than by individual charity was a great threat to Tammany, whose policy of individual aid by district leaders had already been largely superseded by federal relief.[4]

**Latest Developments in the Politics of New York City.** In the elections of 1939 Tammany staged a brief comeback, sweeping all the county offices and going forward with the

[1] Italics supplied.

[2] Article by James Hagerty, *New York Times*, Sept. 19, 1937, Sec. IV, p. 10

[3] *New York Times*, Nov. 3, 1937.

[4] For the like experience in Philadelphia see J. T. Salter's *Boss Rule* (New York, Whittlesey House, 1935).

other Democratic organizations to win two-thirds of the City Council.[1] Dissension within the organization continued, however, as witnessed by bitter fights over district leaderships in the primaries of both 1939 and 1941. And when in the latter year Mayor La Guardia running for his third term carried the city's three largest boroughs [2] by heavy majorities accompanied by what the *New York Times* called "the collapse of the Democratic organizations" [3] in those areas a strong demand arose for the retirement of Mr. Sullivan and even for the abandonment of the name Tammany. Leaders Flynn of the Bronx and Kelly of Brooklyn had put over their local candidates but Sullivan's nominees won out for only two contested offices. He was charged with an error in failing to select a popular candidate for Borough President and shortly after the election it was reported that he would resign as soon as the district leaders could agree upon his successor. The Democrats had lost their two-thirds majority in the Council and Mayor La Guardia was proposing the placing of city elections in future on a nonpartisan basis. All in all the future of New York City politics looked bright in November of 1941.

### 2. *Organization*

**Districts and Leaders.** The organization of Tammany coincides with that of the Democratic Party in New York County. This in turn is very largely determined by the electoral setup established by the system of representation. Formerly the basic unit was the assembly district, of which there are twenty-three in the county. In recent years the growth of the city has made some of these inconveniently large, leading to their division, for organization purposes, so that there are now within Tammany thirty-five districts. Each district elects at the primary a district committee on the basis of one member for every twenty-five voters. This body chooses, in addition to the usual committee officers such as chairman and secretary, a male and a female district leader. The latter is

[1] The exact number necessary to override the Mayor's veto.
[2] Brooklyn, Manhattan, and the Bronx.
[3] *New York Times*, Nov. 6, 1941, p. 15.

an innovation since woman suffrage. Some large districts elect a greater number of leaders, as many as seven having been chosen in some instances, but in every case there is one man in final authority who is *the* district leader. This position has thus far never been held by a woman.[1]

Officially the leaders are known as members of the district executive committee. All members of the district committee, including the chairman, who is formally in charge of campaign management, take orders from *the* leader. The chairman is sometimes considered to be in line for the leadership, depending on the custom of the district, the wishes of the leader, and various other political considerations. But for the present he exercises no independent authority.

**Precinct Captains.** The leader appoints two precinct captains for each voting district. Again these are a male and a female, with the former exercising all the actual authority. As was shown above, their continuance in the position depends on their ability to "swing their precinct" in the way the leader desires at every primary and election.

**Central Committees.** All the district committees unite to form the New York County General Committee, an utterly unwieldy body of some 15,000 members which is compelled to do all its work through an executive committee consisting of one male and one female leader from each assembly district. These are elected by the county committee members of each district. Election to the Executive Committee normally serves to designate which is *the* leader where several male leaders are chosen from a district, but the committee is the judge of the elections and qualifications of its own members and has been known to seat the defeated candidate if he proved more agreeable to those in control.[2]

[1] This is merely a statement of present fact. Women are beginning to become important in ward politics. Witness the case of "Rosie Popovits" (a fictitious name for a real person), a division (i.e., precinct) leader in Philadelphia, reported in Salter, *op. cit.*, pp. 193–207. An attempt to elect a woman leader of a New York Assembly District failed in 1937. See *New York Times*, Sept. 12, 1937, pp. 7 and 16.

[2] See an editorial, "The Tammany Dictatorship," *New York Herald Tribune*, Nov. 27, 1941, p. 24.

**The Boss.** The Boss or leader of the whole Tammany Organization can hardly be said to be chosen to any real party office or to be designated in any regular way. Power, not titles or procedure of formal choice, proves his position. "Wherever the MacGregor sits is the head of the table."

Early bosses tended to accept official party positions as the outward and visible sign of their power. This gradually dwindled away. Where Tweed had been Chairman of the General Committee; Kelly was Chairman of the Executive and Finance Committees; Croker, Chairman of the Finance Committee only; and Murphy refused to accept any official position of general authority. This has since been the usual practice of his successors. They are always, of course, leaders of some assembly district, but beyond this their power is actual rather than official. Like the early emperors of Rome, they have been satisfied with the substance rather than the appearance of power, masking their control under a pretense of democratic equality.

In odd contrast to this tendency is the seemingly opposite one toward electing the Boss by formal vote. There is no evidence that Tweed, Kelly, or Croker were ever formally declared to be *the* leader or Boss. They merely obtained control of the machine, and their election to committee chairmanships stood in lieu of formal selection for leadership. Murphy, perhaps because he refused any advanced committee position, was definitely voted by the central executive committee to be *the* leader, and subsequent leaders have followed this example. The procedure, it will be observed, somewhat resembles that for the selection of leaders of districts.

**The Club System.** Parallel with this setup of committees and part and parcel of its workings is the Tammany club system. There is a National Democratic Club of city-wide membership, and at least one local club for each assembly district. These are named in various ways. The older of them have either Indian names in the original Tammany tradition (such as Anawanda, Monongahela, or Topecano), simple locality names (such as Downtown Tammany Club or Tam-

many Club of West Forty-second Street), or the names of Democratic leaders of the past (such as Jefferson or Horatio Seymour). Newer clubs frequently bear the names of their current leader as a candid acknowledgment that each exists for the purpose of promoting his political fortunes. There can be no moment's doubt of the real objective of the "George Washington Plunkitt," the "John F. Ahearn," or the "Thomas M. Farley" associations.

Practically speaking, every male member of a Tammany district executive committee is the head of one of these clubs. The leader inherits the headship of the principal or only Democratic club in his district. Other leaders acquire or create clubs as their own centers of authority. Even precinct captains may aspire so high, although generally they use their own homes or offices as headquarters instead.

The club is a combined recreation center and business office. Here the young henchmen of the leader come to play cards or pool; here come those seeking favors, knowing that the leader or someone acting as his representative will always be available. It is an admirable combination for his purposes. The recreation feature throws a façade of easy pleasure and camaraderie before what might seem the ugly business of trading favors for votes; the political bargaining invests what otherwise might be regarded as "a crowd of poolroom loafers" with the aura and feelings of political importance.

### B. THE PHILADELPHIA REPUBLICAN MACHINE

The rise of the political machine in Philadelphia dates from the Civil War and, like the rise of Tammany, is the product of essentially one-party politics. Prior to that period political conditions in both state and city, though corrupt, were kept in check by bipartisan rivalry. After it, unchecked Republican control in both fields, supported by a blind partisanship and accentuated by the existence of strong tariff-protected interests, made both city and state a happy hunting ground for spoilsmen.

**The Cameron Dynasty and "King" McManes.** Both units were regularly controlled by Republican bosses, and what little hope there was for good government lay in the fact that they never seemed to agree. The first of the Philadelphia overlords, "King" James McManes (1866–1881), had perennial rows with the Cameron dynasty that ruled the state (Senator Simon Cameron, 1867–1877; Senator Don Cameron, his son, 1877–1887). Pennsylvania politics of the period partakes very largely of the Ulster or Scotch-Irish character [1] of its bosses, just as the politics of New York City has been greatly influenced throughout by the south Irish mental characteristics of the leaders of Tammany.

The center of McManes' power was the Philadelphia Gas Trust, not a modern monopoly in restraint of trade but an old-fashioned legal institution, established ironically enough to keep the municipal gas works from falling under the vulgar control of the politicians who ran the city government. By an ordinance of 1841 the works were placed in the hands of trustees who were to manage them and pay off their debts. These were twelve men chosen by the city council for three-year terms so arranged that four should retire annually. Judicial decision determined that this ordinance was a contract that placed the gas works completely under the control of this "independent and irresponsible body" "until 'all loans contracted for, or that may hereafter be contracted for, shall be fully paid.'" [2] The result was the creation of a vast amount of patronage and power in the hands of these independent trustees, who, as soon as their membership ceased to be bipartisan, became the controlling force in the city government. Here, as in New York, one-man rule proved most efficient for the machine, and here, as also in New York, the ring employed crude methods that could be masked only by nondisclosure. The trustees did not absolutely fail to report their transactions,

[1] McManes showed a great deal of interest in Presbyterian theology, therein resembling Boss Platt of New York.

[2] Harold Zink, *City Bosses in the United States* (Durham, N. C., Duke University Press, 1930); p. 194, quoting *Savings Fund* v. *City*, 7 Casey 175.

but from their reports no definite information could be obtained. Meanwhile the tax rate went up and up to supply needed funds to pay nominal workers for their political services, and "the city was badly paved, badly cleansed, [and] badly supplied with gas (for which a high price was charged)." [1]

Finally in 1880 the break came. As in New York, it was precipitated by newspaper publication (significantly in a New York, not in a Philadelphia, paper) of inside facts about the ring. That year McManes lost the City Controllership to the Democrats and, justifying the adage, "Whom the gods would destroy they first make mad," recklessly quarreled with Cameron. A reform Committee of One Hundred immediately sprang into being and, with the reluctant assistance of the Democrats, whose leaders were minions of the ring, carried the elections for Mayor and Receiver of Taxes in the following year.

**An Interlude of Reform.** This ended the "King's" reign, he being himself defeated for reelection to the Trustees' Board in 1883. The reform administration conducted a partial and temporary cleanup which considerably improved local conditions, but as in New York, the machine came back. When McManes himself reappeared on the Gas Board in 1884 the Committee of One Hundred quit in disgust. But the Boss had not regained his power. The Camerons were still against him and thought to dispose of him finally as well as to conciliate the reform element by enacting a new city charter and finally doing away with the Gas Trust.

**"Dave" Martin.** Just at this point, however, the state power passed from the Camerons to Matthew S. ("Matt") Quay, a cruder spoilsman than they, if possible. Quay thought to vest authority over the city in "Dave" Martin, one of the "King's" former henchmen. This he succeeded on the whole in doing, and from about 1888 to 1895 Martin's control was undisputed. Then he split with Quay and faced an unsuccessful rebellion led by "Judge" Israel ("Iz") Durham, an old

[1] James Bryce's *American Commonwealth* (New York, The Macmillan Co., 1914), II, 413–414.

McManes lieutenant. This movement, supported by both Quay and McManes, had for its chief purpose the election to the mayoralty of Boies Penrose, who was to succeed Quay in 1904 as Boss of the state.

A few years of civil war followed. Durham elected his candidate for sheriff in 1896 and went on to help put over Penrose as United States Senator in 1897. Martin's position was badly shaken, but he "made himself solid" with certain financial interests in the same year by engineering a thirty-year lease of the municipal gas works to a private corporation. This did not suffice, however, for in 1899 his rival elected his candidate for mayor and began a period of unchecked rule over the city which lasted for six years.

"*Iz*" *Durham* proceeded to cash in on his position, investing as a secret partner in the McNichol firm, which was greatly favored in receiving contracts from the city. At the same time he was appointed to the lucrative office of State Insurance Commissioner. Recurrent rebellions against the evil condition of the city services and the almost open toleration of vice and crime were unsuccessful until, in 1905, the concurrent breaking of three scandals crushed the Durham machine.

First, charges were made against the Boss' conduct of his office as insurance commissioner which, although nothing definite was proved publicly, led to his resignation of that position. Second, public ire was incurred by the passage through the city councils of an ordinance extending the lease of the gas works for fifty-three years and fixing the consumer's rates for the whole period.[1] Third and most potent, a row in the McNichol contracting firm caused a disgruntled member to tell all to the reformers, who proceeded to rout the machine in two successive elections. "Iz" now found it prudent to absent himself from the city for several years.

**McNichol and the Vares.** Meantime the control of the machine passed into the hands of "Sunny Jim" McNichol,

[1] So violent and instantaneous was the revolt against this outrage that Durham's own handpicked mayor vetoed the measure and it was withdrawn before the councils could reconsider it.

"Iz's" old contracting partner, and of the Vare brothers, another gang of contractors, the so-called "Dukes of South Philadelphia." Meantime also the reform volunteers wearied of their work of saving the city, and the Democratic leaders of aiding it as "there was nothing in it for them." The City Party, as the reformers' organization was called, lost the election of 1907 and the corruptionists returned to power. But their reign was short, for they soon fell out among themselves, McNichol standing by Penrose and the state machine while the Vares fought for their own hand and complete control of the party organization.

The Vares won, although they lost the mayoralty election of 1911 to the reformers, a very serious defeat as the mayor's term was now four years. The machine held on to the City Council, however, and harried and hampered the reform mayor throughout his term. By the end of that time "Ed" Vare, who was now the recognized Boss, was able to elect his own candidate with the support of Penrose and McNichol. The old regime was back in control and, if anything, worse than ever.

**Penrose Grabs the City.** Conditions became so bad that when Penrose and McNichol again broke with Vare and a fatal shooting scrape followed in "the bloody Fifth Ward," the Mayor himself was indicted for complicity in the crime. He was acquitted despite the conviction of several minor figures among the Vare forces, but the blow was so great that the Penrose [1] group, assisted by the reformers, who now decided to see what could be done "inside the party," defeated the Vares in the Republican primary of 1919 and went on to elect an avowed reformer, Mr. J. Hampton Moore, as Mayor.

Mr. Moore's past record was that of an organization congressman, and he proved on the whole to be still an organization man. The expected cleanup did not occur. Instead, things ran along in much the same old rut until the Penrose domination was thoroughly discredited. The result was that

[1] McNichol had just died, leaving millions acquired from his contracts with the city.

the Vare forces had their own way, with little trouble in the election of 1923, commanding the reluctant support of Penrose's supporters and defeating the reformers handily in another fight within the party.

**"Bill" Vare.** What ensued startled political experts, for the Vare machine itself staged a cleanup. The new Mayor employed General Smedley D. Butler of the Marine Corps, a "hell-fire, rip-snorting, fighting Quaker," [1] as Police Commissioner, and the General proceeded to clean up the town. For these events there were several reasons. Gifford Pinchot had defeated the Penrose machine, had become Governor of the state, and was pushing a reform program. Penrose, now nearing his end, would leave both a seat in the United States Senate and his power as Boss of the state machine to be fought for. William S. ("Bill") Vare, now in sole control of the city machine since the death of his brother Ed in 1922, aspired to both of Penrose's places. Finally, the Sesquicentennial of American Independence was about to be celebrated by an exposition in Philadelphia. All this made it expedient that the city be cleaned up and that the Vare machine get the credit for doing it.

The credit so obtained did not last long. The finances, especially in connection with the Sesquicentennial, were horribly mishandled and great discredit was thrown on the city in the Senate investigation of the notorious Republican primary of 1926. In this contest to succeed to Penrose's power and seat, Vare defeated both the Pinchot and the Mellon-Grundy forces. He was rejected by the Senate, however, after a long investigation in the course of which the great misuse of money and the free-and-easy miscounting of votes in the Philadelphia election procedure was thoroughly brought out.

Nevertheless, Vare retained control of the city, although varied factions were up in arms against him. To some of his supporters party regularity was everything, and to others material considerations were most persuasive. This does not

[1] So described in the press at the time of his appointment.

refer exclusively to the bums who gave their votes for a drink of whiskey or the poor to whom the district leader had furnished a ton of coal. Many a respectable businessman supported the machine for favors received or expected, or from fear that his taxes would be increased or his business discriminated against if he got out of line. Last and by no means least was the protective tariff, that guardian of Pennsylvania's prosperity. Big business in Philadelphia would tolerate anything in the way of bad city government rather than imperil that, and was inclined to believe it imperiled by any attack upon Republican leadership.

Came the depression and Vare found these considerations failing him. As long as Hoover was in the White House the boss held out, but once Roosevelt was in office the rout began. Not only was the machine deprived of federal patronage but it was also undercut by such agencies as the W.P.A., which were doing wholesale what the division leaders (as the precinct committeemen are called in Philadelphia) had been doing in a retail way as their principal dependence. Protection as a guaranty of prosperity was gone, too.

The first loss was the subservient Democratic city organization. This was scrapped by its own aroused party members and a real Democratic opposition was formed for almost the first time in post-Civil-War history. This group united with the reformers among the Republicans to subject the Vare forces to a decisive defeat in 1933. Vare died the next year, having long been partially crippled by paralysis, after suffering the final humiliation of being deposed by his own followers just before the end.

**The Present State of the City.** The next year the Republicans came back to elect a mayor who was indicted for complicity with crime before the end of his term, but who died before he could face trial. Even this did not prevent them from winning again in the elections of 1939 and 1941, though only by very narrow majorities. The city was almost bankrupt,[1]

[1] See *Hamilton's Appeal*, 340 Pa. 17 (1940) for a desperate (and unsuccessful) attempt of the city to raise money through sewer rentals.

with its water supply practically undrinkable, its lighting system archaic, and with two partially constructed subways which it has been financially unable to finish. It had exhausted its borrowing power, had pledged the revenue of its gas works for seventeen years for a loan from the R.F.C. and had now resorted to a flat 1½ per cent income tax on all salaries and incomes earned in the city in order to finance its current expenses. Such were the results of Philadelphia's experience with boss rule.

There is no longer a single ruling boss in the whole area, although Jay Cooke of the old Philadelphia banking family begins to look like one. But the machine goes on functioning, drawing strong support from the financial interests backing Republican rule in the state. These interests are the less concerned about the city's plight because "the best families" have withdrawn from its limits to the "Main Line" suburbs, so-called. Their regard for the city's interests is hence distinctly secondary.

### C. COMPARISON BETWEEN THE TWO MACHINES

What are the main differences [1] between the political machines of New York and Philadelphia? They are the same two differences that Lincoln Steffens pointed out long ago in *The Shame of the Cities*.[2] First, the Philadelphia machine is to a large degree dependent on the machine or organization that controls the state, while Tammany is generally hostile to it. This situation, resulting from a similarity of party politics in the one case and a dissimilarity in the other, is not negated by persistent efforts of the Philadelphia bosses to throw off their dependence.

The second difference is that the financial and business

[1] One purely technical difference, both from Tammany and from the norm of urban politics, is that the Philadelphia organization is not called a *county* machine. This, as before indicated, is because the exact coincidence of the city of Philadelphia with Philadelphia County causes the city committee to manage the politics of both and does not imply any lack of dependence of the machine upon county offices. Philadelphia politicians batten upon these as much as those of any other place.

[2] New York, McClure (1904).

interests in Philadelphia are to a large degree hand in glove with the machine, while in New York such interests have generally fought it. This difference is explained by the support given by the Philadelphia machine to the party favoring the protective tariff and by the fact that most of the time businessmen seeking favors from Albany did not need to placate Tammany. A further explanation lies in the fact that big business in New York is of a type not primarily dependent on local favors. It is a city of offices, not factories, and the interests there have ramifications all over the world and are not important chiefly in the borough of Manhattan.

## V. MACHINE POLITICS GENERALLY

**City Machines.** Given a detailed account of the two oldest and most continuous of our urban machines, an intelligent reader can form an adequate impression of what they are and how they work. He should have no false idea that they are peculiar to cities of any particular size or to any one part of the country. The great cities of the West are by no means exempt from machine control, as reference to the Kelly-Nash organization in Chicago and to the Pendergast group in Kansas City will witness. The South, with its single-party system and its highly restricted electorate, is particularly susceptible to machines such as are perhaps best exemplified at the present time by the Crump organization of Memphis, Tennessee.[1]

That smaller cities are not exempt from machine rule the reader can very probably verify by a little inquiry in his own vicinity. In his own region the writer thinks off-hand of the Republican machines in Chester, Pennsylvania, and Atlantic City, New Jersey, and the Democratic ones in Albany, New York, and Waterbury, Connecticut.

**State Machines.** The Hague organization in Jersey City is nearly unique at the present time in that it dominates almost an entire state. Since Huey Long was shot in Louisiana,

[1] Southern leaders and bosses generally are treated of in Michie and Ryhlick's *Dixie Demagogues* (1939).

J. Henry Rohraback committed suicide in Connecticut, and Tom Pendergast went to jail in Missouri, there is perhaps no other machine of such widespread power anywhere to be found. But even Hague has suffered reverses. The United States Supreme Court has compelled him to permit free speech in his own bailiwick, the governor he helped elect has turned against him, and now a fight is in progress to amend the antiquated state constitution behind which he sits entrenched. Possibly even Hague cannot withstand all the efforts of an aroused democracy.

**Effect of Political Devices.** The decline of machine politics has been brought about partially by improvements in governmental method and partially by economic and social ameliorations. Political devices such as the direct primary, the direct election of United States senators, the Australian ballot, the voting machine, the initiative, the referendum, and the recall have all tended to decrease the prevalence of "Boss Rule." In cities, the adoption of the commission and city-manager forms of government has tended strongly to produce the same result.

**Economic Factors.** But it must not be supposed that the solution of the problem is or can be purely political. If and where groups of socially and economically depressed persons exist, there machines and bosses will exist also to cater to their needs in return for votes. Jefferson was correct in saying, "The mobs of great cities add just so much to the support of pure government as sores do to the strength of the human body." Social and economic justice alone will prevent the existence of a "mob" whose support can be purchased for food, fuel, or employment. When and only when that end is attained, machine politics will become unimportant.

## *AUTHORITIES AND EVALUATIONS*

Many things in this chapter are necessarily based upon the experiences and observations of the writer. Some idea of the duties of a national party chairman may be formed from Mr. Farley's *Behind the Ballots* (1938), and anyone wishing to compare the methods used

in England in the days when she was more patronage-ridden than America has ever been will find an impressionistic picture in Macaulay's "Life of Chatham." A state machine of the last century may be studied by comparing the *Autobiography of Thomas Collier Platt* (1910) with Gosnell's *Boss Platt and His New York Machine* (1924). The peculiar politics of Louisiana are available for study in Reynolds' *Machine Politics in New Orleans, 1897–1926* (1936), Smith's *The Kingfish: Huey P. Long* (1932), and Kane's *Louisiana Hayride* (1941). Hague's New Jersey machine is featured in McKean's *The Boss* (1940). For all other state machines reliance must be almost exclusively on newspaper and magazine articles.

The origins of national party organization can be studied in Macy's *Party Organization and Machinery* (1904), with some additional light from Stanwood's *History of the Presidency* (1916) and Kleeberg's *Formation of the Republican Party* (1911). Stenographic accounts of the meetings of the Democratic national committee are included in the printed *Proceedings* of Democratic national conventions. There are no published reports of the meetings of the Republican national committee.

The election laws of each state should be consulted for the numbers and makeup of state and other lesser party committees. While not all states attempt to dictate these details, probably more do so than do not. This, then, is the beginning to make in finding out the committee setup of any state. If it fails, recourse must be had to the local party authorities.

The general methods of practical politics may be studied to advantage in works like Kent's *Great Game of Politics* (1926) and his *Political Behavior* (1928). Mr. Kent's books labor under the double disadvantage of being somewhat out of date and perhaps a shade too cynical in their approach to the subject. More recent and somewhat more general is Salter's *The Pattern of Politics* (1940). The rise and methods of a Tammany district leader are vividly portrayed in Riordan's *Plunkitt of Tammany Hall* (1905). Pictures of both leaders and bosses are to be found in a collection called *The American Politician* (1938), edited by J. T. Salter.

For Tammany, reliance should be had on Myers' *History of Tammany Hall* (1901), the "Tweed Ring" chapter in Bryce's *American Commonwealth* (1893, 1910, 1914), Lynch's "*Boss*" *Tweed* (1927), Stoddard's *Master of Manhattan* (1931), Northrop and Northrop's *Insolence of Office* (1932), and Thomas and Blanchard's *What's the Matter with New York?* (1932). The indexed files of the *New York Times*, abounding in feature articles on local politics, are helpful for the whole of Tammany's history and invaluable for the latest stages.

Magazine articles are useful here as everywhere in the subject matter of this chapter.

The material on Philadelphia is largely pieced together from magazine articles (including news and opinion magazines like the *Literary Digest*, *Time*, the *New Republic*, and the *Nation*) and from treatments of particular men in Zink's *City Bosses* (1930), which is of great use also on the affairs of Boston, New York, Brooklyn (before its merger in greater New York), Pittsburgh, Cincinnati, Chicago, St. Louis, New Orleans, Minneapolis, and San Francisco. A number of these cities are also included in Steffens' *Shame of the Cities* (1904) and *Struggle for Self-Government* (1906). Vivid pictures under assumed names of various "division leaders" in Philadelphia appear in Salter's *Boss Rule* (1935). Material on Chicago is to be found in Merriam's *Chicago* (1929) and Gosnell's *Machine Politics: Chicago Model* (1937), while some additional light is thrown by Lewis and Smith's *Chicago, the History of Its Reputation* (1929), Shackleton's *Book of Chicago* (1920), and Bennett's *Politics and Politicians of Chicago* (1887). The business magazine *Fortune* in 1937 made a Chicago study called "The Kelly-Nash Political Machine." For Cleveland, see Johnson's *My Story* (1913); for Toledo, Whitlock's *Forty Years of It* (1916); and for Minneapolis, Walker's *American City* (1937). See also Older's *My Own Story* (1919, 1926) and Hichborn's *The System* (1915), on San Francisco, and Wright's *Bossism in Cincinnati* (1905). For the story of a "good" city see Hoan's *City Government* (1936) on Milwaukee.

For recent developments, the magazine and newspaper press are a necessary dependence. Special reference should be made to the *Saturday Evening Post*, which has specialized in political articles, notable among which are Alsop and Kintner's "Guffey of Pennsylvania" in the issue for April 16, 1938, and Alexander's "Boss on the Spot" in that for August 26, 1939, which deals with "Nocky" Johnson of Atlantic City. See also Dinneen's "Kingfish of Massachusetts" ("Jim" Curley) in *Harper's* for September 1936, "Portrait of a 'Dictator'" (Boss Hague), *New York Times Magazine*, Feb. 13, 1938, and two articles on Kansas City in *Reader's Digest:* "Kansas City House Cleaning," May 1938, and "Kansas City Has Its Chin Up," Nov. 1941.

# *Chapter IX*

## CAUCUS, CONVENTION, AND PRIMARY

### I. A BRIEF HISTORY OF THE AMERICAN NOMINATION SYSTEM

**Formal Nomination Peculiar to America.** Formal nomination procedure is a peculiarity of the American political process. It is a feature surprising to foreigners, who are accustomed to having candidacies for office determined almost invariably by secret and informal agreements. The elaboration of the nominating machinery in America is doubtless due to the greater number of officers directly elected by the people. In Europe, where the voter is at the most called upon to choose only members of the national legislative body and of local government councils, such complicated methods would be wholly unnecessary.

#### A. THE COLONIAL PERIOD

It is notable that the elaboration of nomination methods has kept pace in America with the increase in elective offices. In the colonies outside New England, the practice was for candidates for the lower house of the legislature (practically the only officials chosen by vote of the electorate) to announce their own candidacies. This might be done either entirely upon the candidate's own initiative and responsibility or after consulting eminent politicians and other leaders of public thought. In New England, the original charters, which allowed the colonists to choose their own governor and both legislative houses, made specific provisions for nominations. Candidates for the upper house were in general designated by

the voters of each town. The legislature might add to or subtract from this list of nominees, and the final choice was made by the voters of the whole colony. A system of this sort was in force in Connecticut until 1817.

**Rise of the Caucus.** Of more significance as regards the future development of American politics was the rise of the caucus system in Massachusetts. That this was a direct result of the town meeting form of local government, which calls for the direct election of many officials, is evident from the first notice we have of the caucus, an entry in John Adams' diary for an unnamed date in February 1763:

"Boston — February — This day learned that the Caucus Club meets at certain times in the garret of Tom Dawes, the Adjutant of the Boston Regulars. He has a large house, and he has a movable partition in his garret which he takes down, and the whole club meets in one room. There they smoke tobacco till you cannot see from one end of the garret to the other. There they drink flip, I suppose, and there they choose a moderator, who puts questions to the vote regularly; *and selectmen, assessors, collectors, wardens, firewards, and representatives are regularly chosen before they are chosen in the town.*" [1]

It is sufficiently evident that this is primarily a nomination system adopted to meet the need arising from the election of so many officers.

Originating thus in a Boston garret, the system spread rapidly throughout New England and even into the Middle States, where pallid imitations of the New England town meeting had obtained some vogue. With it went the name, an attribute of undetermined meaning and origin, which came to be commonly used throughout this area to describe any meeting of voters for nomination purposes. Elsewhere such meetings were called primaries.

### B. PERIOD OF THE LEGISLATIVE CAUCUS

The adoption of the state and national constitutions during and immediately after the Revolution created a new problem by increasing the number of elective officers. Legislative can-

[1] Italics supplied.

didates for both the state and national bodies continued to announce their intentions personally, but for the newly elective executive offices of President and Vice President, Governor and Lieutenant Governor, this was not so feasible. It was impossible to assure any candidate of the general support of his party in the state or the nation without a somewhat formal consultation of the party leaders. To call together such a general conference for the sole purpose of nominating candidates would have been extremely difficult with the then existing state of transportation. It was not to be thought of if there was any time and place where such leaders would naturally be assembled for another purpose.

**Rise of the Legislative Caucus.** Such assemblies did, of course, take place at the state and national capitals during legislative sessions. The members there assembled could quite easily assume the right to speak for the parties to which they belonged. Accordingly, a system of nomination arose which was referred to as that of legislative and congressional caucuses. In a state the candidates of a party were chosen by an assembly of its members in the legislature; in the nation, candidates for President and Vice President were chosen by the party's members in Congress. This system was thoroughly established within the Jeffersonian Republican organization by 1800. Among the Federalists it was not so popular. In general, they preferred to stand in the ancient ways, to settle their nominations by secret and informal consultations. Even Hamilton could not bring them to improve their procedure. But the Federalists disappeared and took their methods with them. By 1820 it was thoroughly settled that party nominations were to be made by persons who were in some sense the chosen representatives of the voters.

**The Mongrel Caucus.** But already the objection was rising that the legislative and congressional caucuses were guilty of usurpation in that they consisted of representatives who were not chosen by the voters for the purpose of making nominations. Complaint was also made that districts which had chosen opposition representatives were without a voice

in the caucus. In many states this was obviated by allowing such districts to send delegates, thereby forming the so-called mixed or mongrel caucus. At Washington, however, this was never done. To the very end of the system, the congressional caucus was composed entirely of Republican members of Congress.

**Origin of the State Convention.** Meanwhile a competing idea had sprung up in two small Middle states. The areas of both New Jersey and Delaware are so slight that even under the difficult conditions of travel characterizing the early republic, special nominating assemblies were considered not unfeasible. About 1804 the convention system of nomination, whereby candidates are chosen by delegates elected by the party voters, was adopted by the Republicans of both these states. It is significant that it was slow in spreading to larger commonwealths and that Pennsylvania, the first to receive it, accepted it in a mixed or mongrel form, permitting a district to be represented by its member in the legislature in the absence of a delegate specially chosen.

**The Crisis of 1824 and Its Results.** The year 1824 is an important one in the history of the party nomination system. In that year the congressional caucus collapsed and the state convention in its pure form was permanently established in New York, Pennsylvania, and Rhode Island.

With the decline of the Federalists and their gradual disappearance from national politics, the unity of the Republicans had been placed under an increasing strain. This unity was largely dependent on the continued authority of the congressional caucus, that is, on the continued acceptance by the huge and incontestable majority of the voters of nominations made by a body that had never been selected for nomination purposes. The procedure had always been criticized; now it was overthrown by a general revolt.

Apart from the objection to the congressional caucus, other potent forces were at work. Any party tends to break up when its control over the electorate becomes too pronounced. The condition of having many leaders with conflicting ambi-

tions and varying ideas tends to break parties, and they can be held together only by the necessity of combating a strong opposition. Once this is removed, eventual dissolution becomes certain. In fact an outside limit can be named when at the latest the elements will cease to cohere. That is when the old leaders pass from control and it is imperative that a new chief be selected.

Precisely this happened in the election of 1824. Monroe, the last of the Revolutionary presidents, went out of office, and a great scramble, the so-called "scrub race for the Presidency," ensued. The influence of the administration was thrown in favor of William H. Crawford and it was anticipated that he could poll more votes than anyone else in the congressional caucus. Crawford was the favorite of the administration, but his nation-wide popularity was not at all in proportion to his influence at Washington. This occasioned a general revolt against the caucus system and a resort everywhere to other means of nomination. For two and a half years preceding the election almost every conceivable public agency was engaged in putting candidates in the field. In general, the way was led by the legislatures of the various candidates' home states, followed by ratifications by those of other commonwealths and by mass conventions throughout the country. Resort was even made in some cases to legislative mixed caucuses and to state conventions. Under these circumstances Crawford's nomination by a caucus attended by but one-third of the Republicans in Congress simply served to mark the end of the caucus system.

A short period of anarchy ensued. It is hard to say whether, properly speaking, any nominations were made in 1828. The candidacies of Adams and Jackson for the Presidency were well understood from the time of the previous election. The choice of vice-presidential candidates was not so easily accomplished, but the continuance of Calhoun in office was known to be satisfactory to Jackson and his supporters, while the President's followers were willing to support anyone whom their leader should think of most assistance to the ticket. In

this situation the nominations of Jackson and Calhoun on the one side and of Adams and Rush on the other appear to have been made by state conventions in Pennsylvania (then the state having the largest electoral vote) and by the acquiescence of the rest of the country.

### C. PERIOD OF THE CONVENTION

#### *1. Rise of the Convention System*

**The National Convention.** Meanwhile improvements in transportation were going forward. The Erie Canal was completed in 1825. By 1830 the National Road was completed from Cumberland, Maryland, to Zanesville, Ohio, and the Baltimore & Ohio Railroad began operations. In that year the first national convention of a political party met in Philadelphia.

This meeting of 96 delegates from ten states and one territory (all north of Virginia and east of Indiana) represented the newly formed Anti-Masonic Party. It summoned another convention to be held in 1831 for the purpose of nominating candidates for the Presidency and Vice Presidency, to be composed of delegates from each state equal in number to its vote in the electoral college. This latter convention duly met at Baltimore with a membership of 113 delegates from every New England and Middle state and from Ohio and Indiana. It nominated William Wirt and Amos Ellmaker for the Presidency and Vice Presidency, respectively, and issued a long address to the American people.

This example was speedily imitated. In the same year and place the National Republicans assembled 167 delegates from all but five states and unanimously nominated Henry Clay and John Sergeant. They also issued an address to the people, but a further advance in method was made in the "national convention of young men" which was summoned for May 1832 by the National Republican body. This meeting adopted a series of ten resolutions which not only are in appearance remarkably like a modern party platform but also concern

questions which still agitate the political community. Protective tariff, the independence of the Supreme Court from executive domination, the spoils system, all appear to have been as much party issues under the regime of Andrew Jackson as at the present day.

The Democrats could not lag behind in this movement. Jackson's renowned "kitchen cabinet" determined to hold a convention to assure the nomination of Van Buren for the Vice Presidency. Under the leadership of the astute Amos Kendall, this was achieved in a very thorough manner. A meeting of 326 delegates from every state but one met at Baltimore, adopted the two-thirds rule to govern the vote for the vice-presidential nomination, and nominated Van Buren by the requisite vote. The number of delegates considerably exceeded the number of votes which the rules authorized to be cast on the basis of one for each vote in the electoral college.

The national convention was not yet thoroughly established, however, as the events of the 1836 election proved. President Jackson found it necessary to take action personally to bring about the calling of a Democratic convention, which when it assembled was vastly larger than the number of votes entitled to be cast on the electoral basis. At its assembly in Baltimore two-thirds of its delegates appeared from the four nearest states. The state convention of Maryland elected its own entire membership to the national body. Alabama, Illinois, and South Carolina, on the other hand, were entirely unrepresented, and the fifteen votes of Tennessee were cast by a Mr. Edward Rucker from that state who "happened to be in the city." This informal method of authorizing representation was for long a cause of derision from enemies of the party. The Whigs, as this group were now called, also denounced the whole idea of a national convention as a usurpation equally as objectionable as the old congressional caucus. They fell back on the expedient of nominations by state legislatures and conventions, placing several candidates in the field in the hope of inducing each section of the country to vote for a favorite son.

The failure of this specious scheme marked the end of all organized opposition to the national convention. Calhoun might grumble and maintain that the congressional caucus had been on the whole much preferable. American parties, regardless of such mutterings, went on to perfect the system. The Democratic convention of 1840 was the first national nominating body to adopt a regular party platform. This example was reluctantly acquiesced in by the Whigs in 1844. Since that date no national party has campaigned without a platform.[1] In 1848 the Democrats provided that the number of delegates should equal the number of electoral votes and created the first national party committee. In 1852 they doubled the number of delegates, thereby establishing the basis for the huge agglomerations which comprise our national conventions of the present day. By this time the national convention may fairly be said to have been constituted in its present form.

**State and Local Conventions.** Meanwhile the state convention had swept through the East, had been more reluctantly taken up by the West, and had at last been grudgingly accepted even in the South. With it, as a means of selecting the burgeoning number of officers whose election was insisted upon by the dominant Jacksonian Democracy, came county conventions, city conventions, even congressional district conventions. By the close of the Civil War it was a settled principle that in nominations for offices to be voted for in any but the smallest electoral areas (where the original caucus would still serve) recourse should be made to the convention system.

### 2. *Faults of the System*

**Control by the Politician Class.** Hardly had the convention system been established when dissatisfaction again became evident. The machinery of caucus and convention was falling into bad hands and was being used to defeat the will

[1] The Whig platform of 1848, however, was a mere resolution of confidence in the candidates from which no principle can be extracted.

of the voters. The program of the Jacksonian Democracy in making so many officers elective called for elaborate party management to guide the voters in making choices about which they had no real opinions. The class that sprang up to supply this needed service tended to be unscrupulous. They may have been no more so than the business management of the period, but in any case it was plain that they could not be trusted with a system so complicated and so far removed from the average voter that it could easily be manipulated in defiance of his wishes.

**No Governmental Regulation.** The whole nominating procedure was in the hands of party managers without any semblance of governmental control. When and where the several conventions were to be held, what delegates were to be recognized as properly elected to those conventions, what motions and nominations were to be declared carried by the delegates' votes, the time and place of the caucuses that chose the delegates, who were to be recognized as party members entitled to vote in the caucuses — all these points were determined solely by party authority, and fraud and corruption appeared at every stage of the process.

**Fraud and Chicanery.** The tricks of the machine were almost infinite in their variety. At the caucuses opposition would be prevented either by the use of false lists of the party membership or by the simpler device of calling the caucus in a small room which would be entirely occupied by machine voters long before the time for the meeting. "Snap" caucuses and "snap" conventions were held — assemblies called on such brief notice that the opposition was given no time to canvass its voters. Less irregular but more insidious was the opposite and quite common practice of choosing delegates long before the convention. Local delegates chosen in March to a state convention to be held in June might easily be selected before the voters had made up their minds as to candidates for state office, yet once these were selected the whole matter was out of the voters' hands. Some of the delegates were corruptible; many were mere cogs in the machine. If all

else failed, presiding officers might declare machine motions and nominations carried in flat defiance of the true vote of the delegates. There was no recourse for the victims of such frauds except to vote for the opposite party, whose nominations might have been made by exactly the same methods.

### E. THE PERIOD OF THE PRIMARY

**The Crawford County System.** In this situation a demand arose that the voters be given a larger share in the business of nominations. Gradually a method was evolved whereby the voters made their nominations within each party in about the same way that they made their election between candidates offered by the parties. Beginning in Crawford County, Pennsylvania, in the middle of the last century, this system of intraparty election spread west and south.[1] It was at first on an entirely voluntary basis, that is, it was set up voluntarily by the parties in particular areas.

In the West the Crawford County system was seized on by scattered counties all the way to the Pacific; in the South it was quite commonly adopted by the Democratic Party on a state-wide basis. All this was entirely optional with the organization and was at first wholly subject to party control, so that fraud in the nomination system was still not a matter of government cognizance.

**The Beginning of State Regulation.** The first state laws passed concerning this so-called *direct primary* were mere recognitions and legalizations of its existence. But toward the end of the century, statutes were passed in several southern states strictly regulating the use of such primaries when substituted for nominating conventions. In 1899 Minnesota imposed the primary as a compulsory method on Hennepin County.

**LaFollette and the Mandatory Primary.** A great change was at hand. The primary movement had now found a leader. In 1897 Robert M. LaFollette (then in the midst of his great fight to wrest Wisconsin from the control of a

[1] Its history in Crawford County is discussed under "Authorities and Evaluations" at the end of the chapter.

reactionary machine) declared in an address delivered at the University of Chicago that the way to redeem government from such control was the adoption of the primary on a mandatory state-wide basis. This advice, first adopted by his own state and by Alabama in 1903, was rapidly followed throughout the country so that by 1915 the direct primary was in use in forty-three states.

**Anti-Primary Reaction Fails.** A reaction against it followed, coincidental with the checking of the Progressive movement, of whose program the primary had formed such an important part. The politicians disliked it because it made their work both harder and more expensive. Between 1915 and 1930 repeal measures were passed through ten state legislatures, only to be defeated in nine cases by popular referendums. In the tenth case the legislature itself restored the primary within two years. The voters liked the primary, if their representatives did not and it is an established system of nomination in all but two states[1] at the present day.

## II. PRESENT NOMINATION METHODS

### A. THE TWO TYPES OF PRIMARY

**What Is a Party?** Since a primary is an election within the party, we are first confronted by the question of what a party *is* for primary purposes. In one sense this is easily settled by declaring a party entitled to hold a primary to be an organization which cast a certain number or percentage of the popular vote for some state-wide office at the previous election.

**Who Are the Party?** In another sense it is more difficult. Who constitute this party? Who form its personnel and how is that personnel to be determined? In other words, who are to be permitted to vote in this intraparty election?

One answer to this question also is simple. It is that anyone who pleases may vote, either by asking at the polling place for a named party ballot, to which he is entitled without question,[2] or by merely presenting himself at the polls, where-

[1] Connecticut and Rhode Island.

[2] This is the system in Vermont.

upon he receives the ballots of all parties and is permitted to choose secretly among them. This last arrangement is known as *the open primary*. The theoretical argument upon which this method rests is that it is an infringement of the theory of the Australian ballot to compel anyone to declare his party preference under any circumstances.

On the other side is *the closed primary*, whose supporters maintain that a party is a real entity in our democratic system and should be protected in functioning as such. This theory is well expressed in the preamble of the Oregon primary law: "Every political party . . . has the same right to be protected from the interferences of persons who are not identified with it as its known and publicly avowed members that the government of the state has to protect itself from the interference of persons who are not known and registered as its electors." Between these two views a choice must be made in establishing a primary system. All but eight American states have preferred the closed primary.

**Open Primary Methods.** Let us first examine the less popular of these systems — the open primary. Of this there are four types. The original primary plan adopted by Wisconsin in 1903 provided that every voter should receive separate ballots of each party. He was then to mark one ballot and deposit the others in a box assigned for blanks. This method is now in use in Wisconsin, Michigan, and Montana. Utah comes close to it by supplying a single ballot including all parties and separated by perforations so that the party list to be voted on can be torn off.

The other two types of open primary ballots contain the candidates of all parties and do not permit tearing off. The Idaho, Minnesota, and North Dakota ballots provide party columns under which the candidates' names appear, and the voter is confined to choosing his candidates within one of the parties on penalty of voiding his ballot in whole or in part. In Washington, on the other hand, the so-called "blanket ballot" provides no party columns but places the candidates of all parties in office blocks, allowing the voter to scatter his choices.

**Effect of the Open Primary.** The practical effect of all systems which permit the voter to vote whatever ballot he pleases on primary day without previous affiliation is to encourage what is known as "party raiding." The voter under any such system comes to the polls with the strongest temptation to vote in the primary either of the then majority party or (what is likely to be the same thing) of the party that has the most lively primary contests. This destroys party responsibility in that Republican nominations may be made by the votes of Democrats and independents, or Democratic nominations by those of Republicans, Prohibitionists, and Socialists. It is noteworthy that the open primary is used only in western states, in many of which the lines of party division are of a highly nebulous character.

**What the Closed Primary Accomplishes.** It is not to be supposed that under the opposite or closed primary system party raiding can or will be wholly prevented. In a strongly Republican state such as Maine, where Democratic nominations are often not worth fighting about, there is no practical method of keeping some Democratic voters from enrolling themselves as Republicans. In a state like Alabama, where a Republican is about as popular as a Communist, voters of both persuasions will be likely to conceal their views and register as Democrats. The most that can be done is to keep party raiding down and especially to prevent its occurrence at the last moment for the purpose of deciding a doubtful primary contest.

**Closed Primary Methods.** For the accomplishment of these purposes two means are used: the requirement of an oath, and the requirement of enrollment. *The oath requirement* is usually applied only in case the voter's right to the ballot of a given party is challenged; hence the areas using it may for convenience be referred to as "challenge states."[1] The person challenged may either be required to swear that he voted for

[1] These include Illinois, Indiana, Missouri, Ohio, Oklahoma, Tennessee, and those sections of Kentucky and Nebraska that do not have personal registration.

some or all of the candidates of the party at the last election, or that he intends to do so at the election following, or both.[1] This requirement is not of a type likely to put much check on the unscrupulous party raider, while it may tend to hinder honest party changes by persons with scruples about pledging their past or future votes.

*The enrollment requirement* is used in all or part of some twenty-one states. Its effectiveness is dependent on the time limit which is placed upon it. Where, as in Wyoming and eight other states, enrollment takes place at the primary itself, it serves as no check whatever upon party raiding. Where, as in Maine and Maryland, enrollment can only be changed six months before the election, too great restriction is made on honest party transfers. A period of thirty days, as in Kansas, Oregon, and Pennsylvania, is perhaps the most preferable. The object should be to permit such honest changes as the dawning of interest in an election year may provoke, but to inhibit those made on election eve merely for the dishonest purpose of aiding one candidate or defeating another.[2]

### B. THE WHEN AND HOW OF PRIMARY ADMINISTRATION

#### *1. When*

The primary is usually held in late August or early September with a view to giving the party nominees a two-month period for campaigning. Maine, with her September election, allows only slightly more by having her primaries in June. She is not alone in using that month, however. Four others hold their primaries then, and three more in July. Seven have them in May, and Illinois' occur as early as April.

[1] Illinois requires an oath that he has not signed any nominating petition outside the party within the last twenty-three months.

[2] New Jersey makes the extraordinary requirement that no person shall change his registration until he has gone two years without voting in a primary. This was formerly the rule in Illinois also, but the period there has now been reduced to twenty-three months. Ten southern states leave eligibility for the primary entirely a matter of party rule.

In such states politics may stand adjourned for a considerable time after the primary and before the campaign begins.[1]

## 2. *How*

### *a.* ACCESS TO THE BALLOT

**The Petition Requirement.** The method of getting on the primary ballot is ordinarily by a petition, signed either by a stated number of voters or by a certain percentage of the party voters for the given office at the last election. This is sometimes elaborated by requiring a certain number or percentage of signatures from each county or precinct voting for the office in question. This requirement may easily be unfair, as in the case where two sections of a state each have their own candidate for a nomination.

**The Filing Fee Device.** The whole petition practice has been subject to great criticism because of the hiring of so-called "petition-pushers" who obtain signatures from persons who care nothing about the papers they sign.[2] One remedy is to require or permit a filing fee for nomination papers. There is no alternative to this in about eighteen states, mostly southern and western, while six permit cash, to be paid instead of filing signatures.

**A Suggested Improvement.** The fees exacted are seldom large enough to be much of a check, and they are at least theoretically undemocratic in that they demand a certain minimum of available finances to enable one to run for office. A better suggestion might be to modify the petition plan to require signatures to be made at the registry of voters, at the same time greatly reducing the required number or percentage. A much smaller number of persons who sincerely cared

[1] Five of these early states have the runoff primary, taking place three to six weeks after the first primary day, and hence have a special reason for their early dates.

[2] Petition circulators sometimes resort to fraud and induce signatures by misrepresenting the contents of their documents. Instances of this in the circulation of Communist petitions for places on the Pennsylvania election ballot led to numerous convictions of petition-pushers in 1940. Charges were also brought against primary petition-pushers in the New York City mayoralty election of 1941.

enough to go to a central office and sign would be a much better guaranty of a substantial and bona fide candidacy than huge aggregations of signatures obtained anyhow by unscrupulous canvassers.

*b.* POSITION ON THE BALLOT

When several candidates have become entitled to contest a particular office on a primary ballot, a question arises as to the order in which their names shall appear. Owing to the ridiculous extent to which purely administrative officers were made elective by the Jacksonian revolution, the voter is frequently hopelessly befogged in making his primary choices and shows a considerable tendency to mark his cross against the first name he sees under many office brackets.

Nearly half the primary states combat this inclination by rotating the ballot, that is, by putting each candidate for a given office first on an equal number of ballots or in an equal number of counties. About a quarter of the states leave the order alphabetical, so that while X has an advantage over Z, V has an advantage over X. An eighth of the states provide for decision by lot. The rest have no statutory rule, leaving all to the discretion of election administration officers. These rarely dare to place one candidate first by mere arbitrary fiat, but in substance they may do so under pretense of preferring the petition first filed. Where filing is done by mail, the officials may by prearrangement open first the envelopes designated by their friends with certain agreed markings.

It need hardly be said that rotation is the best method, though the real remedy is the elimination of all but policy-determining offices from the election ballot.

*c.* SHALL PLURALITY SUFFICE?

The decision as to whether a mere plurality should suffice to nominate a candidate is not a simple one, at least theoretically. Actually, most states have nominated by straight plurality and almost no difficulty is reported with that system. Some few states, however, (actuated by a belief that if a candi-

date's supporters are too few, the fact that they are more than any other's is not significant) have resorted to certain alternatives to prevent minority nominations.

The most widespread of these is the runoff primary, although it is almost entirely a southern institution.[1] This is because, while the ordinary primary means a single election within the party, the runoff means at least the possibility of two such elections and that is too much to ask of voters who have a really contested inter-party election in prospect. In the South, where the official election is more in the nature of an old-fashioned ceremony, the Democrats can afford two real elections within their party.

The runoff occurs if no candidate receives a majority or a certain fixed percentage of the vote and involves a choice between the two leading candidates. It may be avoided if the second highest candidate does not choose to run and, for county offices in Texas, if the county committee has decided to return to the straight plurality system. In Georgia it is qualified by a complicated system of "county units," a majority of which the candidate for state office must obtain in order to avoid holding a runoff primary.

## III. THE PRESENT STATUS OF THE CONVENTION

**The Post-Primary Convention.** Another alternative is the post-primary convention which is used in Iowa and South Dakota when no candidate receives 35 per cent of the vote. Experience has shown that this is a rare occurrence and that the convention usually nominates the man with the plurality. The percentage arrangement, moreover, serves as an inducement to the multiplication of candidates to divide the vote.

**The Pre-Primary Convention.** In interesting contrast with this is the Colorado law for a pre-primary convention at which a ballot is taken and all candidates receiving 20 per cent of the vote cast go on the primary ballot, with preferred

[1] Utah is the only non-southern state possessing this system.

position over candidates put on by petition. This would seem a useful alternative, as it gives weight to the opinion of the party organization while still leaving the final choice to the party voters.

**Convention Nominations.** At present only two states [1] retain the convention for all its original purposes. In six southern states the method of nomination is left to the party, which means in practice that the Democrats frequently employ the primary, while the Republicans and other minor parties there regularly use the convention because of the smallness of their numbers. Beyond this the convention is retained for nomination to state-wide offices in four commonwealths [2] that use the primary for other nomination purposes. This permits of "balancing the ticket" and is used with especial thoroughness in New York, where the local situation calls for a careful distribution of favors between racial groups.

**The Convention and the Platform.** Where the convention is deprived by law of any power over nominations, it may still persist as a means of adopting platforms. Theoretically at least, a party should have a declaration of principles, and the state convention is the traditional agency by which such a declaration is made. Actually, now that the nominating power has gone from it, the convention is a body of such minor importance that it is ridiculous for it to pretend to bind the party. Such efforts are doubly absurd in states holding their conventions before the primaries, because there is no method of assuring that the candidates later nominated will concur in the views of the convention.

Theoretically the same difficulty might occur where the convention meets after the primary to adopt a platform. Practically, of course, some heed will be paid to the wishes

[1] Connecticut and Rhode Island.

[2] Indiana, Maryland, Michigan, and New York. The Maryland law provides for a primary vote by counties which binds each delegate to support the first, and later, the second choice of his county for as long as it is before the convention. The lowest man on each convention ballot is dropped until a choice is made. Michigan only uses the convention for state-wide officers other than governor, lieutenant governor, and United States senator.

of the candidates chosen, although they may have to struggle against the influence of the party organization.

**The Party Council.** That these two groups, the nominees and the party managers, are the proper persons to determine platform policy is directly recognized by the law of a number of states. Provision is made there for a so-called "party council," which invariably includes the candidates for state offices and sometimes also those for county offices and for Congress, as well as certain party committeemen. This is on the whole the most realistic way of dealing with the problem, recognizing that only those who may have some share in carrying out the policy should bear a hand in framing it. When a council comprising a party's candidates for the governorship and the legislature have adopted a platform, the voters have a maximum reason to rely upon it.

## IV. HOW HAS THE PRIMARY WORKED?

**Expense to the Public.** It is obvious that the primary puts the state to the cost of conducting what is in substance an additional election. The expenses for rental of polling places, election officials' salaries, and the printing and distribution of ballots are all approximately the same as in inter-party contests. This, however, is hardly of major importance provided the original object of the primary is achieved, that of assuring an honest and efficient method of selecting the candidates for public office most favored by each party's voters.

**Expense to the Candidates.** A more important consideration appears in the fact that the primary has probably greatly increased the cost of nomination to the individual candidate. On this subject there are no conclusive figures, because under the convention system no accounts of expenditures were kept or reported. It can only be stated as the unanimous testimony of politicians that nominations are now more costly to the individual candidate than before the primary. This has probably been the main motivation of the recurrent attempts at primary repeal made during the 1920's.

Is this a conclusive argument against the primary? Its

opponents frequently make a great deal of the charge that it prevents the poor man from being chosen to office. Realism indicates that before the primary the poor man could be chosen only by becoming the minion of some boss, machine, or dominant interest group. The public gained little by permitting the selection of men like the governor who died in office leaving his estate insolvent, with large sums owing to several of his state's largest industrial corporations. Wealthy candidates can afford to be free of such influences and do not necessarily govern in the interest of their own class, as the history of both the Roosevelts should suffice to show. It is desirable that a nomination system should afford equal opportunity to all regardless of wealth, but none has as yet done so. Failing this, that system should be preferred which gives the best chance for the choice of candidates according to the wishes of the voters.

**Effect on Boss Rule.** The primary gives this chance by eliminating the great opportunities for fraud and chicanery and the imposition of the influence of party leaders and bosses, which characterized the convention regime. It is at least notable that state-wide boss rule has almost disappeared since the appearance of the primary. About the turn of the century the politically informed individual could begin at the Atlantic seaboard with Crane of Massachusetts and — going west with Platt of New York, Quay of Pennsylvania, Hanna of Ohio, and so on — proceed straight across the country enumerating the individual boss of each state. Now Hague of New Jersey is almost alone in this glory. The direct primary is not solely responsible for the elimination of the state boss but it has been vitally contributory to it. Even in more localized politics the grip of the organization and the machine has been materially lessened by the freedom of the voters to choose their own candidates directly.

**Effect on Party Unity.** There are those who argue that this has gone too far, that party solidarity and devotion to distinctive principle has completely broken down because of the direct primary. Great care should be taken to avoid con-

fusion in examining this charge. States having the open primary can scarcely preserve distinctive party unity, but the question is: Why did those states adopt a system which must obviously lead to that result? The answer must be that they did not see any importance in distinct party unity, that to them whether a man was to be considered a Republican or a Democrat was a matter of supreme unimportance.[1] In other words, they thought the two major parties so much alike that they saw no advantage in preserving any differences between them.

It will be observed that these views have prevailed only in some western states, using the term "western" in its largest and most sweeping significance. The truth appears to be that the traditional divisions there are indeed of little importance. A western Republican is not bound to his party by the strong ties of industrial interest that surround his eastern colleague, nor does the western Democrat feel the strong party allegiance that affects the southern cotton agriculturalist or the eastern laboring man. The main interest of both is either in grain agriculture or in mining. These are not primarily within the bounds of either party. Hence the subordination of party lines by a major interest which transcends them.[2] This situation does not prevail in other parts of the country (i.e., in the East and South), and there the separation produced by party lines remains at least as distinct as is at all desirable.

[1] This recently had a remarkable illustration when in 1940 Senator Henrik Shipstead of Minnesota, then sitting in the Senate as a Farmer-Laborite, obtained the Republican nomination and was reelected to the same office over the candidate of his own former party.

[2] In further witness of the slight regard afforded party lines in the West note the repeated renominations and reelections of Senator Hiram Johnson of California on three tickets: the Democratic, the Republican, and the Progressive. Another proof is the greater success of independent candidacies there. Where in the East attempts to obtain statewide office without party endorsement have invariably failed, beyond the Mississippi they have sometimes scored startling successes. This is not only true of the candidacies of such men of eminence as Senator Norris who triumphed over both the major parties so handily in the Nebraska election of 1938. It has happened also to comparatively unknown candidates. Thus in the Oregon election of 1930 one Meier running for governor as an Independent received more than twice as many votes as the Democratic candidate, nearly three times as many as the Republican, and was elected by a plurality of more than 73,000.

*In a democracy the test of a nomination system should be primarily whether it enables the people to vote upon the candidates designated by their own desires.* Any other method is essentially aristocratic. If in a direct primary the voters prefer Cleon to Pericles, it is less of an argument against the primary than against the whole system of republican government. If the people are not capable of nominating their rulers, there is no reason to suppose they are capable of electing them.

**Quality of the Candidates.** This might seem a conclusive argument against considering whether the quality of the candidates has been improved by the primary. It may readily be waived, however, because to speak conservatively, there is no evidence that the quality of the candidates was any better formerly. In general mental caliber and ability, there seems no reason now to predicate any inferiority in our present office-holders to those before the primary. In their greater degree of independent action it seems plain that they constitute a real improvement over the former minions of the state boss.

*The participation of the voters* in the direct primary varies greatly with the importance of the offices open for nomination, and more especially with the extent to which there are contests. There is no reason for every voter's turning out for a primary where the organization candidates are practically unchallenged. Perhaps some slight economy might be made by placing uncontested candidacies directly on the final election ballot. For the rest, it seems clear that the participation in the primaries runs well ahead of that in the old party caucus, and that the voter does make his will felt in them when he thinks it important.

And, after all, why should he be expected to do more? Is not the true function of the primary that explained by the late Senator Beveridge when he described it as "the gun behind the door"? Need the party voter consider it his bounden duty to vote in every primary, or may he not allow the party managers to control the nominations so long as they do so satisfactorily?

The latter was Senator Beveridge's theory. When there is danger that undesirable candidates may be chosen, the primary, he said, enables the party voters to take action to prevent it. On this basis the fluctuating participation in the primaries can be thoroughly justified.

## V. NONPARTISAN NOMINATIONS

So far we have been considering the problem of the method of nominating candidates within our various political parties. Now the question arises: How far should nominations for public office be partisan? In this connection it may be desirable to note the extent to which nonpartisan methods of selecting candidates have been adopted.

**Their Present Extent.** City and judicial offices are those most commonly filled on the nonpartisan basis. Throughout the country, cities of various sizes[1] have adopted nonpartisan methods of nomination and election, and seven western states have made this law for all cities within their borders. Sixteen states employ the nonpartisan primary as to judges,[2] nine for school offices, three for county offices, and two even for the state legislature. Except for city offices, the states employing the nonpartisan primary are almost all western and fall within the reasoning previously stated[3] as to the unimportance of party lines in that section of the country.

**Their Desirability.** But even if the adoption of nonpartisan nominations was largely motivated by a sectional feeling, it merits consideration as a method designed to exclude the influence of national parties from questions of local government. The question then is how far such exclusion is desirable.

For city, county, and school offices it seems hard to say that the party method of nomination has any real usefulness. There can scarcely be a Republican method of building sewers, a Democratic method of collecting taxes, or a Social-

[1] The largest appears to be Boston. Mayor La Guardia has recently recommended nonpartisan elections in New York.

[2] Three other states abandoned it after a brief trial.

[3] See *supra*, p. 360.

ist method of buying schoolbooks. Where honesty and efficiency are the sole questions, party lines can afford but little guidance and rather mislead than help the voter in his task.[1]

Many local offices now elective should, of course, be made appointive, but even policy-determining officers in the city and county fields, who must necessarily be elected by the voters, are best chosen wholly apart from partisan designations. As for judges, the states that abandoned the nonpartisan primary felt that the voter, when deprived of partisan labels on his ballot, was left wholly in the dark. Such is presumably not the experience of the much larger group of states that have retained this method. But the best suggestion may be that the whole idea of the election of judges by the voters is a definite mistake.

In nominations for legislatures, which in two states[2] are elected on nonpartisan ballots, a different consideration appears. The important thing about a member of any legislative body is not so much who he is as what he will vote for. Voters wish first to know what program he supports. To this program, partisan allegiances afford at least a partial guide. If such allegiances do not appear on the ballot, it is difficult to see what is to replace them. The voter will be forced to "go it blind," free to vote for Jones whom he knows primarily as a good blacksmith or Smith whom he knows primarily as the local lawyer. Neither of these facts helps him much in determining which to support for the state legislature. Even if by diligent inquiry the voter elicits these candidates' beliefs as to desirable legislation, how is he to know whether either's projects are feasible in the sense of commanding the support of any considerable group of legislative members? It would seem clear that candidates must be enabled to indicate group adherence to a program, and that partisan labels constitute the best way to do this.

[1] In particular situations it may be highly imperative to abolish partisan nominations to avoid the evils of one-party rule. This was the case in Boston, where the overwhelming predominance of the Democrats had produced shockingly bad city government.

[2] Minnesota and Nebraska.

## *AUTHORITIES AND EVALUATIONS*

Methods of selecting candidates in other free countries may be studied comparatively with ours in Bryce's *Modern Democracies* (1921) and Ostrogorski's *Democracy and the Organization of Political Parties* (1902). The latter is also very useful on the early history of nomination methods in this country, as is the same author's *Democracy and the Party System in the United States* (1910). Bryce's *American Commonwealth* (1889, 1893, 1910, 1914) also contains some comparison with English nomination methods. For our present purpose the index is the best guide in using all of these volumes and, except in the last-named work, it should be consulted under the heading "Candidates" rather than that of "Nominations." In the work last named both headings should be used.

Colonial nomination methods are set forth in Bishop's *History of Elections in the American Colonies* (1893), Vol. III, Sec. 5, and are supported by citations from the colonial records. For this and later periods reference may also be had to Dallinger's *Nomination for Elective Office in the United States* (1897) and Meyer's *Nominating Systems* (1902).

Systems of nomination in the youth of the Republic are described in these works and also in Luetscher's *Early Political Machinery in the United States* (1903) and Ostrogorski's "Rise and Fall of the Nominating Caucus, Legislative and Congressional," *American Historical Review*, V (1900), 253. See also references to the Congressional caucus in Stanwood's *History of the Presidency* (1912, 1916), Vol. I, and (for an alleged early use of the convention by the Federalists) Murdock's "First National Nominating Convention," *American Historical Review*, I (1896), 680. Benton's *Thirty Years' View* (1858) is also informative on nomination methods in this early period, as is generally Ford's *Rise and Growth of American Politics* (1898). For Calhoun's opinion of both the congressional caucus and the convention see his "Address to His Friends and Supporters" (1844) which appears in Calhoun's *Works*, VI (1888), 239.

The rise of the convention system may be studied in works already cited. Some of its abuses are vividly depicted in contemporary sources such as Breen's *Thirty Years of New York Politics* (1899); Easley's "Sine-qua-Non of Caucus Reform," *Review of Reviews*, XVI (1897), 322; Roosevelt's "Machine Politics in New York City," *Century*, XXXIII (1886), 74; and Whitman's "Origins of Attempted Secession" in *Specimen Days* (1882); as also in Meyer's work above cited.

The history of the origin of voluntary direct primary in Crawford County, Pennsylvania, is clouded in a good deal of obscurity. It

has been customary to say that it was originated by the Republican Party there in 1868. See Meyer, *op. cit.*, p. 146, and Sait's *American Parties and Elections* (1942), pp. 344–345. It is plain, however, from Barber's "Plan by Which Political Parties in a Republic May Be Legally Empowered to Select Candidates for Office," published in *Philadelphia Union League Essays on Political Organization* (1868), that the "Crawford County System" (as it is there called) was already in operation before that time. In spite of this, it has been said that the Crawford County System was adopted from one of these Essays. See Hempstead in *Proceedings of the National Municipal League* (1901), p. 197, and Merriam's *Primary Elections* (1908), p. 13. The truth would appear to be that the device was originated by the Democrats of Crawford County in 1842, abandoned by them in 1850, and revived ten years later by the Republicans. See Brooks' *Political Parties and Electoral Problems* (1933), pp. 261–262, based on Booser's unpublished thesis, "The Origin of the Direct Primary."

The early progress of the direct primary may be traced largely in the works of Meyer and Merriam above cited. Mark Hanna came in contact with it at Cleveland and gave it the honor of his unfavorable opinion. See Croly's *Marcus Alonzo Hanna* (1912), pp. 355–356. The beginnings of the mandatory primary movement are described in LaFollette's *Autobiography* (1911, 1913). For its further history, reliance must be made rather extensively on newspaper and magazine sources.

For the present status of the primary, the ultimate source is of course the election laws of each particular state. General works dealing with the subject include Beman's *Direct Primary* (1926), Merriam and Overacker's *Primary Elections* (1928), and *The Direct Primary* (a collection of studies), *Annals of the American Academy of Political and Social Science*, CVI (1923). Particular studies are Debel's *Direct Primary in Nebraska* (1914), Boots' *Direct Primary in New Jersey* (1917), and Hormell's *Cost of Primaries and Elections in Maine* (1926). The cost of the primary to the public is also studied in Pollock's "Election Administration in Michigan," *National Municipal Review*, XXIII (1934), 343.

The most elaborate attack on the system is Freyd's *Repeal the Direct Primary* (1925). More favorable views are set forth by Rowell in *Transactions of the Commonwealth Club of California*, XIX (1924), 564, and by Hughes in *National Municipal Review*, X (1921), 25. On nonpartisan designation of candidates see Cushman's "Nonpartisan Nominations and Elections" in *Annals*, CVI, above cited.

# *Chapter X*

## NATIONAL CONVENTIONS TODAY

### I. STEPS APPROACHING THE CONVENTION

#### A. FIRST MEETING OF THE NATIONAL COMMITTEE

The procedure and methods of major party conventions have become sufficiently standardized at the present day to make definite statements about them reasonably possible. The preliminaries of the convention of each party are cared for by its National Committee. This body, consisting (as we have seen in Chapter VIII) of two members from each state, assembles in late December or early January of the winter preceding the presidential campaign and proceeds to determine the time and place for the general assembly of the party. In so doing the committee finds its choice limited by certain traditions and considerations.

##### *1. Choice of the Convention Date*

The committee's choice of date is especially limited. Tradition, which in turn may be the product of the wisdom of experience, has determined that major party conventions shall be held in late June or early July.[1] Once it was cus-

[1] Minor party conventions follow no such rule. The more or less permanent minor parties (i.e., the Prohibitionist, Socialist Labor, Socialist, and Communist organizations) tend to hold their conventions in the spring of the presidential year, while newly formed political groups (e.g., the Progressives in 1912 and 1924 and the Union Party in 1936), since they usually appear as a result of dissatisfaction with the platforms and/or nominations of major parties, are unable to meet in convention before late July or early August. In 1940 the minor party conventions were held as follows: Socialist, April 5–8, in Washington; Socialist-Labor, April 28–29, in New York; Prohibition, May 9–10, in Chicago; Communist, May 31–June 2, in New York. Minor party conventions, being

tomary for the party in power to have its convention first. This was a rule of expediency, the party out of power waiting to see exactly what position would be taken by its opponent. The two existing major parties followed this practice down to the election of 1916. In that year the Republican high command (misled apparently by the arrogance of long-continued power) refused to wait for the Democratic convention and launched their attack without waiting to see exactly where the enemy was. They repeated this action in 1936. In 1940, talk of holding their convention after the Democratic one was met with intimations that the latter would be deferred indefinitely. Since the Democrats knew in a sense who their nominee would be, they could afford to wait while the Republicans could not. Hence the latter were unwillingly compelled to adhere to their own tradition.

The Republicans, then, may ordinarily be expected to meet about the third week in June, and the Democrats about the first in July.[1]

## 2. *Governing Factors in Choosing the Convention City*

(*a*) *Location.* The place of the convention is a matter of less predictability owing to the greater number of considerations involved. The first of these is central location, i.e., the ease with which a given city can be reached from all parts of the United States. In this Chicago surpasses all rivals, and largely for this reason it has had more than three times as many major conventions than any other place during the period of existence of the two present major parties.[2]

smaller, sometimes meet in smaller cities than are chosen by the major parties. The most appropriate convention meeting place in history was that of the Prohibition convention of 1936 which met at Niagara Falls!

[1] The conventions of 1940 were held at later dates than these. The Republican convention, opening June 24, was the latest in the party's history, and the Democratic, opening July 15, was its latest since 1864. Both in that year and in 1940 the uncertainty produced by war conditions was mainly responsible for the deferring of the conventions.

[2] It is interesting to note that in the previous major party period (that of the Whigs and the Democrats) and before the complete development of railway transportation, Baltimore had a similar and even greater preeminence because of its central position on the Atlantic seaboard.

(*b*) *Convention Hall.* Another essential is the existence in the proposed convention city of an auditorium of sufficient size to accommodate the immense crowd of delegates, alternates, and spectators which goes to make the picturesque actuality of the convention. This, while a necessity, is seldom much of an obstacle, as cities have been known to erect huge convention halls merely in the hope of obtaining a major party gathering. Philadelphia, for instance, did this in 1936.

(*c*) *Hotel facilities* are another consideration. Here adequacy is less a matter of concern than reasonable price, as any city large enough to be considered possible as a location for the convention is fairly certain to have sufficient hotel space. Assurances that hotel prices will be kept normal are sometimes offered with convention bids, and cities whose hotel proprietors have been unwise enough to "soak" the delegates of one convention find it difficult to obtain another under even the best of guarantees.

(*d*) *Political exigencies* may of course figure in the decision. It will not do ordinarily to place the convention in a state which has an important candidate for the presidential nomination, both because the atmosphere of local support for him may influence the result and because, alternatively, his failure to obtain the prize may occasion much greater bitterness there than if it were to occur on neutral ground. Disregard of this latter possibility did great damage to the Democratic Party when Al Smith failed to get the nomination in the Madison Square Garden convention of 1924. In 1936 the former consideration influenced the Republicans in passing over Chicago (their usual meeting place since 1900) as being the home town of Colonel Knox.[1]

Furthermore, doubtful states and states which have recently rendered important service to the party receive special consideration. These motives were influential in obtaining two recent Democratic conventions, that of 1920

[1] This is not carried so far as to bar a convention city merely because its state has a favorite son. For example, Governor James's candidacy did not prevent the Republican convention from being held in Philadelphia in 1940.

for San Francisco, after California had barely pulled Wilson through in the election of 1916, and that of 1936 for Philadelphia, after Pennsylvania had elected a Democratic state government for the first time within the present century.

Another motive may be to solace a state or region to which the probable result of the convention would be on the whole unpalatable. This gesture is seldom even moderately successful (witness the failure of the Houston convention of 1928 to reconcile the southern Democrats to the nomination of Al Smith). At times — as in the Democratic conventions at Charleston in 1860 and at New York in 1924 — it has even been influential in producing wide splits in the party. No political organization can safely function in an atmosphere favorable to factional revolt.

(*e*) *Bids.* Overshadowing all the matters thus far considered is the question of money: "How much will they put up?" A convention of any kind is a business asset to the city in which it is held because of the influx of spectators and delegates, and in the case of a national party gathering this is of course doubly evident. For this asset local chambers of commerce bid in sums of six figures which should, for perfect assurance, be backed by certified checks. San Francisco may conceivably have lost the Democratic convention of 1936 to Philadelphia when its bid of $201,000 was not so backed, while the latter's of $200,000 was.[1]

### B. APPORTIONMENT

Having once determined upon the time and place, the national committee proceeds to issue a formal convention call addressed to the various state committees of the party. On the Republican side this document tends to be comparatively long and specific, setting forth at great length the number and method of choice of the delegates. The Democrats, in accordance with their states rights tradition, are more sparing of directions, leaving the greatest possible number of details to the discretion of the state organizations.

[1] In 1940 Chicago paid $125,000 for getting the Democratic convention and Philadelphia $200,000 for getting the Republican.

*1. Democratic*

**Basic Apportionment.** This practice has been the more feasible in time past because of the simplicity of the Democratic arrangements for apportionment. It has been their regular practice to allow each state a number of delegates exactly double its representation in the electoral college. These, with their alternates and a nominal representation from each of the territories and insular possessions (including the Canal Zone),[1] have constituted their convention. Any tendency in this system to give undue power to states beyond all possibility of Democratic control was thought to be sufficiently offset by the two-thirds rule. With the repeal of that rule in 1936, a new situation was created rendering a change of apportionment necessary. As a consequence, the convention instructed its national committee to present a new plan in 1940, "taking into account the Democratic strength within each state."

**The New Bonus.** In accordance with these instructions, the committee proposed decreased representation of states having small Democratic votes and bonuses for those supporting the party. The latter feature alone passed the convention, the remainder being referred back to the committee for further consideration. By its provisions, two delegates at large are to be added to the representation of every state which went Democratic at the last presidential election. This is but poor compensation to the South for the loss of the two-thirds rule and can only be based on the assumption that that section will remain Democratic regardless of what treatment it may receive.

*2. Republican*

**The South in Republican Conventions.** In making a change in their apportionment the Democrats were only following a previous Republican example. Down to the election of 1912, the G.O.P. made use of the same double-electoral apportionment, unqualified by any requirement of a special

[1] Six from each except the Virgin Islands, which have two.

majority to achieve the nomination. The result was to throw undue weight to the delegates from the Solid South, a region where Republican electoral votes had become definitely out of the question. The party in these states consisted mainly of federal office-holders appointed on a spoils basis and completely amenable to the control of a Republican President who, because of the lack of southern Republican representation in Congress, was entirely free to appoint whom he pleased to federal offices in that section. It became customary for such presidents to build up personal machines in the South which were regularly used to obtain their own nominations for a second term and after that, if possible, to secure the choice of a desirable successor.

**Changes after 1912.** This situation, which had persisted in spite of occasional protests, produced a really intolerable scandal in the Republican convention of 1912. The renomination of Taft in defiance of the evident wishes of a majority of the Republican voters and the consequent Progressive split were largely brought about by presidential manipulation of southern delegates, many of whom were representative of no actual Republican constituency. The popular reaction to this "nomination steal" convinced even the most hard-boiled leaders that something must be done. In 1913 a new plan of representation was formulated by the National Committee and was ratified during the next year by the Republican conventions in the states casting a majority of the electoral vote. The plan then adopted (which has since remained in effect with changes of detail) was what may be described briefly as a minimum-plus-bonus arrangement. As in force in 1940, the minimum representation of each state was four delegates at large and one delegate for each congressional district. Each state having one or more congressmen elected at large was entitled to two additional delegates for each. Then came bonuses for good political behavior: three delegates at large for a state that went Republican at the last presidential election and one delegate from each district casting 10,000 Republican votes at the last election,

either for Congress or for presidential electors. Added to this was a very nominal representation from the territories and insular possessions (three from each, excluding the Canal Zone and the Virgin Islands).

Even with this plan the almost nonexistent Republican vote in certain southern states was greatly over-represented. The national committee of the party, being duly authorized thereto by its national convention, went so far in 1921 as to deny separate representation to any congressional district casting less than 2500 Republican votes. The committee, however, receded from its stand before the next national convention, partly perhaps because of fear of affecting the Negro vote, an element then already of increasing importance in various northern states and congressional districts. The party seemed hardly in any position to accept the real truth regarding its southern vote and to adjust its apportionment accordingly. Posing even as ineffectively as it does as the Negro's friend, it did not dare accept his disenfranchisement as a *fait accompli*. Consistency and expediency alike rendered this course desirable. Add to the fact that these southern delegates were ever useful pawns in the party managers' chess game and the reasons for the seemingly illogical Republican apportionment become clearly understandable. Nevertheless, the Republican convention of 1940 concluded that congressional districts casting less than 1000 Republican votes should be wholly deprived of representation. Applied on the basis of then existing congressional districts and the 1940 vote for Willkie, this would reduce the representation of the lower South in the convention of 1944 by a dozen votes, which is by no means sufficient to remedy existing inequalities.

### C. SELECTION OF DELEGATES

#### *1. By Convention and Committee*

The delegates so apportioned by the two parties are then to be chosen by state and local party organizations or members, according to the method used in each particular state.

Formerly the almost exclusive method was the convention system, although it is noteworthy that in some few states the Democrats have always selected delegates by vote of their state committees. This was upheld in the case of the contested seats of the Louisiana delegation to the national convention of 1932, that body affirming the seating of Huey Long's supporters so chosen on the ground that it was in accord with the party practice in that state.[1] Such an anomaly is possible only because of Democratic respect for the principle of states rights; the Republicans, who had rigidly required the choice of delegates at large by state conventions and of district delegates by like bodies in each district area, had set up a more uniform requirement. At most it could be evaded merely to the extent of authorizing the delegates sent by each district to a state convention to elect the national convention members from that district then and there, so that all of the state's delegates might be chosen at one time and place.

## 2. *By Primary*

### *a.* TWO TYPES OF PRIMARY

This nice uniformity of system is, however, no longer possible. With the extension of the primary laws, the choice of delegates to national party conventions has been brought within their purview by many states, and even the Republican Party has felt compelled, albeit unwillingly,[2] to acquiesce in the selections made according to their various legal requirements. State laws prescribing the use of the primary are of two general types, within each of which there is an almost infinite variation of detail. These types may for convenience be designated as the *presidential delegate primary* and the *presidential preference primary.*

[1] In 1940 the Democratic delegations from Arkansas, Georgia, and Louisiana were chosen by their state committees. New York's delegates at large were chosen in the same manner.

[2] In 1912 the Republican convention unseated delegates from California chosen in a state-wide primary according to law because the national convention call prescribed election by districts.

**The Delegate Primary.** The first type is the simpler. In it the voter merely indicates his choice between candidates for delegates to the convention who may or may not indicate on the ballot their choice among the presidential candidates. Out of fourteen states requiring the use of the primary for the choice of delegates in 1940, seven — California, Massachusetts, New Hampshire, New York, Ohio, South Dakota, and West Virginia — used this form. New York employed it for the choice of district delegates alone, its delegates at large being chosen by committee or convention.[1]

**The Preference Primary.** The remaining seven states using the primary for this purpose — Illinois, Maryland, New Jersey, Nebraska, Oregon, Pennsylvania, and Wisconsin — employed the presidential preference method. In this, while the voter is usually allowed to vote for delegates, he is also permitted to express his choice between candidates for the presidential nomination itself. The delegates chosen are in general expected or required to support the choice of the plurality of the voters in the state. Maryland, however, had a peculiar system whereby the delegates of each county to the state convention are required to support the choice of the voters of the county as expressed in the primary. The decision of the state convention is then binding upon the national delegates.

*b.* THE EXTENT OF USE OF THE PRIMARY

It will be seen that the use of either form of primary is required by only a minority of states. It will be seen further that these states comprise among them nearly all the politically important commonwealths in the country. To complete the picture it should be said that three southern states — Alabama, Florida, and Georgia — make the use of the primary optional;[2] that in the first two named it was actually employed by the Democratic Party in both 1936 and 1940;

[1] See p. 373 *supra*, n. 1.

[2] The Alabama and Florida laws provide for the optional use of the delegate primary, while that of Georgia provides for preference. The Democrats of the District of Columbia also select their convention delegates by means of a primary.

that eight states which formerly employed the primary — Indiana, Iowa, Michigan, Minnesota, Montana, North Carolina, North Dakota, and Vermont — have returned to the convention system for the choice of their national convention delegations; and that Massachusetts, after long experience with presidential preference, has just returned to the delegate primary.

*c.* DEFECTS IN THE PRIMARY SYSTEM

**The Problem of Fidelity.** Conflicting considerations have led to these diverse results. The primary system here as elsewhere is expensive to the candidates, and in its application to the Presidency it has superficially a great air of ineffectiveness. In the preference primary states a delegate pledged to one candidate may be called upon by the state vote to support another. Such support is not likely to be very wholehearted and there is no known way of enforcing it. Some state laws require a delegate to support the popular choice as long as there is "a reasonable possibility" of his nomination, but this obviously sets an indeterminable standard. Nor do we have any reason to suppose that popular feeling furnishes an adequate deterrent. Delegates who desert the choice of their state do not appear to suffer any social or political punishment for such conduct. Obviously greater fidelity is to be expected in the delegate primary states where the duty of the delegate is to support a candidate whose choice has been made by himself.

**The Candidate's Discretion.** Another drawback in the preference primary is that candidates are under no obligation to enter in any particular state and hence do not enter where they do not have good hopes of winning the delegation. An aspirant is thus afforded some rather nice problems of campaign strategy which even Presidents seeking renomination cannot entirely ignore. Two recent instances will illustrate this situation.

In 1932 President Hoover was the only candidate seriously considered for the Republican nomination. Nevertheless,

former Senator France of Maryland declared himself for the position and entered his name rather widely in the preference primary states. Now for all the fact that this candidacy was not taken seriously by the party managers, the unpopularity of the Hoover administration was. It was feared that the popular discontent might react to the tune of "anybody to beat Hoover." Consequently state after state was allowed to register a meaningless uncontested preference for France. On the other hand, it was not thought wise to let all go by default. Mr. Hoover's name was entered against France in the latter's home state and the conservative Republican voters of Maryland justified the reliance placed in them. France was overwhelmed in his own state and his candidacy rendered wholly innocuous.

Again in 1936 a President seeking renomination was faced by a similar problem, although with wide differences of degree. Roosevelt was generally popular but there was bitter dissent from his popularity. This sought to register itself through the candidacy of Colonel Breckenridge of New Jersey, best known as Colonel Lindbergh's legal adviser, whose name was very generally entered in eastern preference primaries. This time the strategy took the opposite form. Mr. Roosevelt met and thoroughly defeated Colonel Breckenridge everywhere *except* upon his native heath, and this performance caused the latter's default victory in New Jersey to pass almost unnoticed.

### *d.* PRESENT IMPORTANCE OF THE PRIMARY

The presidential primary then can neither compel its delegates to support the choice of their states nor its candidates to permit a general vote upon their qualifications. Nevertheless, it is too much to say that a general victory in the primaries can hardly fail to be decisive of the nomination. The material fact is that victory in a series of primaries in the largest and most politically important states has an overwhelming effect on party opinion. States choosing their delegates by convention hasten to "jump on the band wagon," and by the time

the national convention assembles the victor in the primaries has piled up a lead which the other candidates are powerless to overcome. This was conspicuously the case in the 1928 campaign; on the Democratic side after Smith's victories in California and Massachusetts, on the Republican after Hoover's successes in Massachusetts and Ohio. If other nominations prove this influence less clearly, it is either because the primaries themselves have shown no decisive result (as in both contests of 1920 and in the Democratic one of 1924) or (as in both nominations of 1932 and 1936) because the race was so one-sided that no one factor patently determined the final result. The Democratic primaries of 1940 might seem superficially to have been decisive since they were generally carried by Mr. Roosevelt, but closer inspection reveals that there was no contest in nine of the sixteen primary states. On the Republican side, ten primary states were uncontested.

If we believe in democracy, in the selection of governing agents by the people, it is difficult to deny the logic which says that the people should nominate as well as elect them. Defective as it is, the presidential primary is the most efficient method yet worked out for allowing the voters to do this in its particular field. Whether it takes the delegate or the preference form may not greatly matter, as the results in the end are much the same. Of course (as we have seen), delegates chosen in a preference primary may not approve the voters' choice and hence be undependable in the convention. On the other hand, in the delegate primary the dodge of selecting unpledged delegates amenable to control may be attempted by party managers.[1] Neither of these tricks, however, can be very effective if the people have a really definite choice. Their expression of it will be too overwhelming to allow such devices to be successful. In the absence of such a clear choice it is desirable that party managers should have their say, for if a professional politician has any useful function it is clearly that of guiding the public determination when the ordinary voter is not clear as to just what he wants. If the presidential

[1] This was widely used on both sides in 1940.

primary can be so improved as to give a complete chance for the expression of a general party opinion when there is one, the manipulation of the party managers may be counted upon to serve a useful rather than a deleterious purpose. As it is, the system, while illogically incomplete, is perhaps sufficiently effective.

*e.* THE PROPOSED NATIONAL PRIMARY

A reform occasionally proposed is that of establishing the primary on a nation-wide basis by federal enactment. For this there is no public sentiment and its adoption would be a matter of great practical difficulty, as there is little doubt that it would need to be accomplished by amendment in order to be constitutional. It would have three principal advantages. First, it would completely exterminate the tricks and wiles of the convention system (unless indeed a post-primary convention were to be retained in the absence of a majority or a certain required plurality for any candidate). Second, as it would be held on the same day throughout the Union it would prevent the result in one state influencing that in another — victory in one reacting on the next like a ball knocking down a row of ninepins. Third, it would give a complete picture of the popular sentiment everywhere and for every candidate, not merely of the sentiment in some few states regarding such candidates as might choose to file papers in each. If sufficiently decisive the primary might, by an application of the runoff principle, even do away with the necessity for any other election.

Its disadvantages might be two. First, it might render the balance of political power uncertain and its results in consequence possibly undesirable. Our present system of nomination works tolerably well. One so radically different from it conceivably might not do so. Second, any federal interference with the presidential nomination system could scarcely fail to stir up the question of the Negro's right to vote in the South. It is notable that the adoption of the primary for state offices there stirred up a ferment regarding the Negro's

right to participate, which was only quieted by a series of Supreme Court decisions; that the three states of the deep South now using the presidential primary do so on an entirely optional basis; and that the only other really southern state [1] ever to try it — North Carolina — found its abandonment desirable.

## II. THE CONVENTION ITSELF

### A. THE CONVENTION SCENE

For weeks and months the convention city has been the scene of feverish preparations. The general responsibility for these falls primarily upon the national party chairman, but he has long since delegated it to a trustworthy local committee upon whose decisions all detailed arrangements will depend. This in turn functions through subcommittees, each dealing with a particular subject such as outdoor decorations, reception and entertainment of delegates, hotels, transportation, and auditorium. All of these have the ardent cooperation of the various officials of the city who are all (from the mayor down) anxious that the delegates should have a good time and return to their homes feeling that nothing would be better than another convention held in the same place.

The convention furnishes a peculiar problem to the officers responsible for the local peace and order. A portrayal of the general pre-convention scene may tend to make this evident. This has perhaps never been more effectively done than by the great Russian political scientist Ostrogorski. Although written more than thirty years ago, many of its details still remain authentic. The following is his description of what he calls the "convention aspect":

"The streets, adorned with a profusion of flags and bunting . . . , the hotels inhabited by the delegations, and other political 'headquarters,' are thronged by a huge crowd, 'a convention crowd.' Favoured by 'convention weather' it makes a continuous hubbub, 'a convention stir,' from morning till evening, and even later. The whole town is swamped with . . . 'pre-convention enthusiasm.'

[1] Maryland and West Virginia cannot properly be so considered.

The arrival of the delegations provokes the first outbursts of it. . . . Delegations which have already arrived, go to meet the new delegation and welcome it with . . . applause re-echoed by the shouts of the assembled crowd. Then the whole company walks in a procession to the hotel in which the delegation has engaged rooms. To the sound of drums and fifes, in the midst of a frenzied crowd, the new arrivals march past, adorned with badges, medals and ribbons bearing the name of their State.

"Each State delegation has its head-quarters in a hotel. . . . It is the meeting place of all the citizens of the State who attend the convention . . . as spectators. If all of them do not receive a plentiful supply of drinks and cigars at the head-quarters of their State, they are all sure to obtain badges with the name of the State there. . . . The number . . . who have come simply as sightseers is enormous. . . . The streets adjoining the head-quarters are blocked to such an extent that it is sometimes necessary to stop all wheeled traffic. Inside the hotels matters are still worse, especially in the evening, when the visitors are joined by the inhabitants of the city after their day's work." [1]

### B. TYPES OF CANDIDATES

As soon as delegates arrive, political maneuvering begins. By this time there are ordinarily three classes of possibilities for the party nomination for the Presidency. Of openly avowed candidates there are two types: *favorites* and *favorite sons*. Behind these lurk in the dusk of uncertainty the *dark horses*.

1. **Favorites.** To be a favorite it is necessary to have substantial support from two or more states. Thus Garner in the Democratic convention of 1932, with substantial support only from the California and Texas delegations, was a favorite. Often a single candidate — a President seeking renomination, for example — may have such an outstanding lead by the time for the convention to assemble that he becomes *the* favorite, and the contest resolves itself into an effort by "the field" of other candidates to prevent his nomination. This they can do only by combination on some one man, a feat difficult to accomplish. Inducements must be found to impel joint action on the part of many, any of whom

[1] M. Ostrogorski, *Democracy and the Party System in the United States* (New York, The Macmillan Co., 1910), pp. 137–138.

may defeat the scheme by accepting benefits from *the* favorite for securing his nomination. It was thus that Mr. Garner frustrated the attempt to combine the field against Roosevelt in 1932. Such efforts have rarely succeeded. Perhaps their only recorded success was the defeat of Grant by Garfield in the Republican convention of 1880. This was rendered possible only by the former's bad record in office, by his defiance of the traditional third-term rule, and, above all, by the supreme arrogance of Senator Conkling, Grant's campaign manager, which made him implacable enemies at every turn.

2. *Favorite sons* are those candidates who have substantial support from their own state alone. It is not necessary that their whole support be confined to a single commonwealth. Thus "Alfalfa Bill" Murray in the Democratic convention of 1932 was supported by his home state of Oklahoma and also by a single member of the delegation from North Dakota. The latter was not sufficient to remove his candidate from the *favorite son* into the *favorite* classification.

3. *Dark horses* are persons commonly talked of for the presidential nomination who are not openly avowed candidates. Unless some political miracle comes to pass (such as Bryan's "cross-of-gold" speech which made him, previously an unknown figure, the Democratic candidate in 1896), the dark horse will not be placed before the convention in a formal nomination speech. As an avowed candidate before, though only slightly before, the Republican convention of 1940, Mr. Wendell Willkie barely escapes from the dark-horse class. The typical dark horse may be illustrated by the situation of Newton D. Baker in the Democratic convention of 1932. He received a few votes on the first ballot, as dark horses sometimes do. His chief support was, however, latent. Many a delegate was but imperfectly satisfied with the Roosevelt candidacy and would, if the balloting had been greatly prolonged, have been ready to make a break to a party leader who had not openly sought the nomination.[1] The bargain

[1] The minorities of several western delegations were with difficulty being held in line for Roosevelt by the use of the unit rule.

with Garner and McAdoo which determined the result was undoubtedly hastened by knowledge of this possibility. This is but a single example of the perennial dark-horse threat and of one of the means whereby its success is usually prevented.

**Favorites Usually Nominated.** Dark horses and favorite sons are seldom nominated by our major political parties. Existing impressions to the contrary are attributable first, perhaps, to the general and undiscriminating distrust of political processes characteristic of the great uninformed public, and secondly to the magic power of a well-turned phrase. The "little smoke-filled room at two o'clock in the morning" has been taken not only as descriptive of the Harding nomination of 1920 but also as typical of party nominations generally. Peculiar circumstances which had arisen from disclosures of large campaign expenditures just before the Republican convention made it possible in that year for the party managers to disregard all the favorites and confer the nomination on the favorite son of the pivotal state of Ohio. It was the first time the Republicans had nominated a favorite son since 1888. As for dark horses, they have not chosen one since the extraordinary Garfield nomination of 1880 already referred to. Taken altogether, the Republicans since their first convention in 1856 have nominated eighteen favorites, three favorite sons, and one dark horse. Harding is the only example of a non-favorite nomination in the last forty years.

The Democratic record is similar. In fact, if the whole party history back to its first convention in 1832 be taken into account, it will be found that its non-favorite nominations are exactly equal in number to those of the Republicans in their shorter period of existence, and if this latter period be applied to the Democrats they will be found to have exactly half as many in the same length of time. Counting Bryan as a favorite in 1896 (and he certainly was such by the time the candidates were put before the convention), there has not been a dark horse nominated since Seymour in 1868. John W. Davis' nomination in 1924 is the only favorite-son choice in the whole lifetime of the party.

### C. ATMOSPHERE OF THE CONVENTION

The odds, therefore, favor the selection of some one of the favorite candidates, but this does not deter the others. The convention atmosphere is not very favorable to a cool calculation of chances. The growing excitement of the campaign as it has been waged in the primaries and conventions of the various states reaches its height in the great convention city on the eve of the nomination. It carries prominent party leaders beyond the limits of discretion in statements opposing the choice of candidates that cool reason would tell them they will in the end have to support. Thus Senator Curtis referred to Herbert Hoover in a statement made just before the Republican convention of 1928, saying, "The convention cannot afford to nominate as the head of the ticket anyone for whom the party will be on the defensive from the day he is named until the close of the polls on election day." Within a week the convention had nominated Hoover for President and Curtis for Vice President, and Curtis accepted the nomination.

Errors of this sort are rendered somewhat excusable by an understanding of the conditions under which they are made. These also have been best described by Ostrogorski.

"To whatever category the aspirant belongs even if he is a hot 'favorite' and the 'logical candidate,' the progress of his candidature must depend on the herculean efforts put forth during the few days that precede the convention, and in the course of the convention itself. Each aspirant has at his disposal for this purpose not only the delegation of his States . . . but numerous special workers. Their efforts are directed not only to the delegates . . . but also to the outside multitude, with a view to creating a moral atmosphere favorable to the aspirant and pressing on the delegates with the weight of public opinion. . . . The part of the program intended for the outside public is addressed almost exclusively to the senses. . . . The favorite plan is to make the candidate popular by . . . exhibiting and shouting out his name, by spreading about the reproduction of his physiognomy. The headquarters of each candidate are provided with large bales of his portraits, with leaflets relating his glorious life, and with badges bearing his name and likeness, which are distributed to all comers.

". . . Part of the boom of the candidate is enacted in the streets and consists of . . . parades and processions, by day and night. The persons figuring in these . . . are often obliging auxiliaries impelled by disinterested 'enthusiasm' . . . imported . . . from the candidate's own State and elsewhere. . . . Headed by a band, they walk through the streets to show how many admirers the candidate possesses. . . .

". . . The boom which goes on inside the various 'headquarters' . . . aims directly at the delegates. The managers of each aspirant endeavor to spread abroad the impression that their client is most likely to obtain a majority; that it is consequently good policy to join him. . . . They quote, with some stretch of their imagination, the delegations which have 'mentioned' or even 'endorse' their aspirant. A few members of the delegation are dispatched as 'missionaries' . . . to make proselytes. They are received courteously and listened to attentively; but a straightforward answer is seldom given them. Everybody is on his guard; the ground on which one treads is full of pitfalls. Everything depends on the combinations which are being formed elsewhere, and you never know exactly what to believe; sinister rumors are continually circulating; you live in a state of perpetual apprehension." [1]

### D. THE CONVENTION HALL

Amid such an atmosphere the day for opening the convention arrives. The delegates find awaiting them a huge auditorium calculated not only to seat on its floor a thousand or more delegates with an equal number of alternates, but also to accommodate above them thousands upon thousands of spectators in tier upon tier of galleries. The Houston auditorium for the Democratic convention of 1928, for example, was estimated to seat 16,000 people. Admission to the galleries is ordinarily free, though some seats may be reserved at the disposal of the delegates. The attempt of the Democrats in 1932 to raise campaign funds by selling admission to the galleries was distinctly unsuccessful and is not at all likely to be repeated. Boxes at their convention are still sold but the revenue from them is diminishing, having fallen from $36,400 in 1936 to $6000 in 1940.

The floor is parceled out into sections above each of which appears the "standard" of a state delegation (the state name

[1] *Op. cit.*, pp. 140–142.

in large letters printed upon a placard nailed to a stout pole).[1] At the front is a huge platform in the center of which is the desk of the officer presiding, half-surrounded by a semicircle of microphones. These are connected not only with the radio apparatus broadcasting the convention to the world but also with loudspeakers to keep the whole convention from losing a word of its own proceedings. On each side of the speaker's platform is an enormous fenced-off press box calculated to hold together approximately 600 reporters. Beneath the stage are doors through which, at the height of convention proceedings, rush a constant stream of messengers bearing minute-to-minute-bulletins to be dispatched over some one of the numerous telephone and telegraph instruments located in the basement of the auditorium.

### E. SECOND MEETING OF THE NATIONAL COMMITTEE

**Contests for Seats in the Convention.** The delegates have proved their right to their stations of temporary power by the presentation of proper credentials to the national committee, which meets to pass on them just before the convention assembles. In the absence of contests the committee's role is merely formal, but in case they arise its position is one of power. In a crucial case (as in the Republican convention of 1912, for example) the decisions of the committee involving contested delegations may go a long way toward determining the convention result. This power has been greatly diminished in its importance by the use of the primary in electing delegations. As we have seen, all forms of political skullduggery were possible in a state convention. In many states trickery became so common that, whether or no, it was easily charged by a losing faction. A constant practice was for such a group to charge fraud, withdraw from the convention hall, and nominate its own contesting delegation. This is still sometimes done, but it has been rendered impossible in the primary states where the

[1] In the Republican convention of 1940 the placard was surmounted by a trumpeting elephant bearing the letters "G.O.P."

result is officially determined. Even in convention states improvement has taken place, with the result that not more than two to four delegations to any one convention have contests. Most of these occur in the groups from the territories and possessions and (in the Republican convention) in those from the southern states. In the Democratic convention of 1936, for example, there were three contests, two of which concerned the delegations from Puerto Rico and the Canal Zone. In such places, which have little hope or desire to become states, it cannot be surprising that no real national parties exist, and where there is no real party it is very easy to get up a squabble between shadows claiming to be the real one. For the same reason, on the Republican side southern contests are the most common.

**Choice of Temporary Officers.** Another duty falling upon the national committee at this time is the recommendation of temporary officers. These include Chairman, Secretary, Sergeant-at-Arms, Parliamentarian, Tally Clerk, Reading Clerk, Doorkeeper, and their various assistants. The officers separately named have real work to do, as do the two or three Assistant Parliamentarians and perhaps a few Assistant Tally Clerks. For this reason they are carefully selected by a Subcommittee on Arrangements and are specifically approved by the National Committee. Most assistant-secretaryships and sergeancies-at-arms, on the other hand, tend to be merely honorary. Appointments to these positions are often delegated to the Chairman of the National Committee. Assistant doorkeepers' badges are sometimes given by politicians to friends as tickets of entry to the convention.

### F. THE FIRST DAY OF THE CONVENTION

Once assembled, the convention is called to order by the Chairman of the National Committee. Prayer by some member of the local clergy or some visiting ecclesiastical dignitary follows. The convention is prayed over and for at the beginning of each of its sessions, the function being shifted around so that as far as possible each of the nationally prominent

sects is honored. Then quite commonly some eminent singer will render the "Star Spangled Banner," followed perhaps by some other patriotic song.[1] Then follows an address of welcome by the mayor of the convention city. The next regular business is the reading of the convention call, but other matters may intervene. A photograph may be taken even before the address of welcome, as was done at the Republican convention of 1940, or the body may be welcomed on behalf of the state, as is becoming common among the Democrats. Governor Earle did this for Pennsylvania in 1936 and Senator Lucas for Illinois in 1940. In 1932 the Democrats were called upon to sit through a reading of Jefferson's Farewell Address, a document to which their attention was called in 1940 in a very different manner.[2] Further speeches ensue and the convention finally adjourns until evening, in order to insure a maximum radio audience for the "keynote" of its temporary chairman. There is now a tendency for the national committee chairman also to address the convention at length, the opportunity to impress upon it his own feelings and opinions being too good to be neglected.

**Election of Temporary Officers.** After the reading of the call, the next formal business is the election of temporary officers, the recommendations of the national committee being normally accepted without discussion. If serious dissension exists within the party, the nominee for temporary chairman may be opposed. If the Old Guard leaders are actually losing control, he may even be defeated. This, however, has not occurred on the Republican side since 1884, nor on the Democratic since 1896. Since 1912 it has not been seriously attempted in either party.

[1] "God Bless America" was declared the "theme song" of the Democratic Convention of 1940, but the Republicans refused to let them have a monopoly of it. The evening session on the first day of the Republican Convention was opened by a rendition of a very remarkable work called "Ballad for Americans." Selection of convention music causes numerous headaches. In the 1940 Democratic Convention it was found at the very last moment that "Marching Through Georgia" and "The Sidewalks of New York" had been included among the pieces to be played!

[2] Reference by Senator Glass to Jefferson's disapproval of a third term was greeted with boos by the convention.

**The Keynote Speech.** The national chairman appoints a committee to escort the temporary chairman to the platform where he promptly takes the chair and swings off into his "keynote speech," so called because it is supposed to arouse the delegates by striking a "keynote" of party enthusiasm. In doing this he is governed by the limitations of his peculiar situation and by the momentary position of his party. He is prevented from lauding any mere candidate for the nomination, no matter how prominent a favorite he may be. He is prohibited from expressing an opinion on any proposed plank in the party platform or on any controverted question of party policy. His praise for the party must be for its past glorious achievements; his praise for individuals must be limited to its great historic leaders, including, if the organization is so fortunate, a President actually in office at the time, even though he may be an active candidate for renomination. Whether he will deal mostly in praise or blame will depend mainly on whether the party is in or out of office. In the former situation there is usually little to do but praise the current administration, showing how it has helped the farmer, the laborer, the businessman, the Negro, national prosperity, the cause of peace, the national security, and so on *ad infinitum*. A wise opposition party will, by allowing the party in power to hold the first convention, put itself in the best position to blast these claims.[1] Its keynote speaker devotes himself largely to vitriolic assaults on the record of the administration, revealing them as crooks and wastrels, the friends of privilege or the foes of honest business, the foes of the Constitution generally or of the Bill of Rights in particular, deceivers in all their claims, drivelers in all their performance. For real force and also for a certain literary quality, rare in convention proceedings, perhaps the most favorable example of "keynoting" is Mr. Claude G. Bowers' address as temporary chairman of the Democratic convention of 1928.

[1] Despite this principle the Republican Party has held its conventions first ever since 1900, for reasons discussed *supra*, p. 367. In every instance this has enabled the Democratic keynoter to devote a large part of his speech to denouncing the actions of the Republican convention.

**Convention Oratory.** It must be remembered, however, that convention oratory cannot be judged by any ordinary standards. It has been said that every assembly of over one hundred people is a mob, and it would seem that the mob excitability increases directly with the size of the gathering. When to the size of the convention you add its unity of party feeling and its desire both to seem and to be enthusiastic, the result is an atmosphere in which highflown oratory pretentious to the point of absurdity is almost unavoidable. Under such conditions, what goes well in the convention hall must necessarily read badly in cold print. Words become acts, not to be valued by the critical judgment of later readers but by their immediate effect on the convention.

**Appointment of Committees.** The next business is the adoption of formal resolutions accepting the rules of the national House of Representatives as the temporary rules of the convention and referring all petitions and resolutions to the Platform Committee. A roll call for the appointment of committees and honorary convention officers follows. Each state delegation, as its name is called, announces to the convention the members of its group who are to serve in the positions in question. In this way the convention has placed before it state choices for membership on the following committees: Credentials, Rules and Order of Business, Permanent Organization, Platform and Resolutions, Notification of the Presidential Nominee, and Notification of the Vice-Presidential Nominee. It also designates in the same manner honorary vice presidents and secretaries of the convention. The new national committee also is sometimes named at this time.

### G. PROCEEDINGS ON THE SECOND DAY

These designations are formally approved by the convention, and after this no important business can come before it until some of the committees are ready to report. The convention consequently adjourns overnight. On its second day it normally accomplishes very little. It is usual to fill in the daytime session with radio singers and more or less routine

speeches by party notables, with the idea of attaining another climax on the second evening with the speech of the Permanent Chairman.[1] Usually the formal reports of three of the convention committees are considered on the second day.

*The Credentials Committee's report* is normally the first to be made. Its duty is simply to pass upon the questions of convention membership already temporarily decided by the national committee; to accept finally all unquestioned credentials; and to thrash again the already thrice-winnowed straw of debate over the contested delegations. It generally upholds the national committee's determination and its decisions are ordinarily accepted by the convention. On the Democratic side this is sometimes facilitated by the device of seating both contesting delegations with a half vote to each individual. A persistent losing group may carry its case to the floor of the convention by contesting the committee report. This is more common among the Democrats, the Republicans being in general more successful in settling party controversies behind closed doors. The Democrats, on the other hand, have a proverbial facility for uniting in harmony after all kinds of cat-and-dog fights on the convention floor. Each organization has its own method of weathering internal conflict, and each method works well enough under normal conditions but fails dismally when dissension becomes very serious. Too many battles in the open may ruin a party's chances, as with the Democrats in 1924; too much effort to suppress dissenters may split the organization, as with the Republicans in 1912.

When the credentials report comes in, the temporary chairman still presides. In an extreme case his action in the chair may have a decisive effect. Thus in 1912 Elihu Root, by permitting contested delegations to vote on each other's contests, definitely enabled the Taft forces to obtain control, and caused a clear split in the party.

[1] In the Republican convention of 1940, however, Chairman Martin's speech was jammed into the second morning to save the evening time for ex-President Hoover.

Once the credentials report has been adopted, *the report of the Committee on Permanent Organization* immediately follows. This normally recommends the continuance of all the temporary officers except the chairman. In his position a change is generally made largely because the qualities required for a good keynoter are not those needed for constituting an able presiding officer. The latter must have coolness, judgment, and infinite patience, together with a sound knowledge of convention procedure. The temporary chairman appoints a committee to escort the permanent chairman to the platform, where he immediately takes over with a speech that of late years has tended to become a second "keynote."

The next business is *the report of the Committee on Rules.* This body regularly recommends the adoption of the rules of the last convention together with such specific changes as may be thought desirable. National convention rules were originally based on those of the national House of Representatives and are kept up to date by adopting the current House Rules.[1] It is usual to regulate the order of business and the limitation of time in debate by new rules adopted at each convention, though there may be no real change from previous practices. The Democratic conventions of 1936 and 1940 limited each speaker in general debate to thirty minutes, nominating speeches to twenty minutes, and seconding speeches to five. In 1940 the Republicans allowed thirty minutes for nominating speeches, and limited both nominating speeches and speeches in general debate to five minutes.[2]

### H. THE PLATFORM

The preparation of the platform is usually a work of sufficient difficulty to require adjournment to a third day. When the report finally comes in it may be unanimous (as is perhaps

[1] "*Resolved*, That the rules of the last Democratic National Convention, including the rules of the House of Representatives of the Seventy-fourth Congress as far as applicable, shall be the rules of the convention." Extract from the report of the Rules Committee of the 1936 Democratic Convention.

[2] The unit and two-thirds rules will be discussed later.

normally the case on the Republican side) or it may include a majority and one or more minority reports (a rather common situation on the Democratic). The committee has been in intensive session ever since it was selected. Before it have come all types of pressure groups on all varieties of questions. The fact that a matter is in no sense the business of the Federal government, that there is no reasonable likelihood that the candidates of the convention would or could do anything about it, is by no means a bar to bringing it into the platform. The oppression of a foreign nationality, the regulation of matters purely intrastate, alike may receive attention. It is not necessary to pledge action. A resolution of sympathy or recommendation will suffice. In the past the Democrats have been led by their doctrine of states rights to frequent indulgence in the latter device for dealing with matters not incontestably within the federal scope. Where conflicting interests rage, a "straddling resolution" looking both ways is always possible. It may be fairly doubted, however, whether many of these are worth the ingenuity they cost. If, as seems undoubtedly the case, deceit is their real object, it would be much better served by silence. Silence in a platform allows each campaign speaker to define his party's intentions as best suits his audience, with some possibility of being credited, while "straddling" in a matter concerning the interests of any real pressure group is certain to receive accurate analysis. The tendency to long and prolix platforms has been strong in the past. Since 1932 the Democratic platforms have affected a commendable brevity which, while it does not prohibit straddling and evasion, yet has a strong tendency to make the national platform a vital document and a recourse of common reference for all who wish to know where the party stands.

Debate on the platform is seldom prolonged, nor is its result usually vital. This is because in nine cases out of ten one can thoroughly predict the result. The minority reports, which as amendments to that of the majority receive first consideration, are usually the protest of some dissentient

element too small to endanger the party control and too submissive to break the lines of party regularity. It is only rarely and on great and stirring issues that the platform debate is of real moment. Slavery, Free Silver, the Ku Klux Klan — these are the issues that have threatened parties with dissolution. Alike for the parties and for the nation it is fortunate that such questions do not frequently arise.

## I. THE PRESIDENTIAL NOMINATION

### *1. Nominating Speeches*

With the adoption of the platform the way for the presidential nomination is clear. The next regular business, either at once or after an adjournment, is the call of the roll for nominating speeches. "Alabama!" the call rings out over the amplifier system and the radio. "Alabama yields to the great state of New York!" And as New York's most silver-tongued orator arises to his feet to place her favored aspirant in nomination, the last phase of the great battle is on.

In dealing with nominating speeches, what has already been said about the inflated character of convention oratory should be kept in mind. Formerly all such speeches were in "the-man-who" form. Every device, every possible gyration of words, was used to enable the speaker, while constantly talking about his candidate, to avoid naming him until the very end of his remarks. "Illinois — Illinois nominates that prince of parliamentarians, that leader of leaders — James G. Blaine."

Why didn't he say so before? Why all the mystery — as if this were something between a detective story and a charade — a masterpiece of indirection but deceiving and meant to deceive no one? The idea was to hold back the applause, to concentrate for one mighty "demonstration" at the mention of the candidate's name.

This practice was first broken by Mr. John Hamilton of Kansas in nominating Landon in 1936. At the end of about the first paragraph of his remarks he uttered his candidate's

name and pandemonium broke loose. It was with great difficulty that sufficient quiet was attained for him to finish his speech. Many assumed that this was merely evidence of political inexperience and a proof that the old-fashioned way must be followed. Instead it started a Republican trend that by 1940 had become fully realized. In that year half the G.O.P. nominating speeches for the Presidency departed entirely from "the-man-who" tradition, including those made for Wendell Willkie and for Senator McNary who was later nominated for the Vice Presidency.

But the conclusion of the nominating speech is still the signal for *the demonstration.* Delegates leap to their feet, grab their state standards, and begin a mad parade around the hall. They are encouraged by brass bands, the convention hall organ (when there is one), and the sound of their own yells echoing back at them from the lofty roof. Round and round they go, the candidate's picture waving above them. Pretty women (often in flaming red) appear from nowhere, invade the convention platform, and lead the procession.[1] On and on it goes, its component delegates desirous of equaling past demonstration records and realizing that the supporters of aspirants still to be named will try to outdo them, as the newspapers rate a demonstration on the basis of its consumption of time.

Under these conditions it is hard to say where real enthu-

[1] A new feature appeared in the Democratic convention of 1940 when the demonstrators bearing state standards past the platform held them up to the chairman and insisted that he kiss them!

Another novelty of the demonstration for Roosevelt at this convention was the so-called "Voice of the Sewers." Mr. Thomas D. Garry, Superintendent of the Sewers of Chicago, ensconced himself in the basement room which housed the convention's loud-speaker system and proceeded to "step it up" to broadcast his voice louder than the din of parading delegations. "We want Roosevelt! New Jersey wants Roosevelt! The world needs Roosevelt!" he bellowed, and the whole convention was mystified to know where the uproar was coming from.

This was not the first time that mechanical devices had been used to promote a demonstration. Al Smith's supporters brought fire sirens into the galleries of Madison Square Garden in 1924. Nor was it the first time that the custodians of broadcasting apparatus at a convention had made use of it to forward a particular cause. At the Republican convention of 1932 it was noted that the radio broadcasting was being so handled as to favor the minority plank calling for the repeal of prohibition. *New Republic*, June 29, 1932, p. 179.

siasm ends and the "phony" or synthetic variety begins. There is some of both in any demonstration. The convention would be a total failure in one of its main objects if it did not arouse real enthusiasm. All the conditions tend to produce a genuine frenzy. As to the synthetic kind, politicians may always be depended on to fake that which they need and have not.

Finally the demonstration for the New York candidate dies away and Arizona is called. She seconds the New York nomination. "Arkansas!" "Arkansas yields to Texas!" Another nomination speech. Another demonstration. More seconding speeches. The roll drags on, finally reaching the Canal Zone or the Virgin Islands, whichever may be placed last. The candidates have been placed in nomination. Now the balloting is about to begin.

### 2. *The Balloting*

Again the roll is called. "Alabama!" "Alabama casts twenty-four votes for Oscar Underwood!" "Arizona!" Arizona votes for her choice. And so on down the line. Voting is individual, although as an economy of time the votes of each delegation are announced by one of its members. Once announced, the vote may be challenged, but only by a member of the delegation. A challenge results in the polling of the delegation, i.e., calling the roll of its delegates by name to determine their votes. This takes place either immediately or at the end of the ballot. In the absence of any delegate his duly elected alternate casts the vote in his place.

While the vote of a given state is often cast for one man, it may be divided among several. On the Republican side each delegate's conscience is his only guide. Whether he is a member of an unpledged delegation, or instructed by state-convention vote for an aspirant, or bound by law to uphold the state primary choice, he cannot be prevented from voting as he chooses. This is in general the case on the Democratic side as well. The well-known *unit rule*, which is peculiar to Democratic voting, is applicable only where a state convention

has instructed its delegates to vote as a unit. This it may not do unless it selects the delegates, the result being that states using the presidential primary are freed from the rule's application. And this application is not automatic. The rule must be definitely invoked by the state convention.

Until 1936 the Democrats used this regulation in conjunction with another peculiar to their organization — the noted *two-thirds rule*. While no such reason was given or perhaps existed at the time of its adoption by their first national convention in 1832, its effect was southern domination to the extent that a candidate without southern support could not be nominated. This became evident as early as 1844, when the steady opposition of the South prevented the nomination of Van Buren, a favorite possessing a majority vote in the convention. Such continued to be its regular working and effect, and its operation in this way came to be generally accepted and even justified. In the *New York Times* for October 30, 1927, Miss Emily Newell Blair, Vice Chairman of the Democratic National Committee, defended the rule on the ground that choice by a majority would allow the nomination to be decided by states that could not be expected to go Democratic.[1] It was an avowal of the sectional character of the party.

As such it could not be expected long to survive the party's nation-wide rejuvenation. Abolition of the two-thirds rule was part of Mr. Farley's program for the Democratic convention of 1932. Abandoned then as alienating southern support for Roosevelt, it was revived and successfully passed in 1936 in the face of considerable opposition. "Thank God, the Democratic Party is no longer sectional," said Senator Bennett Champ Clark in proposing the change.

**The Number of Ballots Required to Nominate.** This difference in nomination methods has had a notable effect on the time required to make a choice. The Republicans, acting

[1] Miss Blair was not original. President Buchanan used exactly the same argument in justifying the rule in 1860. See George Ticknor Curtis, *Life of Buchanan* (New York, Harper Brothers, 1883), II, 290.

always under the majority principle, have only once been forced to go beyond ten ballots and only five times beyond five. Fourteen of their twenty-two nominations were made on the first ballot. The Democrats, on the other hand, acting under the two-thirds rule, have four times gone beyond forty ballots and twice beyond fifty.[1] Their first-ballot nominations under the rule are only twelve out of a total of twenty-six.[2]

The strategy of the managers of the various candidates has been calculated according to the varying conditions of the two parties. It rested in both on the fundamental proposition that nothing succeeds like success; that the aspirant who appears to be gaining votes may expect new supporters to keep jumping on his bandwagon. If the result is not a foregone conclusion that some outstanding favorite will be nominated on the first ballot, the maneuvering goes on as follows. On the first ballot the favorites receive the support of the groups pledged to them, with perhaps also the votes of some of the unpledged delegations. Various state delegations cast votes for favorite sons — some as a mere complimentary gesture, others to place their candidates definitely in the running to stay, in the hope they will forge to the front after the favorites have killed each other off. A vote here and there may be thrown for some dark horse as a little reminder to the convention that if it finds the choice between avowed candidates difficult, here is a good man upon whom all may unite.

The second ballot sees the disappearance of the purely complimentary candidates. Their votes are divided among the favorites, whose totals increase with a jump. Even some of the favorite sons may gain a bit. The dark horses now begin to dance in and out, appearing on one ballot and disappearing on the next, there and not there, a kind of political will-o'-the-wisp.

*The important thing for an aspirant is to keep on gaining.* With this in mind, the managers of the various candidates

[1] They hold the all-time record for their 1924 convention which took 103 ballots.

[2] The two nominations since the rule was abandoned have both been on the first ballot.

have "sewed up" the favorite-son delegations that changed on the second ballot. The bulk of them are now voting for their real choice, but a few have been instructed to scatter among innocuous favorite sons and dark horses and come over to their true candidate a ballot or so later. In this way a candidate may keep gaining for several ballots solely on the support he could count on before the voting started. If this keeps on long enough other delegates, feeling that here is a winner, may come over in steadily increasing numbers until a victory is accomplished.

Under the majority rule this must come swiftly if at all. The artificial build-up soon reaches its peak, halts (if unaided by actual conversions), breaks, and is gone. Once it is found that a favorite is *not* gaining, "the thanes fly from him" and seek another king, and his chance is gone forever. The Republicans have never nominated a favorite after the first six ballots. After that the votes shift rapidly to the favorite sons, one after another of whom receives the same swift build-up until some one of them makes the grade. If none does it in the first ten ballots, there is a chance of a dark-horse nomination. The only time this limit was passed (1880), a dark horse was chosen on the thirty-sixth ballot.

When the Democrats were under the two-thirds rule they were confronted with a different situation. Though the same tactics applied, the maneuvering did not need to be so swift and a break was not necessarily fatal. The shifting of votes could go on for a longer time and hence the lead might return to one who had once lost it, as in the case of Wilson in 1912. Favorites, too, have been nominated here after very prolonged balloting. Favorite-son nominations were almost unknown, while dark-horse ones were less uncommon. It remains to be seen whether with the change to the majority method the Democratic results will follow the Republican example.

The unit rule has probably been some hindrance to swift maneuvering on the Democratic side. It has probably also been some offset to the two-thirds rule by permitting the large northern states to make their might felt in solid votes.

Whether the rule survives its companion for long will depend partly, perhaps, on how long the party remains influenced by a residue of states-rights feeling, but mainly on how it is found to function under changed conditions. At long last everything might depend on the new apportionment of delegates which is still being considered; the effects of this may determine the whole future of the party.

### *3. Elements of a Candidate's Availability*

We have spoken perhaps as if convention strategy were the sole factor in choosing a presidential candidate, as if the tricks of conventions were all and the will of the people were nothing. That this is not so appears from the facts that forty-two out of fifty nominations by our present major parties have been those of favorites, and that exactly two-thirds of these were so certainly the party's choice as to be nominated on the first ballot. It is only where the choice is not certain that political maneuvering has much chance. Both convention and party, however, are likely to be influenced by certain considerations of availability.

Among the most obvious factors determining this matter are those involving a candidate's *geographical location*. Here doubtful states have the preference and dead sure ones are quite out of the running. Neither party wants candidates from the Solid South or from Maine or Vermont. The tendency is toward the center of population. States on the nation's fringes receive the nomination but rarely. The tendency also is to give it to the section which is not most pleased by the general party trend. Thus the Republicans, whose pro-business tendency has been most satisfactory to the East, have made seventeen nominations from beyond the Alleghenies to five to the east of them,[1] while the Democrats, with their strong agricultural appeal, have made nineteen choices from states of the industrial Atlantic seaboard to nine from the rest of the country.

[1] Their latest nominee from that side of the mountains (Willkie, 1940) tried desperately to be thought of as still a citizen of Indiana. He also laid much stress on his rural and humble origin.

Rural and humble *origin* has been of great help to candidates in the past, although subsequent success in a big city is found to be no handicap. Humble urban origin on the other hand has not seemed equally fascinating. It is amazing how many Scotch-Irish have attained the nomination, but this is almost certainly a tribute to the abilities of that group rather than to any peculiar attachment to it on the part of the voters.

It is an accepted principle that a candidate must be of the Protestant *religion*. This bespeaks the unfortunate prejudice that was signally evidenced when the rule was departed from in the 1928 campaign.

As to *career*, the availability of military heroes which was so pronounced during the last century seemed to have ended after the Spanish War. Theodore Roosevelt was the only hero of that conflict to attain the highest office and even he came in through the back door of the Vice Presidency. World War I produced no candidates at all. If World War II is to do so (as is already more than intimated in the case of General Douglas MacArthur) it may be because the new war of movement has restored the dramatic personal risk that formerly made commanding officers the nation's darlings. Generals who were sure to die in bed were also certain not to be presidential candidates.

Among civilians presidents in office are almost certain of renomination, at least once. Governors of states have the next best chance. Senators are possibilities, as is the Speaker of the House, but other congressmen are rarely chosen. Judges are unlikely candidates, as are in general all persons not filling political positions, despite the startling exception of Mr. Willkie.

### J. THE VICE-PRESIDENTIAL NOMINATION

Once the presidential nomination is achieved, the sessions rush to their conclusion with great swiftness. The roll is called for vice-presidential nominations. Many are made but few are seriously meant. The roll is again called for voting.

The complimentary candidates do not last one ballot. Before the results are announced the spokesmen of the delegations rise to change their votes to the leading candidate and the nomination is made. Even under the two-thirds rule of the Democrats the choice occurred five out of six times on the first ballot.

The vice-presidential nomination is sometimes used to placate a losing faction. Almost always it is used to balance the ticket. Hence Republican vice-presidential candidates tend to come from the East and Democratic from the West,[1] the exact opposite of the presidential rule in each party.[2] No thought is given to the possibility of the candidate's succeeding to the presidency.

### K. ADJOURNMENT

With the nomination of the vice-presidential candidate the convention is substantially over. It dissolves in a deluge of resolutions of thanks to everybody for everything, and the delegates go home. Politics begins a long nap for a month or more which is at last broken by the acceptance speeches, the opening guns of the campaign.[3]

## *AUTHORITIES AND EVALUATIONS*

The closest possible attention, not only to the newspapers published during conventions but also to the radio broadcasts from them, is necessary in order to keep track of new developments in their procedure and techniques. So great is the emphasis on the prospects and fortunes of the various candidates that the most important

[1] Indiana has been the great state for vice-presidential candidates. Albert J. Beveridge belonged to a club in Indianapolis which had as members three former Vice Presidents of the United States. Claude G. Bowers, *Beveridge and the Progressive Era*, New York, Literary Guild (1932), p. 52.

[2] Racial and religious balance is also possible, as when the Democrats balanced Smith with Robinson in 1928, and when the Union Party balanced Lemke with O'Brien in 1936.

[3] President Franklin D. Roosevelt makes a practice of having the acceptance speeches made at the convention, but even three swallows do not make a summer. It may be doubted whether other nominees will follow his lead. The acceptance speeches will therefore be dealt with in their usual place at the beginning of the presidential campaign.

changes in method go unnoted if not sought for with the sharpest observation. But for the student who diligently pursues these matters through the maze of oratory and balloting, by far the best study of conventions is the conventions themselves.

It will be well worth while, if opportunity offers, to attend an actual national convention. In no other way can the "convention feel" be so thoroughly obtained. For the vast majority to whom such an experience is not available, however, careful reading of newspapers and following of convention broadcasts, together with a subsequent study of the *Official Proceedings* regularly published, may serve much the same purpose. In fact, a thorough study of the *Proceedings* will almost certainly reveal many lights upon the convention which even an alert attendant and auditor will have missed.

Among the works dealing generally with national conventions are McClure's *Our Presidents and How We Make Them* (1903) and Bishop's *Presidential Nominations and Elections* (1916). Bryan's *Tale of Two Conventions* (1912) deals in a striking manner with two of the most colorful instances to be found in their long history. Detailed information about particular conventions may be found in Stanwood's *History of the Presidency* (1924) and in McKee's *National Conventions and Platforms of All Political Parties* (1905). Since 1924 (except for the quadrennial *Proceedings*) reliance must be had on magazine and newspaper accounts and on works dealing with particular campaigns, notable among which are Peel and Donnelly's *1928 Campaign* (1931) and their *1932 Campaign* (1935).

In regard to primaries, the outstanding work in this field is still Overacker's *Presidential Primary* (1926). Thoroughly up-to-date information on this subject requires a careful study of the law of every state, but a fair working knowledge may be obtained by a study of the primaries of 1940 with the aid of the *New York Times Index*. An interesting study of presidential aspirants is Seitz's "*Also Rans*" (1928). Porter's *National Party Platforms* (1924) is a compendium inclusive down to its date except for the disputed Whig "platform" for 1832, the full text of which will be found in Stanwood's work above cited. Platforms since 1924 will be found in the party handbooks and in the various collections of political information published during each particular campaign. Attention should also be paid to Becker's "Unit Rule in National Nominating Conventions," *American Historical Review*, V (1899), 64. A general evaluation of the convention process is to be found in Laski's "The Conventions and the Presidency," *Harper's Magazine*, July, 1940, pp. 166–171.

# *Chapter XI*

## THE CAMPAIGN

**National Headquarters.** When we said that politics takes a long nap after the national party conventions, we were of course speaking of the surface activities of politics. The working and planning of the managers never cease — least of all in a presidential year. Immediately after each convention the newly chosen national committee of the party assembles to select a chairman (who is always designated by the presidential candidate), a treasurer, and other officers. The chairman immediately sets up national campaign headquarters in New York and/or Chicago. This includes many divisions, most of which are devoted each to a specialized campaign among a particular class of voters. Some, however (like the publicity division, the literature distribution section, and the speakers' bureau), are engaged each in a particular method of promoting the appeal to the voters generally, while others (like the purchasing and research divisions) are delegated to the service of supplying the others either with material or with information. The special work of some of these divisions will be discussed later. At present we shall consider the official beginning of the campaign.

**The Acceptance Speeches.** Sometime before middle August the committees entrusted with that honorary duty have notified the presidential and vice-presidential candidates of their selection and have received in reply their acceptance speeches, wherein they attempt to set a keynote and to define the issues in controversy. Until 1932 the notification ceremonies took place at the end of the period of quiet following

the national conventions. Franklin D. Roosevelt, however, prefers to accept at the convention whether or not he can personally be in attendance. In 1932 and 1936 he came there to speak, and in 1940, when international affairs compelled his absence, his acceptance speech was telephoned and was broadcast to the country from the convention hall.[1]

A large part of any acceptance speech may be devoted to the business of accenting the platform. It is, of course, usual for the candidate to declare that he accepts this document *in toto*, and he generally can be depended upon not to say anything that is clearly contrary to it.[2] It is open to him, however, to stress one plank and neglect another, showing clearly which of the promises made to the voters he considers to be important. He can also introduce or define issues omitted from the platform or evaded by its pronouncements. This he may even do without waiting for the acceptance occasion. In 1904 Judge Parker, having been nominated by the Democrats on a platform that entirely ignored the money question, telegraphed the convention that he believed in the gold standard and that if they did not like that, another candidate should be found. After the 1928 nomination Smith immediately sent to the Democratic convention a more definite statement about prohibition than was contained in the platform; in 1936 Landon telegraphed his views on the issues of money and the labor of women and children to the Republican convention even before his name had been presented in nomination. Such actions as these are perhaps the best course when the candidate wishes to take a position more advanced than that of his platform. It bespeaks courage and sincerity and invites personal allegiance, particularly from those who ordinarily regard politics with great suspicion.

[1] This was a wholly new procedure, something which could not be said of his previous practice which only imitated the action of another Roosevelt before the Progressive convention of 1912. The other great Progressive candidate, Senator Robert M. LaFollette, Senior, accepted his party's nomination in 1924 in advance!

[2] Although McClellan in 1864 substantially repudiated the peace plank, the most important element in the Democratic platform upon which he had been nominated.

The presidential acceptance speech is usually delivered at or near the candidate's home. If he can speak from his own front porch (as Landon did in 1936), so much the better. If not, he may use some large adjacent auditorium (Hoover spoke in the Stanford Bowl in 1928) or some public building (Smith spoke from the steps of the New York State House in the same year). If his present surroundings are politically unpropitious (as was Willkie's New York residence), he may always return to the scenes of his youth.

The vice-presidential candidate also makes an acceptance speech, but this is of little importance. The opposition may try to show it to be inconsistent with that of the candidate for President, as the Democrats did with Curtis' speech in 1928, but at most this arouses only a little scornful amusement. Nobody cares what Throttlebottom thinks.

**The National Chairman.** For the general strategy of the campaign the national chairman is responsible. He must keep in closest touch with each of his state committee chairmen and see to it that they are all on the job and that, as far as possible, each gets the assistance (money, speakers, documents, what not) he really needs. On the other hand, he must not waste money or effort unless, like Hanna in the Republican campaign of 1900, he has more resources than he can use.[1] Neither side will do much for a sure state under ordinary conditions. Only a political miracle could make it worthwhile to do much for either Vermont or South Carolina. Maine, however, because of its early state election, is worthy of the attention of both sides, although usually rated a sure Republican state.[2] The size of the Maine majority is looked to as a straw indicating the national result. The chairman must act to clear up any

[1] Hanna returned one-fifth of the Standard Oil Company's $250,000 contribution after the election of 1900 from unused surplus in the campaign fund. Similarly the Associated Willkie Clubs of America after the 1940 election offered to return seven per cent of the amounts received from their more than 11,000 contributors. In this case, however, the contributors were apparently given the option of allowing the funds to be retained in order to finance "a nation-wide good-government movement." See *New York Times*, June 22, 1941.

[2] This rating has become somewhat doubtful since Willkie's plurality there was found to be only 7473.

local dissensions which are likely to hinder the national campaign, being careful as he does so to keep solely in mind the welfare and harmony of the party. With him victory must transcend all considerations of personal preference or friendship.

**The Presidential Candidate.** The big gun of the campaign is the presidential candidate. What he says counts to an infinite degree more than the words of any other speaker. He must at least appear to define his position on the issues of the campaign, winding around and about them in words if he cannot cut his way through with clarity of thought.

Customs regarding the candidate's activities have undergone gradual change in the course of our history. The natural desire of the aspirant and his feeling that he can state his case better himself than others can for him have slowly conducted a winning fight over the dignified tradition that the office seeks the man. In the first fifty years of the Republic active campaigning by the candidate was unheard of, and for long after that it was the somewhat desperate resort of a probably losing party. For the second fifty years the roll of active stump speakers among presidential candidates is almost exclusively a roll of losers. Scott in 1852, Douglas in 1860, Greeley in 1872, Hancock in 1880, Blaine in 1884 — they all took the stump and lost the election.

Nevertheless, by the 1880's the old tradition was beginning to wear a bit thin. The people were less inclined than formerly to elect men whose views were unknown beyond a formally expressed approval of a perhaps evasive platform. They wished to know something of the man for whom they were asked to vote, even if they still wished that he would not be too blatant in his desire for office. The practice of the winner was slowly loosening up. Where Pierce in 1852 had been invisible and Lincoln in 1860 absolutely silent, by 1884 even the conservative Cleveland indulged in two campaign speeches.

Twelve years later the dam broke. Bryan set the example of "stumping the country" as no man before had ever done,

and his thoroughness called for an answer if not for an imitation. So, out of the welter of the great silver contest of 1896 came two types of presidential campaign which persisted down to the development of radio:[1] the intensive stumping campaign à la Bryan and the front-porch campaign à la McKinley.

*The Bryan method* fits a nerveless man with an iron constitution. In 1896 Bryan traveled 18,000 miles and visited 29 states, speaking daily and usually several times a day. Theodore Roosevelt surpassed this as vice-presidential candidate in 1900, only to be surpassed in turn by Taft in 1908. Only men of gigantic stamina can withstand such a strain. Only those of picturesque personality can fail to weary the voters by a ceaseless iteration of the same ideas. The method that did so well for Bryan and Roosevelt proved a distinct failure for Hughes and Cox.

*The McKinley method* befits a more dignified, less colorful candidate. McKinley and Harding were its typical exponents, but Mark Hanna was its inventor. In this front-porch campaign, delegations of various types (each usually representative of some economic group) were brought to the candidate's home on visits of respect and were addressed by him in speeches intended for general consumption. These were delivered in answer to remarks by the delegations' chairmen, who were carefully instructed in what to say in order to afford the candidate the most favorable occasions for reply.

Both of these methods have tended to disappear since the development of radio; or, more accurately, *the radio has tended to reduce the two methods to one.* The vigorous and picturesque candidate can now make his personality vivid to every voter without the laborious stumping process, the dignified candidate can recite his words of wisdom in every home. With the situation thus somewhat equalized, it is to the advantage of both types of candidate to make their appearance familiar to the people by a certain amount of campaign travel. Now

[1] Mr. Willkie in 1940 returned substantially to the Bryan method, but this was an evidence of his inexperience and ineptitude as a campaigner. After his failure it will probably be a long time before this type of campaigning is tried again.

that this no longer compels incessant speaking it is about equally useful to both, although if a candidate's presence is on the whole more pleasing than his radio voice (as was the case with Landon in 1936), this journeying about the country becomes particularly necessary. The object is to be seen by the voters and in so doing to impress them as a good fellow and as their friend. This may be done by means of appearances on back platforms of railroad cars or in open automobiles, shaking hands and (to a limited extent) carrying on personal conversations with the people, giving short impromptu talks of a general and even of a nonpolitical nature.[1]

The pretext for the candidate's travel is an itinerary of some fifteen or sixteen speeches to be delivered at points scattered about the country.[1] There is no real necessity for this dispersion as each of them is broadcast on a nation-wide network of radio stations, but it may be that the appropriateness of place is somewhat worth while politically. Thus a speech on the farm problem may well be delivered at Des Moines, as Landon did in 1936; a speech on government finances at Pittsburgh, as Roosevelt did in 1932; or a speech on religion in politics at some center of Ku Klux feeling, as Smith did in 1928. Whatever is said, however, is heard by and must be calculated for the whole nation. The days of hole-and-corner appeals are over.

**Other Speechmakers.** Aside from the speeches of the presidential candidates, the work of the campaign speakers is of little importance in its effect in changing opinion. From distinguished senators for whom radio time is purchased by the hour to youthful volunteers who are permitted to spout on city street corners and in rural meeting halls, their effect is merely to stir up enthusiasm among their own party adher-

[1] These statements are especially based on the Landon-Roosevelt campaign of 1936, which the writer believes to have been far more typical than the Willkie-Roosevelt contest of 1940. Landon, like Willkie, had a radio voice inferior to Mr. Roosevelt's but he did not allow that to drive him into excessive itinerant speaking. If Willkie's vote exceeded Landon's, it was largely due to the mistakes made by Roosevelt since 1936, which (but for Willkie's own errors) might have been sufficient to decide the election.

ents. All the immense cost of radio broadcasting, the traveling expenses and auditorium hire of speakers only go to rouse their own supporters and keep them up to the voting point. It is generally realized that the policy of the incoming administration will be determined by the President alone, so that it is solely to the candidate for that office that the voters look in making their decision. Vice-presidential candidates sometimes make a loud noise but it is rarely that their remarks affect the final result.

**The Publicity Bureau and the Newspapers.** While the speakers' bureau is broadcasting words hither and yon through the ether, rushing orators to Maine to carry the early state election there, sending the presidential candidate on an emergency trip to California in case the Pacific coast is in doubt, the publicity bureau is releasing reams of printed matter throughout the country. Much of it takes the form of paid advertising in newspapers — not that such advertising counts for much with the voters, but to keep up with the other party and to keep the newspapers happy. A great many campaign devices are largely motivated by the idea that one party must keep up at least as much of a given kind of activity as the other in order to impress that not unimportant group of voters who want to be with the winner and can hence be expected to support the candidate who seems to be making the most splash. In the case of newspaper advertising there is a further motive of influencing important organs of opinion. This does not mean that the support of any important journal can be bought. Prominent Democratic newspapers carry loads of Republican advertising in a presidential year without turning a hair politically, and the Republican journals do the like for the Democrats. Editorial policy is unaffected by these expenditures, but then — as we have seen — comparatively few people read the editorials. What matters far more is the way that the paper presents the news of the campaign and above all, how it depicts the candidate, and these matters are not always absolutely beyond the influence of liberal campaign advertising. Not that the publicity bureau expects any great pref-

erence over the other party to be accorded it on the basis of advertising expenditure. The most it will get for it is a "square shake" which is in many cases very difficult to obtain from a paper whose politics are hostile.

**The Candidate and the Newspapers.** The attitude of the newspapers generally is also greatly affected by the conduct of the presidential candidate in his contacts with reporters. If he is approachable and likable, if he gives "the boys" advance copies of his speeches well before they are to be delivered, if, in general, he has a kindly eye to their comfort and convenience, even the hostility of the publishers will find it hard to keep their papers from giving him a square deal. Considerations of this sort give candidates like Willkie and Franklin D. Roosevelt a distinct advantage over cold, reserved men like Coolidge or Hughes.

**Campaign Literature.** For it is of the utmost importance that the presidential candidate should be favorably known, not only (or perhaps as much) for his policies or beliefs as for being a friendly man, a good father, a kind husband, a prince of good fellows, but withal one whose private life is without a stain.[1] All of this is exploited to good advantage in the form of human interest stories and pictures in the newspapers, but we find its quintessence in the campaign biography. Time out of mind the presidential candidate has been lauded in such volumes, some of whose authors were more eminent than their subjects.[2] Sometimes there have been two campaign biographies, such as Grant had in 1868, but practically always there has been at least one written under the special auspices of the candidate or the party. This is put forth by some publisher as an ordinary commercial venture and is always a paying one, owing to the enthusiasm of the supporters of the candidate and the curiosity of the general public.

[1] As Mr. Willkie said in 1940, "The American people do not give their vote to policies; they give their vote to men."

[2] Thus Hawthorne wrote the campaign biography of his old Bowdoin classmate, Franklin Pierce. Lincoln, on the other hand, had a fitting biographer in the campaign of 1860 in the young William Dean Howells who was rewarded with the consulate at Venice.

A briefer description of the candidate appears in the campaign handbook. This volume is a collection of the speeches, arguments, statistics, and general informational material which are considered to be the most commonly useful in promoting the cause of the party. In addition to the biography and acceptance speech of the candidate, it contains the platforms of both major parties, sometimes printed in parallel columns with the rival planks on the same subject placed side by side for comparison. The handbook is sent gratis to newspapers and campaign speakers, and through it national headquarters has important indirect control over the line of campaign in all parts of the country. The lesser speakers are more likely to use arguments ready prepared for them in the handbook than to make up their own.

Other campaign literature issues galore from national headquarters. It relates to the record of the administration in power, to the record of each of the candidates, to each issue of the campaign, and to every phase of governmental activity. Much of it bears the imprint of the party's national committee or of its research division, though some is put forth by divisions devoted to reaching a particular interest or even by campaign auxiliaries or allied pressure groups. Notable features of the 1940 campaign were the issue of a considerable variety of literature bearing no publisher's name and of mimeographed material and literature printed at cost by the Government Printing Office and enclosed in envelopes under congressional frank.[1] A collection made during the campaign in-

[1] The reason for these innovations was, in all probability, in the first instance, to allow private individuals to pay for publication without having the expense reported, and, in the others, to economize with a limited campaign fund. In order to use the Government Printing Office, matter has first to be printed in the *Congressional Record*.

One result of the total or partial anonymity of much of the literature of the 1940 campaign was a prevalence of scurrility heretofore unprecedented. A survey of scurrilous literature by the Gillette Committee on Campaign Expenditures showed one-third of it to be anonymous, one-half to be anonymous or insufficiently identified, and one-fifth to have been issued by organizations obviously created to function only during one campaign. As a result of this survey Senator Gillette on Feb. 27, 1941, introduced two bills in Congress denying the use of the mails for the transmission of campaign literature inciting violence or racial hatred.

cludes the titles (classified by parties and subject matter) which will be found at the end of the chapter.

As contrasted with the Roosevelt-Landon campaign of 1936 there was less material devoted to one single clear-cut issue and more to personalities. On the Democratic side this took the form of sneers at the alleged inexperience of Mr. Willkie, and on the Republican, of innuendoes against the President's family.

**Campaign Advertising.** Large sums are sometimes spent on campaign posters and billboards. If these are used to hammer home in the voters' minds some clinching idea (such as "He kept us out of war" in 1916) they may be of inestimable value, but if (as is more commonly the case) they merely carry innumerable reproductions of the candidate's face, they are of considerably less importance. Like newspaper campaign advertising, this type is generally of very limited effectiveness. An attempt has been made to explain this on the theory that advertising men do not know politics while politicians do not understand advertising. If this is true, a great opportunity awaits the man who can combine the two techniques successfully.

**Appeals to Special Interests.** One reading the list of campaign documents at the end of the chapter may be surprised at the large number which are obviously intended to appeal to some special-interest group. If, however, he recurs to the theory of vital interests which has been earlier stated, he will see that the campaign managers are but tacitly recognizing the situation as it exists — each man's vote is as good as the next, and not all are moved by the same motives. With this in mind the parties commonly recognize special interests in the setup of their central headquarters by the creation of a foreign language division, a Negro division, a farm division, a labor division, a women's division, and a special bureau for commercial travelers.

*The foreign-language division* has its further justification in the necessity of reaching the groups using other tongues, but translating the general campaign arguments into another

language is not its sole concern. Far more is it interested in getting the particular arguments that will "reach" each particular foreign-speaking group — that will arouse, if possible, a feeling of racial or nationalistic enthusiasm associated with the party candidate. This needs to be done with some care lest that which appeals to one such group might alienate another. One method of doing it is to have the material issue under the imprint of some local party organization or, better still, of some campaign auxiliary invented for the particular purpose.

Since World War I released the tides of racial and religious hate throughout the world, the appeal to these prejudices has become of increasing importance. The already existent racial and national enmities were supplemented by a native American pseudo-religious grouping centering around the Ku Klux Klan, and the parties were confronted with the problem of how to appeal to rabid *nativist feeling* without losing the foreign vote, and vice versa. This was generally accomplished, as above indicated, by the use of campaign auxiliaries (sometimes completely unavowed) except when, as with the Democrats in 1928, the appeal was made purely on the basis of religious toleration. This the one party could openly make and to it the other could not openly reply.

*The Negro vote* has always been one to which the Republicans have openly appealed, and of late political expediency (motivated by the increasing Negro vote in northern and border states) has impelled the Democrats to follow the Republican example. It might be thought that the risk exceeded the gain here, that each party might lose more votes from the whites than it stood to gain from the Negroes. This would be so if the matter were of equal or principal concern to the white voter, but it is not. Where to the Negro the elevation of his race is the "vital interest," the conflicting interest of the white voter is comparatively slight and not one in fifty would consider it a convincing reason for casting his vote one way or another. Furthermore, it is exceedingly difficult to tell how far the parties' promises to the Negro are really meant. The

Republicans for long rested largely upon their early reputation as the Negro's friend and made little effort to redeem their platform pronouncements. The Democrats have not as yet advanced to definite commitments in their platforms but rely on what their general economic program has done for the Negro and on the general equalitarian attitude in racial matters of the President and Mrs. Roosevelt.

*Appeals to particular economic groups* are not always made through special divisions of national headquarters. Interests of such general importance as business, labor, and agriculture are also appealed to in the literature put forth under the imprint of the whole national committee, although labor and farm divisions exist and are active. The nonexistence of a business division, on the other hand, is both interesting and significant. It would seem that the voters are sufficiently of a mind that "what's good for business is good for the country" (in the language of the United States Chamber of Commerce) to make it possible for all arguments concerning the welfare of industry to be considered as addressed to the public in general. It may be that an idea of avoiding suspicion from the interests of labor and agriculture is also a motive, as special work appears to be done through other agencies. In the 1936 campaign the Republicans distributed folders put out by the American Tariff League, a well-recognized pressure group, and the Democrats organized the Business Men's League for Franklin D. Roosevelt for the same purpose. Conciliation of business is thoroughly seen to, although not always directly from headquarters.

*The veterans* form another interest receiving special attention, although not dignified with the possession of a campaign division. In 1936 the Democrats went so far as to set up a Veterans' Advisory Committee in their national campaign, while the countering efforts for the opposition were made by the Republican Service League, which was succeeded in 1940 by the Willkie War Veterans' National Committee. This specialized in considerations of Willkie's World War record and of his record "as a veteran," thereby meaning his

membership and office-holding in the American Legion and the Veterans of Foreign Wars. The former was contrasted unfavorably with Roosevelt's record as a pure civilian.

*The appeal of the women's division* is generally on topics related to the domestic feelings of women, as in 1936 when the Republican division specialized in emphasizing "hidden taxes" as an element in the price of food and clothing. In 1940 the division was transformed into the National Federation of Women's Republican Clubs, which was honored by a personal address to its convention by Mr. Willkie. Its appeal was also expanded to include unemployment, social security, and the income tax.

*Sectional appeals* are ordinarily seen to by state and local committee action, although the strategic placing of the speeches of the presidential candidate, which has been already mentioned, savors of it somewhat. To a large degree the sectional appeal takes care of itself, as speakers in a given section of the country are mostly from it and are hence imbued with its feelings and prejudices and know how to answer them. The arguments which have seemed satisfactory to the speaker may be relied upon to convince his hearers also.

**The "Whispering Campaign."** How far the so-called "whispering campaign" deserves to be considered as a "campaign" in the true sense is something of a question. That is to say, while there are nearly always virulent stories in circulation about the candidates, it is questionable whether they are often promoted by any responsible party authority. Certainly they are never promoted through any official party agency, although in some instances the temptation to help along an underhand attack unofficially may prove too great for some campaign manager. In 1928, for instance, the Democrats charged that the chairman of the Republican Congressional Committee informed inquirers where anti-Catholic "literature" attacking Smith could be obtained. For the most part, however, the circulation of "off-color" propaganda is left to unenlisted volunteers whom the party neither recognizes nor helps. If there is dirty work to be done, the party itself cannot afford

to do it. In fact, it is usually unlikely that scandalous tales will appeal to anyone who is not already a rabid hater of the candidate attacked. Hence such tales gain no votes and only serve to exasperate the opposition.

**Slogans.** If good, slogans may serve a useful purpose. Incisiveness is their first requisite, pith their second. A really first-class slogan rings like a pistol shot and carries one clear-cut idea. "Fifty-four forty or fight" (1844) and "He kept us out of war" (1916) are good examples. They should not exceed five words. Second-class slogans are those whose brevity makes up for slight indefiniteness of idea or whose definiteness of idea makes up for some lack of brevity. "The square deal" (1904) and "the forgotten man" (1932) were incisive but not definite. They might arouse enthusiasm but they could convert no one. "Free soil, free speech, free labor, free men" (1856) was much too long, though packed with ideas. Even its glittering alliteration with the Republican candidate's name (Frémont) could not make it of much use. When in 1928 the Republicans spoke of "a chicken in every pot and two cars in every garage"[1] the slogan was found to be much better when cut in two, making it but little longer than the "full dinner pail," "sixteen to one," and "cross of gold" slogans of 1896. "Back to normalcy" (1920) and "keep cool with Coolidge" (1924) were fairly effective though indefinite, but "let us have done with wiggle and wobble" (1916) and "off the rocks with Landon and Knox" (1936) were about as inept as anyone ever coined. Reliance upon mere alliteration is always inadvisable. Today the voters are not to be taken in by mere sound, and it is extremely improbable that they ever were so. In this, as in other respects, many have been misled by the features of the campaign of 1840. "Tippecanoe and Tyler, too" converted no one. As it contains no idea whatever it is not even a good slogan of the second class. This and

[1] In 1932 the Democrats attributed this slogan to Mr. Hoover. Investigation shows, however, that he never said exactly this, though using very nearly equivalent language. See *supra*, p. 268. The slogan actually appeared in newspaper advertisements paid for by the Republican national committee. See *New York Times*, Oct. 30, 1932, Sec. VIII, p. 12.

other "hoop-la" features of that noted campaign are rather the symptoms of a great political overturn than the means by which it was accomplished. A President who suffers a panic in his administration can and will be defeated with or without campaign hoorah.

**Campaign Songs.** For this reason we can probably dismiss also the idea that Harrison was elected by the music of "The Ball Is Rolling On" and "Van Is a Used Up Man." Lord Wharton boasted (probably untruly) that his "Lillibullero" sang James the Second out of three kingdoms, but no one can say that any musical composition sang anybody into or out of the American Presidency. In fact most campaign songs are too inept to be worth repeating. It is only when the party songsters have become wise enough simply to adopt songs rather than make them up that they become worth mention. Sometimes their choices are apt, as when the Progressives fought the 1912 campaign to the tune of "Onward Christian Soldiers"; sometimes they are a bit amusing (especially in state politics), as in Pennsylvania, where a Democratic candidate named Margiotti was regularly heralded at his rallies by the strains of "Margie" and where the present Republican governor (an ex-mine worker) was hailed with "We're going to elect the breaker boy" to the tune of "I'm going to marry the butcher boy." [1] If the songs are tuneful and remotely imply some stirring idea, like the "Anchors Aweigh" and "Happy Days Are Here Again" of 1932, they do all that can be asked; and if they are merely tuneful and somehow expressive of party enthusiasm, like the "Oh, Susannah" of 1936, they do perhaps enough. No party ever won an election on song, anyway. In primary contests it may on occasion be more effective. A lieutenant governor in Washington and a governor in Texas are said to owe to it their nominations. The one was the leader of a swing band and the other toured the state with a hillbilly orchestra. When one realizes how little the voters

[1] Earlier campaigns also varied from the sublime to the ridiculous. The Republicans in 1856 borrowed both "The Marseillaise" and "The Camptown Races." See Andrew Wallace Crandall's *Early History of the Republican Party* (Boston, the Gorham Press, 1930), pp. 204-205, 209-210.

sometimes know about candidates and, more especially, what featureless mediocrities they are sometimes called upon to choose between in a primary, one can see how such devices might be effective. In an election with issues, however, the situation is different. It was not because he toured with a miners' quartette that James became Governor of Pennsylvania.

**Sobriquets.** As important as the slogan is the sobriquet by which the candidate is known. Ever since Jackson was hailed as "Old Hickory" it has been of infinite advantage for a candidate to have an attractive nickname or complimentary title. There are two desiderata in this: one is to give a sense of strength or reliability; the other, one of intimate closeness to the people. The nickname is better than the complimentary title because it can the more easily be made to achieve both these ends. In fact the second objective, that of intimate closeness, is hardly to be obtained in a convincing manner by a complimentary title. Calling Bryan "the Great Commoner" was unimpressive — it was a mere assertion of closeness; calling Lincoln "Honest Abe" seemed like proof of it. The latter, in fact, is about the perfect sobriquet, combining both objectives with a maximum of effectiveness. It is not always that both can be obtained. If not, a good second-class sobriquet achieving one or the other in a high degree is found very valuable. Douglas, "the Little Giant," "Unconditional Surrender" Grant, "Cautious Cal" Coolidge — dependability without intimacy rings through these phrases. If Blaine, "the Plumed Knight," and McKinley, "the Advance Agent of Prosperity," now sound stilted and unimpressive, we must remember that it is personality and achievement that give sobriquets content and that tastes change with the generations to a certain extent. We may well doubt whether such titles would do a candidate much good at the present day.

Intimacy alone is fairly easy, at least if the candidate is of warm personal appeal. Simply calling him by an ordinary nickname, a shortened form of his baptismal designation, suffices. "Teddy" Roosevelt, "Al" Smith, "Alf" Landon — all

of these have the requisite intimacy.[1] Smith also had the complimentary title of unusual effectiveness, "the Happy Warrior," which contrasted very effectively with Hoover as "the Great Engineer "and makes a tour de force like Landon's "the Kansas Lochinvar" a fair object of ridicule.

**Campaign Symbols and Buttons.** Campaign symbols are occasionally resorted to, although their importance as vote winners may safely be doubted. Whether as aesthetically pleasing as the Landon sunflowers of 1936, as crude as the Roosevelt bandannas of 1912, or as nostalgic as the Harrison white beaver hats of 1888, they cannot be said to have been of real campaign efficacy. The elder Harrison was not elected by the log cabins paraded by his supporters in 1840, any more than Lincoln was by the display of frontier fence rails in 1860. But for the deeper forces of political development these would have been quite as forgotten as the tinkling bell by which the Constitutional Union Party in the last-named year symbolized the name of their candidate.

Much the same can be said about the buttons by which in our recent campaigns party supporters have sought to record their enthusiasm and their scorn. Both Landon and Willkie "outvoted" Roosevelt with buttons, but it is not buttons but votes that win elections. One reason for the plethora of Republican buttons in both 1936 and 1940 would appear to be that many wealthy men made large orders for them personally, an assistance to the campaign which was not recorded on the books at Washington.

**Campaign Clubs and Parades.** It will be noted that the older symbols were comparatively large objects which were carried in parades. Their disappearance is but one symptom indicating the growing maturity of our present-day politics. If bankers in top hats no longer parade down Fifth Avenue shouting in rhythmic unison "Blaine! Blaine! James G. Blaine!" or similar slogans (as Bryce heard them in 1884),

[1] If shortening a name gives it an air of effeminacy or weakness, however, it cannot be used in this way by the candidate's supporters. In 1940, for instance, only Democrats called Willkie "Wendie."

it is not wholly because of a decreased interest in politics. It is at least partially because of an improved public consciousness which is no longer to be impressed by the more obvious types of campaign hoorah. Campaign clubs still exist for arousing the party enthusiasm of a particular group, class, or neighborhood — e.g., the Italian Republican Club, the Democratic Businesswomen's Club, the Willkie Club of East Forty-second Street — but they work largely through discussions and social contacts and ordinarily to not indulge in public demonstrations. The old days of the parading Wide Awakes with their tin-can torchlights and oilskin capes are gone.[1]

Aside from the use of the radio to broadcast campaign oratory, *the use of modern scientific devices* in American politics has been comparatively slight. As long ago as the 1908 campaign moving pictures of the candidates, together with phonograph records of their speeches (then, of course, not synchronized with the screen), were offered to the curious. But "canned oratory" never caught on and when, in 1936, the Democrats sent forth sixty motor trailers with transcribed records of speeches, radio reception equipment, and loud speakers it is reasonably doubtful whether they did much toward achieving the election result.[2] The same may be said of the radio skit "Liberty at the Cross Roads" and Senator Vandenberg's radio debate with the President's voice, both of which caused notable controversies. The movies have proved rather ineffective when used for avowed party propaganda although they have potency when their propaganda element wears a news disguise.

[1] The attempt to revive the campaign club device made by Mr. Willkie in 1940 was for a new and different purpose, that of supplementing the party campaign by an independent effort for the presidential candidate alone.

[2] How ineffective such a device may be by itself was exemplified in Pennsylvania in the 1938 election for United States Senator. One Reginald B. Naugle ran as candidate of the Pathfinders' Party, his sole campaign agency being a motor truck disguised as a railroad engine, with a loud clanging bell and loud speakers that could be heard at the distance of a mile. This toured the whole state, dispensing propaganda as it went. Yet against two weak and discredited major party candidates, Mr. Naugle received only 2508 votes out of 5,509,289 cast in the election.

**Endorsements and Bolters.** Buttons bearing the candidate's name, picture, or emblem, like posters of the same sort, serve mainly to impress the "band-wagon" vote that wants to be with a winner. These weak sisters may be converted by any display of strength. It is largely for them that endorsements and bolters are publicized, although the bellwether effect of these is contributed to by certain other psychological elements. Many different people have many different heroes in this vast land of ours, and not all of them have sufficient discrimination to realize that their heroes are not oracles on all subjects. So when Robert Montgomery declares for the Republicans or Babe Ruth for the Democrats, in each instance some hero worshipers may think their god knows best. Anyway the party managers hope so and broadcast it for all they are worth. Naturally such pronouncements are more effective if they represent a bolt from a previously well-known party allegiance. As in the cases of Nicholas Murray Butler in 1928 and of Al Smith in 1936, this is usually represented both by the bolter and the benefited party not as a change of previously held convictions but as a sign or proof that the party abandoned is recreant to its own tradition, which the bolter still claims to uphold. Whether many are influenced by the endorsement of a bolter is largely dependent on whether he possesses a real thick-and-thin personal following, a thing probably less common in politics than it once was.

**"As Goes Maine."** Straw votes, predictions, and election bets are also important mainly for their effect on the band-wagon vote, which is always alert for indications as to which way the wind is blowing. One of those most relied upon has been the September election in Maine. As this state is normally Republican, that party has done its best to publicize the saying, "As goes Maine so goes the Union," oblivious of the fact that this rarely works in the years of Democratic victories. What is somewhat more reliable as a prognostication is the *size* of the Republican majority in the state. When that drops below its pre-New Deal norm of 40,000 votes it may fairly be taken as an indication favorable to a Democratic national

victory. It is, in fact, a better indicator of the November result nationally than in the state itself. As was said in 1932 when Maine went for Hoover after electing a Democratic governor in September, "Maine is like a signboard, it points the way but it does not go there."

*Straw votes* on a city-wide local scale have for long been conducted by newspapers in election year. Limited as they were to the readers of a particular journal, who were usually possessed of its own partisan bias and circulated by the very unreliable method of printing a ballot in each newspaper daily, they merited and received little real reliance. The first notable nation-wide poll was that conducted by the *Literary Digest*. Beginning with the 1924 election (when its predictions were little heeded), the *Digest* distributed ballots through the mails to immense numbers of voters whose names were taken largely from telephone books and state registry lists of automobile owners. Obviously such a system reached farther before the depression, when a larger percentage of the voters owned cars and had telephones; obviously also it might work better when the issues of the day tended less to divide the indigent from the prosperous or semi-prosperous class. Nevertheless, the *Digest* poll improved in accuracy in the 1932 over the 1928 election. Where on the earlier occasion its accuracy had been only of a general sort, on the later it performed the amazing feat of forecasting the distribution of the popular vote between the major parties with less than a 3 per cent error and the electoral vote within less than 1 per cent. But it was even then pointed out that the Republican vote was consistently overestimated.[1]

The 1936 election was a great debacle for the *Digest*. Following its old practice of mailing 20,000,000 ballots to selected voters, 15 per cent of whom it counted on for replies, it forecast a Landon victory by a majority of 209 electoral votes. It was rumored that a failure to revise the mailing lists used in the 1932 poll contributed to this amazing mistake.

[1] See Claude E. Robinson, *Straw Votes* (New York), a Columbia University Study, published in December 1932.

The *Digest* was not alone in its error of picking Landon. It was shared by the *Farm Journal* and the so-called "Grass Roots" polls, the latter carried on by a combination of newspapers scattered through the Farm Belt. The polls of *Fortune* and of the American Institute of Public Opinion, on the other hand, predicted the actual result with general accuracy, a thing which both continued to do in the election of 1940. The last named (generally called the "Gallup poll" from the name of its director) is a weighted poll of the type which appears to be becoming most credited. Its method is that of personal interviews with an adequate "sampling" of a given section or class in the population, the results then being given such weight as statistics show that group to have in determining the general result. The *Fortune* poll employs a similar plan with a much smaller sampling. It does not pretend to state-by-state prediction as the Gallup poll does. In 1940 *Fortune* predicted the popular vote of the country with less than 1 per cent of error, and the Gallup poll predicted the election result on a state-by-state basis with an error of only $2\frac{1}{2}$ per cent, a feat declared on competent authority to be unequaled in the field of poll prediction.[1]

**Campaign Managers' Predictions.** The most precise prediction of a state-by-state result, however, was made in 1936 by Mr. James A. Farley when he declared exactly what states were going to go for Roosevelt. So precise was he that his very hesitations were significant. At first he said that Roosevelt would carry all but Maine, New Hampshire, and Vermont; then, changing, he claimed New Hampshire also for the Democrats. On election night early returns favored his first prediction; then, as the Merrimac Valley cities began to be heard from, New Hampshire also swung over into the Democratic column. In 1940 Mr. Farley's successor, Edward J. Flynn, predicted the result with an error involving the result in only a single close state (Michigan).

[1] Dr. Hadley Cantril, Director, Princeton Public Opinion Research Project in *New York Times*, Nov. 17, 1940, Sec. IV, p. 6. Further discussion of the Gallup poll's accuracy will be found under Authorities and Evaluations at the end of the chapter.

Such results ought to cure the unthinking habit of laughing off the predictions of campaign managers, even if few of them are as accurately made as those of Messrs. Flynn and Farley. Such predictions are, of course, often subject to discount on the ground that the manager cannot afford to tell all he knows, as Mr. Farley admits to have been the case with him in 1932. He then claimed that Roosevelt would carry every state, a statement he justified later as avoiding discouragement to the party workers in the states he expected to lose. Exaggeration from similar motives is not uncommon, yet to the trained political observer even such exaggeration is not without its significance. He knows that it has at least one limit and that is the limit of absurdity. No politician wants to be everlastingly laughed at. So he claims all he can, short of what he knows to be impossible. Where he places that limit is the measure of his confidence based on the inside knowledge afforded him by his party position. So if the Republican state chairman claims a victory by 50,000 votes and the Democratic by 20,000, unless the Republican is an egregious fool the chances are that his party will carry the state.

*Election bets*, likewise, are indicators of the campaign result. Ever since the Whig and Tory days in Stuart England, the Anglo-Saxon has gambled freely on the fortunes of his parties. The willingness to give or take the odds and the amount in which money was ready to be risked on a given cause have been taken as reliable indicators of the probable result. As to presidential elections, the publicized betting odds are said to have been wrong only once, namely when the gamblers were deceived (together with the bulk of the political observers) by the surface indications of a Hughes victory in 1916. In state and local elections the "odds-on favorites" have been less consistently successful.

**Work of the Precinct Committeemen.** Where does the national chairman obtain the material for predicting the result? It is here that the hierarchy of party committees comes into play. The national chairman relies on the state chairman to predict the result in his state, the state chairman in turn

relies on his county chairmen, and they in turn rely on the town and city chairmen below them. All in the end devolves on the precinct committeeman. He is expected to canvass his precinct fairly early in the campaign and make up a poll book indicating how every voter is likely to vote, so that the existing situation in his area can be accurately estimated. This should be done before registration day in order that the precinct workers may take steps to get all probable supporters of their party enrolled, and also to give time for the tabulation and correlation of all these local results in state and nation.

On the eve of the coming election when all possible has been done to improve the situation, a new canvass is made. The results of this are forwarded first to state and then to national headquarters, and on its basis the state and national chairmen make their final predictions. A really thorough precinct committeeman will not only record in his poll book the political preference of each voter but will take special note of the waverers and determine how they may possibly be reached. If a given voter is in any wise friendly with or under the influence of some dependable party man, the latter will be "set on" to convert that voter. If campaign literature will affect any voters, a mailing list is duly forwarded to national headquarters with special notation made of those who require literature in a foreign language. If there are those who are more to be affected by material considerations than by arguments, that also is noted and an attempt is made to "meet their views." This does not necessarily imply bribery of a crass and open sort. It is often possible to get election day jobs for such people, either as poll clerks paid by the municipality [1] or as poll watchers or doorbell pushers paid from the campaign fund. Many a vote has been made sure by hiring its owner's automobile for use on election day. Most of these devices are more productive of support than straight-out vote buying. The beneficiary considers himself assisted, not bought, and so

[1] It has been noted also that in some cities the number of day laborers employed on the streets increases phenomenally in the month before election.

in gratitude gives more than his bare vote. More often than not a whole family "votes right" out of gratitude for the hiring of their breadwinner.

This feeling is the more possible because the positions so supplied are in the main not sinecures. A properly organized precinct machine has use for a great many workers on election day. Its setup is something like this: Headquarters will be located in a room as near to the polling place as possible. Here the precinct committeeman, with perhaps one or two subordinates, sits receiving reports and giving orders. The reports come from the polls where, in addition to the party watchers and challengers (whose duties will be elsewhere discussed), there is constantly a representative of the party whose sole duty it is to take down the name of every voter as he gives it to the polling clerk. As soon as a sheet of paper is filled with such names a messenger takes them to headquarters where they are immediately checked off on a poll sheet, so that the precinct leader is constantly informed as to just who has voted. He has begun the day, if the polls opened sufficiently early, by sending his "leg workers" to rope in as many voters as possible on their way to work. A little later he has sent his automobile squad to fetch his infirm and distant party supporters. By the middle of the day, if all goes well, he will have voted all whom he was certain he would have to transport, and can concentrate thereafter on the laggards whom his poll sheet shows not to have voted. The "leg workers" start after these. All afternoon they are engaged in pushing doorbells and urging voters to come to the polls. As the hour of closing approaches they join forces with the automobile squad. The "leg man" rings the doorbell, points to the waiting car, and promises the voter that he will get to the election place and back in five minutes. This measure is usually successful. Meanwhile an astute squad of workers patrol around the voting place as near as the election law permits (and sometimes nearer), buttonholing doubtful voters, giving final words of encouragement or warning to the waverers, and explaining over and over again to the stupid

and the confused how to mark their ballots. Finally the polls close and there remains nothing to do except to wait for the result.

The above statement of precinct activities will be fully realized only in a state that is habitually closely contested. Thousands of precinct workers in "one-sided states," both north and south, have never heard of a poll book. With them the pre-election work is largely missing, for they can estimate their probable precinct majority without a personal canvass. Even the work on election day may be sketchily done. If the needed majority is sure, why pile up votes to no useful end?

**State and Local Campaigns.** Our discussion has so far dealt in the main with the national campaign and its methods. The methods used in state and local campaigns are, however, not vitally different. Secretary Cordell Hull, himself at one time a very competent Chairman of the Democratic National Committee, has said that there is just one method of electing a candidate, whether he is running for the Presidency or for village constable. The main differences are that usually in state and local campaigns the monetary resources are comparatively limited and that the initiative and power of ultimate command often lie in less competent hands. Even these differences do not always exist, as when the Sinclair "Epic" movement scared California businessmen into flooding the campaign chest of his opponent Merriam, or when Coolidge made Butler national chairman, a man less politically skilled than many of his state subordinates.

**General Principles.** There are certain general principles which are almost equally applicable to any campaign for office. The first is that the campaign should be timed to come to fever heat just before election day. It is for this that the lull occurs following national conventions. Three months of active campaigning of gradually increasing intensity have been found to be all-sufficient to produce a maximum of enthusiasm. How well this works can be easily checked. Think how many of your friends were thoroughly convinced on the

morning of the last national election that the fate of the country, the preservation of the Constitution, the liberty of the individual, and all hope of human progress were at stake on the choice of this or that candidate for the Presidency. A week before or a week after they were much less strongly of that opinion, and a space of several months either way would find most of them very little interested in politics. The work of arousing them to the heat of action at exactly the right time is a regularly performed miracle of political effectiveness.

Secondly: Be for somebody or something, not "agin 'em." The purely negative appeal is always at a great disadvantage. It concentrates attention on the other side and arouses no enthusiasm for your own. This may have been crucial in the closely contested election of 1916. The Democrats praised Wilson, the Republicans attacked him, but "nobody talked about Hughes." Hughes lost. It is for this reason that a colorful candidate is always desirable.

Thirdly: Don't sling mud. Politicians sometimes observe this rule to a degree that strikes the informed outsider with amazement. The writer has seen a campaign for judicial office where one candidate was a reputable attorney and his opponent had barely escaped conviction for fraud, yet the latter circumstance was never mentioned. Furthermore, the crowning moment of the former's campaign was considered to be when his opponent rashly placed on his posters: "Restore the high standing of the courts of Blank County." This was immediately taken up as an attack on the existing judges, as "mud-slinging" in other words, and the reaction from it was supposed to have been quite effective in deciding the election.

This, while an extreme, is probably not an exceedingly exceptional situation. One does not need to say that opposite instances can be shown, cases in which angry politicians have heaped mud upon their opponents and sometimes won by it. But they can seldom do so without provoking retaliation which may be fatal to their future effectiveness. Even if they

have no personal exposure to fear, they can hardly say the same for their whole party. If they begin stirring up nasty messes no one can tell what may be the end of the matter. "Then we'll pull the curtain up the whole way, Ben," said a candidate in Maine to the opposition chairman's threats of exposure, and thereafter there was never seen a more gentlemanly election.

Finally: Watch out for "roorbacks." The roorback is a campaign lie and is usually launched at the last minute when correction is impossible. The term comes from perhaps the most elaborate example of the breed. In 1844 the Whigs put forth alleged extracts from the fictitious *Travels of Baron Roorback*. This imaginary German nobleman stated that in passing through Tennessee he saw eighty slaves chained together with iron collars about their necks bearing the name of James K. Polk, the Democratic presidential candidate. The whole story was fabricated in order to shock the North with this imaginary circumstance.

If roorbacks be considered as against the rule about mudslinging it must be observed that the main reason against mudslinging is the possibility of retaliation, a danger which the last-minute roorback avoids. Further, it should be said that the roorback is most often the last resort of a desperate opponent. The so-called "Morey letter" of the campaign of 1880 was an instance of this sort. On the very eve of election the Democrats published this document, alleged to have been written by Garfield, the Republican candidate. In it he was made to express opinions favorable to the immigration of Chinese laborers, which was considered a great menace on the Pacific coast and by the American labor movement generally. Such fabrications cause both parties to warn their followers not to believe any sudden story that may be started the day before election.

## CAMPAIGN LITERATURE OF 1940

(Where the author is not named, the material is anonymous.)

### I. THE THIRD TERM, THE NEW DEAL, AND THE GENERAL RECORD OF THE ROOSEVELT ADMINISTRATION

| *Democratic* | *Republican* |
|---|---|
| 1. "*Lest We Forget*," by Senator Hill of Alabama. Government Printing Office. | 1. *What New Deal Did to Meet Hitler Menace 1933–1940* (Reprint of Hearst Papers' "Pictorial Review"). |
| 2. *Safeguarding Democracy With Roosevelt* (radio address of Representative Patman of Texas). Government Printing Office. | 2. *Our Own Fifth Column* ("Distributed" by National Committee). |
| 3. *America Drafts Roosevelt*, by Senator Guffey of Pennsylvania. Government Printing Office. | 3. *A Third Term?* (National Committee). |
| 4. *Is It Principle or Politics?* (radio address of Senator Byrnes of South Carolina). Government Printing Office. | 4. *These Our Rulers*, by John T. Flynn (Reprint from *Reader's Digest*, condensed from *Collier's*). |
| 5. *The Third Term Bugaboo*, by Secretary Ickes (Pamphlet). No publisher's name. | 5. *Hoover's Mistakes* (Comparison between Hoover and Roosevelt families, typewritten copy of editorial in *Wallace Miner*, Wallace, Idaho; no name attached but carries request to make ten copies and pass it on). |
| 6. *That Third Term Bugaboo* (Flyer). Published by National Committee. | 6. *All in Seven Years!* (Flyer, "distributed" by National Committee; identical in format with No. 7 opposite). |
| 7. *All in Seven Years!* (Flyer). Published by National Committee. | 7. *The Choice of a Candidate* (*New York Times* editorial coming out for Willkie). |

*Democratic*

8. Rotogravure Supplement to *Justice*, November 1, 1940 (Pictorial Record of the New Deal). Published by International Ladies' Garment Workers' Union.
9. *The Question of Dictatorship* (Radio address of Federal Security Administrator McNutt). Mimeographed.
10. *Dedication Address at the Franklin D. Roosevelt High School*, by President Roosevelt. Mimeographed, released over signature of Stephen Early, Secretary to the President.

*Republican*

8. *No Third Term* (Card) Published by state Willkie Club organization.
9. *Think!* (Anonymous card).
10. *New Deal Pledge* (Anonymous card about Roosevelt family circulated by Willkie Clubs).
11. *Win With Willkie* (Anonymous card with anti-third term arguments on one side and Republican candidate's pictures on the other).
12. *What It Means to Win With Willkie*, by Governor James of Pennsylvania (Pamphlet). No publisher's name.
13. *U. S. Bottleneck No. 1 — The New Deal* (Flyer "distributed" by Republican National Committee).

II. COMPARISON OF CANDIDATES AND PROGRAMS

*Democratic*

1. *East St. Louis Address* of Security Administrator McNutt (Mimeographed on stationery of Bureau of Publicity, Democratic National Committee).

*Republican*

1. *You Will Decide* (Pamphlet). No publisher's name.

III. THE OPPOSITION CANDIDATE, WENDELL WILLKIE

| *Democratic* | *Republican* |
| --- | --- |
| 1. *Willkie Nominated for President by Utilities*, by Representative Rankin of Mississippi. Government Printing Office. | 1. *Wendell L. Willkie for President* (Card contrasting Willkie's background of work with Roosevelt's background of leisure). No publisher's name. |
| 2. *This Man Willkie* (Special section of *New Republic*). | 2. *Help Wanted!* (Flyer with Willkie's picture). No publisher's name. |
| 3. *Seven Years of Mr. Willkie!* (Willkie's record as President of Commonwealth & Southern), "issued" by National Committee. | 3. *The New Deal Versus a Free Press*, by Senator Bridges of New Hampshire (Answer to No. 2 opposite). Government Printing Office. |
| 4. *Radio Address* of Attorney General Jackson, October 9, 1940 (Mimeographed on stationery of Bureau of Publicity). | 4. *Why I Want Willkie*, by Don Herold (Small folder by noted humorist). No publisher's name. |
| 5. "*All This and Heaven Too*" (Radio address by Secretary Ickes), mimeographed as above. | 5. *Why We Want Willkie* (Small pamphlet with concentrated arguments, perhaps the most effective piece of literature used in the campaign). Circulated by state Willkie Clubs. |
| 6. *The Great God Buddha Speaks to the Four Winds* (Flyer accusing Willkie of inconsistency; "paid for" by county committees circulating it). | 6. *What It Means to You* (Folder). Published by Associated Willkie Clubs of America. |
| 7. *The Dispensable Mr. Willkie* (Radio address by Secretary Ickes). | 7. *America's Homecoming Day!* (Flyer). No publisher's name. |
| | 8. *Wendell Willkie Speaks Out* (Pamphlet). Published by Robert W. Perkins, 80 Lafayette Street, New York. |

*Democratic*

*Republican*

9. *At Last! A Candidate Who Understands Selling* (Folder). No publisher's name.
10. *Wendell Willkie Says* (Cards bearing brief quotations from Willkie's speeches). No publisher's name.
11. *Win With Willkie* (Small pocket pamphlet of political and sports information; Willkie's picture on cover). "Issued" by state committees.
12. *Win With Willkie. Vote Republican* (Auto windshield sticker).
13. *George Washington Speaks for Willkie* (Pamphlet of extracts from Washington's Farewell Address, arranged parallel with extracts from Willkie's speeches, by C. E. Hall of the Philadelphia Bar). Printed by G. E. Ferguson Co., copyright by H. B. Gay, Jr.
14. *Wendell Willkie, Man of Action* (Folder). No publisher's name.
15. *Who Is Wendell Willkie?* (Large folder with candidate's picture on cover). Published by Associated Willkie Clubs of America.
16. *We the People, A Foundation for a Political Platform for Recovery*, by Wendell Willkie (Pamphlet). No publisher's name.

### IV. THE VICE-PRESIDENTIAL CANDIDATES

*Democratic*

1. *Henry Agard Wallace* (Reprint of large, full-page magazine description of the Democratic candidate; source not given).
2. *Acceptance Speech of Hon. Henry A. Wallace.* Government Printing Office.

*Republican*

1. *Charles L. McNary — Progressive Statesman* (Folder). "Distributed" by Republican National Committee.

### V. BUSINESS, FINANCE, AND TAXATION

*Democratic*

1. *Address of Secretary Hopkins to the American Retail Federation.* Government Printing Office.
2. *Your Stake in the National Debt* (Radio address by Representative Smith of Illinois). Government Printing Office.
3. *Business and Government* (Radio address by Secretary Jones). Mimeographed on stationery of Democratic Bureau of Publicity.
4. *Protecting Your Savings* (Large flyer). Published by National Committee.
5. *Government Spending* (Radio address of Chairman Eccles of the Federal Reserve Board).

*Republican*

1. *Will You Take 50¢ for Your Dollar?* (Folder). Published by People's Committee to Defend Life Insurance and Savings.
2. *Your Vote and Your Pocketbook* (Flyer). "Distributed" by National Federation of Women's Republican Clubs.

### VI. UNEMPLOYMENT, RELIEF, AND SOCIAL SECURITY

*Democratic*

1. *The People: Yes* (Folder on Social Security). Published by National Committee of Independent Voters.

*Republican*

1. *Your Vote and Your Job* (Flyer). "Distributed" by National Federation of Women's Republican Clubs.

*Democratic*

2. *What Social Security Offers You* (Flyer). National Committee.
3. *The Answer Is Clear* (Flyer, with anti-Willkie cartoon on back). Employees for Roosevelt, publishers.

*Republican*

2. *Give Youth a Chance!* (Flyer). "Distributed" by National Committee.
3. *Willkie and Labor* (Flyer of Willkie's Labor Day statement). "Distributed" by National Committee.
4. *Your Vote and Your Security* (Flyer, uniform in format with No. 1 above).
5. *Willkie's Seattle Speech on Labor and Relief* (Reprint of newspaper report).
6. *John L. Lewis Says* (Large flyer). No publisher's name.

VII. DEFENSE AND FOREIGN RELATIONS

*Democratic*

1. *The President's Address to the Americas*, October 12, 1940. Mimeographed.
2. *The President's Draft Proclamation.* Mimeographed.
3. *The President's Announcement of the Destroyer Deal.* Mimeographed.
4. *The President's Message on the Arms Embargo, September 21, 1939.* Government Printing Office.
5. *The President's Message to Congress, January 3, 1940.* Government Printing Office.
6. *Radio Address of Senator Lucas of Illinois on the Repeal of the Arms Embargo, Oct. 12, 1939.* Government Printing Office.
7. *An Answer to Lindbergh* (Radio address of Senator Byrnes of South Carolina). Government Printing Office.

*Republican*

1. *Our National Defense After Seven New Deal Years* (Flyer with pictures). "Distributed" by National Committee.

### VIII. ADVICE TO PARTY WORKERS

*Democratic*

1. *How YOU Can Elect Roosevelt* (Small pamphlet with program for each worker getting 27 votes; humorous illustrations). National Committee of Independent Voters.

*Republican*

1. "*Vital Issues*" (Small folder of instructions to speakers). Mimeographed by local Willkie Clubs.

2. *YOUR Job — To Help Elect Wendell Willkie* (Large card of instructions for last five days of the campaign). Published by National Chairman.

### IX. T.V.A. AND THE POWER PROGRAM

*Democratic*

1. *The President's Speech at the Chickamauga Dam Celebration.* Mimeographed; released over the signature of Stephen Early, Secretary to the President.
2. *Speech of Representative Rankin of Mississippi on the T.V.A. Dam.* Government Printing Office.
3. *More Power to You* (Large flyer). Published by the National Committee.

### IX. AGRICULTURE

*Republican*

1. *Wendell Willkie and the Farm Program* (Folder of Willkie's remarks on the subject). "Distributed" by National Committee.
2. *Equality for Agriculture* (Pamphlet of McNary's remarks on the subject). "Distributed" by National Committee.

### X. MISCELLANEOUS

*Democratic*

1. *National Platform*, in three forms (Two folders and a pamphlet). No publisher's name.

### X. APPEALS TO WOMEN

*Republican*

1. *Wendell Willkie Speaks to Women* (Pamphlet containing address before National Federation of Women's Republican Clubs). "Distributed" by Republican National Committee.

*Democratic*

2. *The President's Acceptance Speech.* Government Printing Office.
3. *The President's Address on Receiving an Honorary Degree from the University of Pennsylvania.* Mimeographed.
4. *The President's Radio Address in Behalf of the 1940 Mobilization for Human Needs.* Mimeographed; released over the signature of Stephen Early, Secretary to the President.
5. *Mrs. Roosevelt's Address to the National Convention.* Government Printing Office.

*Republican*

2. *Your Vote and Your Home* (Flyer). "Distributed" by National Federation of Women's Republican Clubs.

### XI. APPEALS TO WAR VETERANS

*Republican*

1. *A Veteran Speaks* (Large folder contrasting war records of Willkie and Roosevelt and the action of both major parties toward the veterans; contains reprint of very nasty cartoon called "*Theodore* Roosevelt and *His* Sons" from the *Chicago Tribune*). Willkie's Veterans National Committee.
2. *What Every "Buddy" Should Know* (Small folder of Willkie's war record and record as a veteran). Willkie's Veterans National Committee.
3. *Wendell Willkie, World War Veteran* (Same, with endorsements by leaders in veterans organizations). Republican National Committee.

## *AUTHORITIES AND EVALUATIONS*

National campaigns in America were first thoroughly described in Bryce's *American Commonwealth* (1889, 1893, 1910, 1914). Other early authorities are Ostrogorski's *Democracy and the Organization of Political Parties* (1902), the same author's *Democracy and the Party System in the United States* (1910), Bishop's *Our Political Drama* (1904), Macy's *Party Organization and Machinery* (1904), and McClure's *Our Presidents and How We Make Them* (1903). Two more recent works by the same authors are Bishop's *Presidential Nominations and Elections* (1916) and Bryce's *Modern Democracies* (1921).

Considerable is to be learned from accounts of professional observers and from the recorded experiences of those for long engaged in politics. Prominent among the latter are the anonymous *Behina the Scenes in Politics* (1924), Dunn's *From Harrison to Harding* (1922), and Farley's *Behind the Ballots* (1938). Among the former are to be counted Stone's *Fifty Years a Journalist* (1921) and Kent's *Great Game of Politics* (1923) and *Political Behavior* (1928). Works of both types should be read with a good deal of caution and comparison between them, as there are strong temptations in a variety of directions to distort the truth. Biographies of prominent political leaders sometimes afford extensive information. Notable among these is Croly's *Marcus Alonzo Hanna* (1912). A complete description of the campaign that set the pattern for all others down to the advent of radio is to be found in a work by one of its chief protagonists, Bryan's *First Battle*, published immediately after the election of 1896.

Recent information on campaigning generally is to be extracted from Peel and Donnelly's *1928 Campaign* (1931) and *1932 Campaign* (1935), Howe's "Presidential Campaign Methods," *New York Times*, Dec. 11, 1932, IV, 7.1, and from such articles as Catledge's "A B C's of Political Campaigning," *New York Times Magazine*, Sept. 22. 1940, Hornaday's "Electioneering on Main Street," *Christian Science Monitor Magazine*, Sept. 28, 1940, and Cincinnatus' "Running for Office," *New York Times Magazine*, Sept. 28, 1940. The early phases of the 1940 campaign are discussed from a particular angle in Propaganda Analysis' *The Presidential Campaign*, published Oct. 15, 1940.

Much of the present chapter is based on general information obtained over a long period from newspaper sources and from personal observation, but some particular authorities may be noted. On the work of national headquarters generally see Owen's "At the Two Busy G.H.Q's," *New York Times Magazine*, Oct. 25, 1936. On the heads of the major party publicity bureaus, Smith's "Can a Fox Lick

a Bulldog?" *American Magazine*, April 1940. The latest authority on campaign biographies is Sugarman's article by that name in the *Saturday Review of Literature* for Nov. 9, 1940. Campaign handbooks and campaign literature may be allowed to speak for themselves. As to slogans, see Moore's "Slogans and Catch Phrases," *Hobbies*, XLV (September 1940), 15. Another useful article in the same volume is McDevitt's "Songs on the March to the White House" (September 1940), 33; (October 1940), 29. Campaign buttons are discussed in *Newsweek*, Sept. 30, 1940, p. 15, and in *New York Times Magazine*, Oct. 13, 1940, p. 2. Illustrated articles about them also appear in *Hobbies*, XLV (September 1940), 10; (November 1940), 37; and in *Life*, IX (Oct. 7, 1940), 96. The former covers a wide range of the past, while the latter displays the great variety achieved by the two major parties in 1940. An article on campaign funds ("Presidential $ $ $") in *Fortune* for July 1940 also portrays some interesting samples.

Acceptance speeches are usually to be found in the campaign handbooks. Their primary importance as above party platforms appears to have been first enunciated by James G. Blaine. See quotation from Blaine in Ford's *Cost of Our National Government* (1910), p. 206. The instances of Parker's, Smith's, and Landon's communications to the conventions that nominated them will be found in the regularly published *Convention Proceedings*.

On the "As-goes-Maine" idea see Gruning's "Maine a Political Barometer," XXXVII (1933), *Current History*, 420. It is also thoroughly discussed in Robinson's *Straw Votes*, a Columbia University Study published just after the 1932 election. Straw votes in 1936 are discussed in Gosnell's "How Accurate Were the Polls?" in *Public Opinion Quarterly*, I (1937), and the methods used by the American Institute of Public Opinion Poll are explained by Gallup in the *New York Times* for May 17, 1938. A very interesting group of items, letters, and articles about this poll appeared in the *Times* immediately after the 1940 election. Gallup's final summary showing a 2.5 per cent general accuracy came out there on November 9, p. 8. This was followed by Cantril's laudatory article on November 17, "Value of Opinion Polls Reweighed," Sec. IV, p. 6. Then came a very searching criticism in a letter by Kingsland on the 22nd (p. 22), pointing out that the survey of opinion made immediately before the election showed a falling off in accuracy from the standard kept up during the campaign. Gallup's answer on the 25th (p. 16) admits and explains this deviation, stating that a last-minute survey was attempted by a new method which will not be used in the future.

# *Chapter XII*

## CAMPAIGN FINANCE AND THE USE OF PATRONAGE

### I. CAMPAIGN FUNDS

#### A. AMOUNT

*1. In Presidential Campaigns*

**Before 1896.** It has been stated with confidence that the election of James Buchanan to the Presidency in 1856 cost less than $25,000. It is further estimated that the Republicans spent $100,000 to elect Lincoln in 1860, that their national campaign expenses then increased by $25,000 for two successive elections, and that from that point they went on to increase by leaps and bounds to $950,000 in 1876, $1,100,000 in 1880, $1,300,000 in 1884, and $1,350,000 in 1888. The parallel Democratic expenditures are estimated at from a fifth to a half of the Republican down to 1876, after which they fluctuate widely, nearly equaling them in that year, falling to less than a third in 1880, exceeding them by $100,000 in 1884, and falling to somewhat more than half in 1888. These estimates, though little more than inspired guesswork, are all we have on the cost of presidential campaigns prior to 1896.[1]

**1896–1912.** Subsequent figures, based on testimony before a Senate Committee, show the rise of Republican expenditures to a peak of approximately $3,350,000 in the free-silver elec-

[1] The above figures, with the exception of that for 1856, were inserted in the *Congressional Record* for April 18, 1910, as a quotation from a speech by Representative (later Governor) Sulzer of New York. Sulzer stated that the estimate had been "carefully compiled by very competent and experienced men" and that "careful investigation" would show them to be "approximately correct." The 1856 figure is from Belmont's *Abolition of the Secrecy of Party Funds* (1912).

tion of 1896, followed by a gradual diminution until they reached a point only slightly above $1,000,000 in 1912.[1] The Democratic expenditures meantime kept persistently below the Republican [2] and the highest radical party expenditure was that of the Socialists who in 1908 spent almost $100,000.

**1916–1936.** Since 1912, regular reports have been filed by the party national committees with the Clerk of the House of Representatives. These show a steady rise in Republican expenditures to $5,417,000 in 1920. A Democratic peak of $2,284,000 was reached in 1916. From this point their expenditures fell steadily to $1,108,000 in the election of 1924. The Republicans also fell to $4,020,000 in that year when the LaFollette Progressives carried off $236,000 of the prospective campaign funds. The election of 1928 saw the Republicans rise to over $6,000,000 and the Democrats to over $5,000,000, figures not to be surpassed until 1936, when the Republicans spent nearly $9,000,000 and the Democrats over $5,000,000.[3]

**1940.** These figures were in one sense not equalled in 1940. In another sense they were surpassed. This pecular situation was the result of the *Hatch Act*, which had been supposed to limit party expenditures to $3,000,000. Actually it was interpreted by the Republicans to mean that not more than this maximum amount should pass through any one committee. As a result, various national organizations on the Republican side spent a total of $5,074,909 of which less than half was controlled by the national chairman. On the Democratic side the comparable expenditure was $2,995,140, of which nearly five-sixths was handled by the national committee.[4]

[1] The Roosevelt Progressives spent over $665,000 in this year, most of which came from persons who would normally have contributed to the Republicans.

[2] Except perhaps in 1892, a year for which the figures are not reliable. The Democrats lost most of their "angels" by coming out for free silver in 1896.

[3] In the "depression election" of 1932 both parties together spent only slightly more than the Republican campaign fund of 1928.

[4] This last figure is obtained, however, only by disregarding $345,562 of unpaid bills owed by the Democratic National Committee, so in a sense both parties overran the Hatch Act limitation. The total expenditures of all political

*Pressure groups* also spend money in elections. This is commonly done through contributions to party funds but they may on occasion spend it directly. Thus in the presidential election of 1928 the Anti-Saloon League reported total expenditures of $165,327 and the Association Against the Prohibition Amendment over $450,000. Eight years later the issue had shifted from liquor to the New Deal, and the American Liberty League spent $518,123. In 1940[1] a similar organization, the Committee to Uphold Constitutional Government, spent $377,000.

## 2. *Other Campaign Expenditures*

Individual campaigning for a nomination may cost tremendous sums. An unsuccessful campaign for a presidential nomination has cost as much as $1,770,000, and three candi-

organizations in 1940 were shown to be $14,941,143 on the Republican side and $6,095,357 on the Democratic, but this includes money that never got higher than the state organizations, which it has always been customary to credit to state and local campaigns. The figures quoted are those announced in the report of the Senate Committee Investigating Campaign Expenditures, hereinafter called the Gillette Committee. See also *New York Times*, Jan. 24, 1941, p. 12. It should be realized that the pressure of the Hatch Act (particularly of its provision limiting individual contributions) resulted in the diversion of an unusual amount to State and local committees.

The minor party expenditures for 1940 were as follows:

| | *National Expenditures* | *National Contributions* | *State Expenditures* | *State Contributions* |
|---|---|---|---|---|
| Communist | $89,548 | $89,622 | $12,047 | $11,851 |
| Socialist | 27,516 | 27,634 | 2,205 | 2,545 |
| Socialist Labor | 27,442 | 40,613 | 2,904 | 2,904 |
| Prohibition | 17,397 | 17,265 | 1,242 | 1,333 |
| Farmer-Labor | 632 | 632 | 1,509 | 1,498 |
| Total | $162,535 | $175,766 | $19,907 | $20,131 |

Communist expenditures vary less with election years and "off years" than with the sources of supply. Thus they have been gradually decreasing since 1936 with the disillusionment of their "angels," falling from $120,000 in 1937 (with a $27,000 deficit as against current income) to $89,500 in 1940. Who some of these angels were may be gathered from "Muddled Millions" by Benjamin Stolberg in the *Saturday Evening Post* for February 15, 1940.

[1] "In no previous campaign in our history have the non-party agencies been as many and as varied as in 1940, and never before have they invested so heavily in a campaign." Louise Overacker's "Campaign Finance in the Presidential Election of 1940," *American Political Science Review* (1941), XXV, 701 at 709. The following were the principal organizations expending money

dates for a senatorial indorsement have spent $2,265,000 between them. These are Republican instances, the last from the opulent state of Pennsylvania, but the figures show that Democrats too know how to spend money. The $211,000 which it cost to nominate Woodrow Wilson in 1912 probably represented a larger proportion of the total wealth of the members of his party than the $450,000 spent to select Taft in that year did of the wealth of the Republicans. And Democratic expenditures are sometimes very concentrated. In the 1920 nomination campaign A. Mitchell Palmer's $60,000 fund looked small, but applied entirely in three states it came close to equaling the per-commonwealth expenditure of the supporters of General Wood from the huge fund mentioned at the beginning of the paragraph.

Even local elections may be expensive. As long ago as 1861 William Marcy Tweed (soon to become first boss of Tammany Hall) spent over $100,000 in an unsuccessful attempt to be elected Sheriff of New York. By 1917 a mayor of that City (John Purroy Mitchell) could spend $1,318,000 in a vain attempt at reelection.[1] Yet when all is said and done, the conclusion of the greatest living authority on campaign funds is

independently whose names indicate representation of a special interest group. Needless to say, many of them were mere campaign auxiliaries and covers for evasion of the limit on expenditures rather than true pressure groups.

*Supporting Roosevelt*

| | |
|---|---|
| National Committee for Agriculture | $77,489 |
| Business Men's League for Roosevelt | 59,973 |
| Hollywood for Roosevelt Committee | 12,983 |
| Non-Partisan League of Clothing Workers (N. Y.) | 12,405 |
| Employees for Roosevelt (N. Y.) | 11,962 |
| Democratic State Councils of Americans of Italian Origin | 11,184 |
| Labor Joint Committee for Roosevelt and Wallace (Ohio) | 10,036 |

*Supporting Willkie*

| | |
|---|---|
| National Committee to Uphold Constitutional Government | $377,381 |
| Willkie War Veterans | 78,001 |
| Peoples Committee to Defend Life Insurance and Savings | 58,871 |
| Pro-America | 37,950 |
| National Committee of Physicians for Willkie | 11,712 |

[1] In the off year 1941, with no state-wide officers to elect except judges of the Supreme and Superior courts, the Pennsylvania Republican organization spent $347,370.

that "the amount spent in a presidential election is less than the cost of a first-class battleship, and much less than the annual expenditure of the American people for such luxuries as candy, chewing gum, and cigarettes." [1]

*The objection to large campaign funds* is not based, therefore, on any idea that too much money is being spent relatively to the importance of the object. America could afford much greater expenditure if it could be thereby assured of getting good officeholders. The point is that large expenditures may unduly influence the voters and give unfair advantages to wealthy candidates. No one wishes either to encourage or to connive at the virtual purchase of public office, or to make it the private reservation of the moneyed class. On the other hand, the reasonable expense of laying the candidates' claims before the community must somehow be met, and there is no way of making that expense slight in fiercely contested elections.

### B. PURPOSES

In all such campaigns one of the largest items of expense is radio broadcasting. Regularly since 1928 this has constituted over 10 per cent of the expenditures of each major party and it seems a fairly irreducible cost, showing nearly the same absolute amounts in the depression year 1932 as in the boom year 1928. In 1932 it formed about 20 per cent of the expenditures of each major party, and in state campaigns it has frequently equaled that percentage, rising at times to a point nearly doubling it. In 1940 radio broadcasting constituted 15 per cent of the Republican national committee expenditures and 17.6 per cent of the Democratic.[2]

[1] Louise Overacker's *Money in Elections* (New York, Macmillan Co., 1932), p. 74. Cf. the statement of Mr. C. B. Goodspeed, Treasurer of the Republican National Committee in the campaign of 1940: "It cannot be that it was the intention of Congress to make it impossible for a political party to present their candidate and his policies to the public. Otherwise they cannot vote intelligently and we haven't democracy. If everything is taken off us, we will not have as much as Wrigley has got to present his chewing gum to the country." Gillette Committee Hearings, p. 196. Mr. Goodspeed was arguing in support of the Republican interpretation of the Hatch Act. See p. 441, *supra*.

[2] "As usual the largest single expenditure of both national committees was radio broadcasting." Louise Overacker's "Campaign Finance in the Presi-

Letters and circulars form another large item in the cost of any widespread campaign.[1] The mere expense of sending a single letter by first class postage to every voter in one of our largest states would be approximately $100,000, and the total expense of producing such a letter will easily make the cost double.[2] Printed matter sent through the mails costs a minimum of about $30 a thousand to produce and circulate. Obviously the cost of campaigning for office by either of these methods will vary widely with the size of the constituency.

Newspaper and billboard advertising is another large expense. Comment has been made elsewhere[3] on the true purpose and effectiveness of this expenditure, but there can be no doubt as to its universality. Advertising in major newspapers costs several thousand dollars a page, and the local press in proportion to its circulation is hardly less expensive. Billboard advertising easily runs into the hundreds of thousands of dollars when a nation-wide campaign is attempted.[4]

Other large items include: organization work, transportation and communication, the operation of party headquarters,[5] and the payment of party workers on election day. These may

dential Election of 1940," *American Political Science Review* (1941), XXXV, 701 at 706. The radio companies were compelled to wait from 1936 to 1940 for the payment of $200,000 owed them by the Republican national committee.

[1] The Republican and Democratic national committees each spent between 7 and 8 per cent of their budgets on printing in 1940. In the Republican case this meant $184,460, in the Democratic $158,527.

[2] This was the experience of the Vare Committee in Pennsylvania in 1926. Postage formed about 4½ per cent of the expenditures of the major parties in 1936.

[3] See Chap. XI, *supra*.

[4] It does not always appear as a major item in the accounts of national committees but this is largely because the expense is taken care of by state and local organizations. The Republican National Committee in 1940, for instance, spent directly on newspaper advertising and billboards only $19,455.

[5] Items of direct expenditure by the Republican National Committee in the 1940 campaign in excess of $100,000 include:

| | | | |
|---|---|---|---|
| Salaries | $361,986 | Printing | $184,460 |
| Radio | 336,488 | ** Communications | 131,392 |
| * Travel | 259,172 | † Office expense | 108,850 |

* Includes special trains, aviation, and expenses of speakers.
** Includes telephone, telegraph, express, and postage.
† Includes rental, furniture, taxes, and supplies.

be paid for acting as poll watchers or challengers, for transporting voters to the polls, or for reminding them to come out to vote. Frequently a precinct worker is given a round sum and no questions are asked as long as he gets results. That such payments are often a thin cover for bribery is obvious, and it is notoriously hard to check on whether they were made for rightfully compensable services or rather as pay for one or more votes.

### C. SOURCES AND METHODS

**Candidates.** Whence come the huge funds that are spent for all these purposes? Originally all campaign expenses were paid very largely as campaign expenses for town and county offices are commonly paid at the present day, i.e., out of the pockets of the aspirants themselves. Douglas' campaign for the Presidency in 1860 left him $80,000 in debt, and vice-presidential and even presidential candidates throughout the seventies and eighties were considered partly on the basis of what was called the "bar'l" of money that they would be willing to tap to pay for the campaign.[1]

**Office-holders.** Another obvious source to which recourse was made very early was the salaries of appointive and elective government officers. According to the spoils system these were thought of as an advantage derived from the joint efforts of the party, so it seemed only fair that the particular recipients should be "tithed," to use an ecclesiastical phrase, to support the general interests of the group. Down to about 1880 this was a chief reliance in many elections. Thus the Republican Congressional Committee financed the campaign of 1878 with a fund of $106,000, nearly four-fifths of which came from assessments of from 1 to 3 per cent on the salaries of federal office-holders. The practice, though hampered by

[1] There are many references to the "bar'l" of various vice-presidential candidates in the contemporary periodical press (notably in the *Nation*), and particular references to Tilden's "bar'l" are to be found in the same source. Fred E. Haynes's *Third Party Movements* (Iowa City, State Historical Society of Iowa 1916), p. 290, notes that as late as 1896 both major parties were still awarding their vice-presidential nominations to those best able to pay toward the campaign.

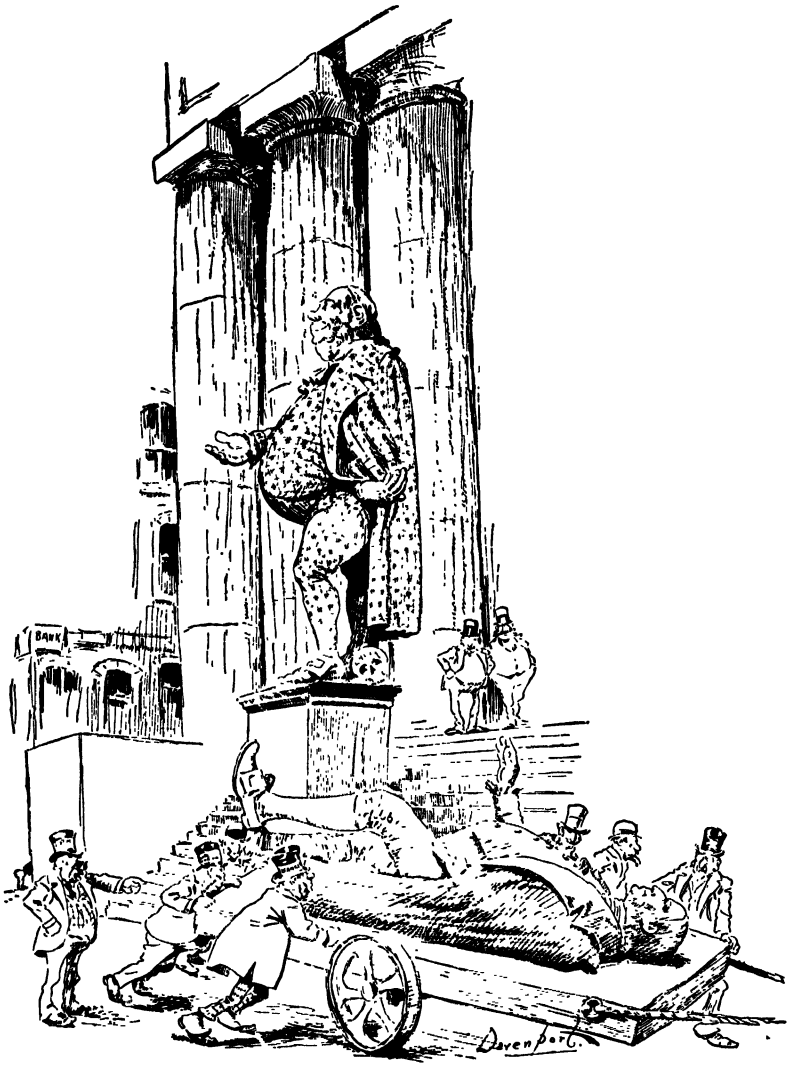
civil service laws and restrictions on the methods of collection, has never been wholly outlawed[1] and it still persists, especially in state and local elections and in the practice of southern Republican bosses in assessing postmasters under Republican administrations.

**Business.** The rising size of national campaign funds soon made both the "bar'ls" of the individual candidates and the salaries of the office-holders only a minor dependence.[2] More and more cash has to be found for financing campaigns, and the politicians followed the maxim later enunciated by Boies Penrose: they went to "those who had it." In 1884 Blaine made the glaring mistake of doing this personally at the notorious "Millionaires' Dinner" in Delmonico's. By 1888 the Republicans had worked out the formula of having the national chairman solicit tariff-protected interests for funds as "insurance on their business." This practice, originated by Wanamaker and Quay, was perfected by Mark Hanna. The free silver menace gave him an opportunity to extend it to all business interests, bound up as they were with the existing system of finance. By the turn of the century a situation had arisen in which nearly every large corporation expected to pay tribute to one or both parties in every state where it did business. Shortly after this, campaign contributions by corporations were made illegal — but of course nothing prevented their officers, directors, and principal stockholders from contributing personally to the party that seemed most likely to promote the interests of their company. Such persons remain the chief reliance of party treasurers. They can no longer spend the funds of their corporations, furnished in part by minority stockholders, but their own they may advance in the confident hope of receiving benefits.

What legitimate business seeks by contributions to a party promoting a given tariff or financial policy, *crime* or "illegitimate business" may seek by contributions to candidates

[1] See *infra*, pp. 454–455. In 1940 out of $520,377 contributed to the Democratic National Committee in amounts of $1000 or over, $100,500 or 19.5 per cent was received from office-holders.

[2] In the states they are still a major source of campaign revenue.




WALL STREET'S NEW GUARDIAN BY DAVENPORT

(From Murrell's *History of American Graphic Humor*, Vol. II)

favorable to "tolerant law enforcement." Every large city has the problems of prostitution, of gambling, and of liquor-law administration, and it is easy to look the other way, as Pooh Bah says, after having been "insulted with a very considerable bribe." Even legitimate business may have an interest in ignoring certain municipal ordinances. Out of all these sources a shrewd politician may build up a local campaign fund which will relieve him of all financial anxieties.[1]

Then there is the man who has plenty of money and would like to use it to procure public position. In England such a one usually contributes generously to campaign funds and is eventually made a peer. In this country he does the like and becomes an ambassador. For such gentry Mr. Frank R. Kent has coined the highly descriptive title of "fat cats." They do not always confine themselves to ambassadorships or to appointive office. President Grant appointed to his Cabinet men who had given large sums to him personally, and many a seat in the Senate has been bid for with the candidate's own money. It is reassuring to note that candidates who have no merit but cash rarely win popular elections, but sad to realize that America has been so largely represented abroad by men whose only merit was that they had made a gift to party funds.[2]

[1] Contrast the methods used to elect Mr. Frank J. Lausche as reform Mayor of Cleveland in 1941: "The largest single contribution from any individual was one of five hundred dollars, which was received from a very close friend of the Mayor's. We also accepted five contributions of one hundred dollars each from individuals. However, ninety-five per cent of the contributions were amounts from twenty-five cents to one dollar each. These small contributions resulted in large amounts, without solicitation on our part, and helped us to defray our campaign expenses.

"Amounts that would number into five figures, if recorded, were rejected or returned, due to the fact that they came from sources that we did not want to deal with, or be obligated to in any way. The 'ordinary man' financed our campaign; and the racketeers, gamblers, and dishonest persons rendered no financial aid." Letter to the author from John E. Lokar, campaign manager for Mr. Lausche, Nov. 27, 1941.

[2] The "fat cat" practice properly began in the late 1880's with the dependence upon capitalists for campaign funds. Grant's appointees did not contribute to such funds but gave money to the President personally. The first instance of an appointment which caused protest because of the appointee's relation to the campaign fund was that of Wanamaker, appointed Postmaster General by

**The Major Parties Compared.** In the national field the advantage in amount of campaign funds has nearly always been with the Republican Party, probably because its principles appealed greatly to the businessmen of the country — the class best supplied with ready cash.[1] In combating this advantage the Democrats have recently evolved a number of money-raising techniques. Most of these were perfected by 1936 and (except where prohibitive legislation interfered) were carried over into the campaign of 1940 where some of them were imitated by the Republicans.

This was notably true of the *Roosevelt Nominators of 1936*, after which was modeled the Willkie Contributors of 1940. The 1936 organization, formed to induce contributions of a dollar apiece, actually raised $1,015,988 with an operating expense of $206,798, netting $809,190 to the Democratic campaign fund. Eighty-two per cent of the total or $833,000 was actually made up of small contributions.[2]

Another large and separate source of Democratic campaign funds in 1936 was *grants from labor unions*. Much of this did not go through the regular party campaign committees but through such organizations as Labor's Nonpartisan League and the American Labor Party, which in that campaign at

Harrison after having raised $100,000 in the campaign of 1888. The first diplomatic appointment of a "fat cat" was made by President Cleveland in 1893 and caused such protest at the time that the appointee refused the position. When Wilson took office in 1913, and again when Roosevelt took office in 1933, a number of wealthy contributors were appointed to diplomatic posts. The greater tendency of the Democrats to this device is doubtless due to the lesser appeal of their principles in extracting money from the wealthier classes.

[1] The advantage which the Republicans have in their appeal to the wealthier classes has become increasingly greater during the last three presidential elections. Thus where the Democrats received 25.3 per cent of the contributions to their National Committee or $526,290 from bankers and brokers in 1928, in 1932 such contributions had fallen to $301,100 or 24.2 per cent, in 1936 to $42,000 or 3.3 per cent and in 1940 to $16,000 or 3.1 per cent. During the same period the contributions of manufacturers to the Republican National Committee had risen steadily from 24.4 to 34 per cent. Iron and steel manufacturers alone furnished 13.5 per cent of this fund in 1940.

[2] The Willkie Contributors were apparently not so successful. No separate account of this fund appears in the campaign reports but the total amount of contributions of less than $100 each received by the Republican National Committee was only $391,318.

least were little more than Democratic auxiliaries. Added all together these contributions come to the impressive sum of $770,000.[1]

Methods were evolved for the more efficient "milking" of office-holders and party leaders, and even a successful scheme for the practical assessment of business enterprise, however hostile it might be to the New Deal. The former object was achieved through the *Jackson Day dinners;* the latter through *the Convention Book.*

The Democratic Party has always been prone to honor its founders by dinners held on their birthdays. It was at a Jefferson Day dinner in 1830 that Jackson and Calhoun exchanged their challenging toasts,[2] and as time went on Jackson himself, as the real founder of the modern party, gradually succeeded to the honor formerly paid to Jefferson.[3] This occasion was now seized upon for money-raising purposes. All over the country, not only in the campaign year, but annually, Jackson Day dinners were held at a charge varying from $100 to $5.00 a plate.[4] This accounted for a revenue of $422,000 in the year 1940 alone and was of course only a polite way of assessing office-holders and party leaders.

More curious still is the story of the Convention Book. Major parties have regularly printed their convention proceedings, but never before has this been made a major source

[1] In 1940 Labor contributions to national campaign committees supporting Roosevelt totaled $136,941. Of this sum $82,841 went through the Democratic National Committee, constituting 15.9 per cent of its total receipts; and $54,100 through the National Committee of Independent Voters for Roosevelt and Wallace, making about a fifth of its total. In New York, the Non-Partisan League of Clothing Workers spent directly $12,405 and the Employees for Roosevelt $11,962. A Labor Joint Committee for Roosevelt and Wallace spent $10,036 in Ohio. Labor's Nonpartisan League was quiescent and the American Labor Party reported no expenditures but a National Committee for Agriculture raised $77,489 to help reelect Roosevelt.

[2] See *supra,* Chap. IV.

[3] The Republicans have honored Lincoln similarly but never to the same extent.

[4] In 1941 the dinner in Washington (which as usual was addressed by the President) was $100 a plate, dinners throughout New York State were $50, and $25 throughout the rest of the country. Washington news, Associated Press, March 28, 1941.

of campaign revenue. Now, after the election, appeared a deluxe edition of the *Book of the Democratic Convention of 1936*, autographed by the President and selling at a minimum price of $100. In some areas the minimum appears to have been $250, and the limit was the proverbial "blue sky," thirteen purchases being recorded between $7000 and $20,000.[1] Sales were commonly made to corporations regardless of the law about campaign contributions, and the business organizations of many Republican campaign contributors appear on this Democratic list. Many such organizations also purchased advertising space in the Book at regular commercial prices.[2]

Some attempt was made to defend these transactions on the ground that the campaign contribution law did not apply to contributions after an election. This argument, however, cannot serve as a justification for the sales of the 1940 Book made before publication which continued until they were specifically prohibited by the Second Hatch Act. All sales of the Book already made were thereupon canceled and the volumes were given away, the only monetary return from them being for advertising contracts already placed.[3] The contention made in 1936 may serve to open the question of deficits, one of the sore points in the field of campaign finance.

**Loans and Deficits.** This question is interlocked with that of loans since deficits are commonly financed by loans from wealthy party members or others, which are only less commonly voluntarily canceled or "not paid back." The loan therefore is often only a delayed gift, and coming (as it usually does) after the election it does not receive nearly the same publicity as would a direct contribution. When made to a

[1] These appear to be purchases of a number of volumes at one time. See Louise Overacker's "Campaign Funds in the Presidential Election of 1936," *American Political Science Review* (1937), XXXI, 473 at 480.

[2] From both advertising and sales the sum of $1,234,000 was received but such extravagant commissions were paid on a percentage basis that we cannot be sure whether the campaign fund received even half of this money. A very good authority has estimated the net returns at "about $250,000." See Louise Overacker's "Campaign Finance in the Election of 1940," *American Political Science Review*, (1941), XXXV, 701, n. 4.

[3] These totaled $338,069 and netted the National Committee about $170,000.

victorious party it has much the appearance of a direct purchase of favors.[1] So does the direct contribution to a deficit, and yet this matter is entirely unregulated by existing statutes.

The most notorious instance of deficit financing is, of course, the part played by Sinclair and Doheny of Teapot Dome fame in paying off the Republican indebtedness of 1920. Here both loans and direct contributions were availed of and the position of the party treasury differed only slightly from that of a "fence" for the disposal of stolen goods. The Democrats, however, are the most consistent debtors, never having completed a campaign without a deficit since 1908. At one time their liabilities were paid off by Thomas F. Ryan, the inventor of the utilities holding company, at another by John J. Raskob of General Motors.[2] Their difficulties were hardest to surmount after bad defeats such as those of 1904 and 1928, when it seemed that they were down so far that they might never rise to power again. In the same way the Republicans found themselves in hopeless financial straits after the election of 1936, from which they began to struggle upward only when the defeat of the Court Bill reassured businessmen that "F.D.R. could be licked."[3]

[1] The same was of course true of the sales of the *1936 Convention Book*.

[2] In 1940 Mr. Richard J. Reynolds of the R. J. Reynolds Tobacco Company lent $300,000 to various Democratic State Committees. $175,000 went to pay for last minute national broadcasts which if handled through the Democratic National Committee would have violated the stricter interpretation of the Hatch Act. $100,000 of the total sum constituted a loan made after the election. Mr. Reynolds became Treasurer of the National Committee in January, 1941.

[3] Deficits at the conclusion of the 1936 campaign were: Democratic, $445,000; Republican, $915,000. By January 1, 1940, the Democratic deficit had been reduced to $219,000 and the Republican to $672,000. Of the Democratic deficit $120,000 consisted of unpaid loans. More than a third of the revenue which brought about the Democratic reduction came from Jackson Day dinners and late sales of the *1936 Convention Book*. The Republican revenue was almost entirely from contributions, nearly all of which were concentrated in the one year 1939. During the two months following January 1, 1940, both deficits were wiped out; the Republican virtually, the Democratic entirely. In that period the Democrats raised $412,000 and the Republicans $639,000. Of the Democratic amount $336,000 was from Jackson Day dinners, a device which produced $96,000 more in delayed payments later in the year.

The two national committees closed the 1940 campaign with deficits; the Republican totaling $345,000 and the Democratic $423,062. The former had

**Radical Party Sources.** Socialist Party campaigns are financed by party dues whose payment is attested by a monthly stamp on the membership card, and by admission charges to party rallies. Other radical parties have been known to receive support from labor union contributions, a source which has proved so valuable to the Democrats.

## II. THE LEGAL REGULATION OF CAMPAIGN FINANCE

### A. AS TO SOURCE

**Office-holders.** As indicated above, one of the earliest sources of campaign funds was the assessments levied on the salaries of government employees. As long as the spoils system went unquestioned this was not often thought of as a general abuse, although its oppressive character when applied to manual laborers was occasionally recognized. By 1867, this brought federal legislation against assessing workers in the navy yards, and full recognition of the desirability of non-partisan civil service naturally caused its extension to the whole field.

The present federal prohibition, while broad, is not thorough. That is to say, while it prohibits the solicitation of funds from all civil service employees by federal officers or on federal premises, it does not touch such solicitation by ordinary campaign workers in the employee's home. The Hatch Act of 1940 extends this regulation to solicitation by and of state or local officials paid in part from or handling federal funds, and that of 1939 absolutely forbids solicitation of W.P.A. workers by anyone. About a third of the states forbid solicitation of their own employees or those of municipalities under them, but in only about a third again of this number is the prohibition effectively more extensive than the federal.

been completely extinguished by the end of the year while the latter had been reduced by the last of February, 1941, to a net of $314,000. Various Democratic State committees were, however, still saddled with $300,000 of debts, much of which was properly attributable to the national campaign. See *supra*, p. 453, n 2.

As a result, salary assessments are still a considerable reliance in the field of campaign finance, especially in state and local politics.[1]

**Corporations.** Corporate contributions were forbidden by federal law after 1907. This prohibition has been imitated in thirty-four states, while two have imposed it on insurance companies alone. As above noted, this law, while effective, is not of the greatest importance since individual contributors are often deeply interested in corporations.[2]

### B. AS TO AMOUNT

#### *1. Of Contributions*

**State Experience.** Prior to the Hatch Act of 1940 there were no limitations in the federal law on the amount of any one contribution[3] or on the total amount to be used in campaigning for the Presidency. Limitations on the former had been tried in a few states and had generally resulted in evasion. For this reason it was not incorporated in the federal codification of election laws in 1925.

**National Experience.** Disregarding this experience, Congress by the *Second Hatch Act* imposed a limitation of $5000 on any one contribution and coupled with it an over-all limit on campaign funds of $3,000,000 to any one "political committee." Both limitations were evaded: the latter by dividing the contributions to one party's cause between a number of campaign committees, by extensive transfers of funds and obligations from one committee to another, and by large expenditures of money by individuals for campaign supplies and services such as literature and advertising, most

[1] In state politics these assessments commonly run about 2 per cent of the employee's annual salary. Such were the amounts expected from state employees in Missouri and West Virginia in the campaign of 1940. See Gillette Committee Report, pp. 50 and 55.

[2] The Hatch Act of 1940 forbids contributions by federal government contractors.

[3] John J. Raskob contributed $110,000 to the Democratic campaign fund in 1928 and William Randolph Hearst and John D. Rockefeller, Jr., each contributed $50,000 to the Republicans in 1936.

such individuals failing to report their expenditures.[1] The former limitation was evaded by splitting contributions so that they nominally came from a number of individuals. How far this went it is impossible to say, as it would be extremely difficult to prove which of the ostensible donors to a campaign fund were really "dummy contributors." It may be suggested, however, that when one industrial family contributes $203,780 and another $164,500 (both properly divided within the $5000 limit) a certain amount of cynicism is permissible as to the actual separateness of the gifts.[2]

## 2. *Of Expenditures*

**National Limitations.** The codification of 1925 permits candidates for Congress to spend the amount specified by their own state statute provided it does not exceed $10,000 in the case of Senators and $2500 in that of Representatives, or the

[1] The division of contributions between committees has already been discussed *supra* at p. 441 and an instance of the transfer of obligations between Democratic campaign committees has been given at p. 453, n. 2. As to the transfer of funds it might be noted that the Michigan Republican Finance Committee transferred a total of $21,000 to the committees of five other states, that the Tennessee Republican Central Committee transferred $10,000 to the Central Committee of South Dakota, and that transfers ranging from $8000 to $1000 were made by four other Republican committees. The Maine Republican Finance Committee (in addition to transfers aggregating $4650) made a direct contribution of $7650 to the Indiana Republican State Committee. "Of this amount, $4000 was contributed at the request of the Republican National Committee. In return for this $4000 contribution to the Indiana Committee, the Maine Republican finance committee requested cancellation of two notes of $2000 each representing money owed by the Maine committee to the Republican National Committee." Gillette Committee Report, p. 12. The same report indicates (p. 15) that advertising agencies rendered campaign services without charge to their own partisans and that many individuals and organizations paid for the publication of campaign literature without reporting their expenditures to any government agency.

[2] The gifts referred to were those of the Du Pont and Pew families to Republican campaign funds in 1940. J. N. Pew, Jr., also loaned the Pennsylvania Republican Committee $70,500. Another device which was an undoubted evasion involved gifts by a single individual to a number of committees. Thus Mr. Lammont du Pont and Mr. Edgar Monsanto Queeny managed to give the Republican Party over $40,000 apiece in 1940 by a process of careful division. Mr. Du Pont's donees included the party National and Senatorial committees and other Republican organizations in eleven states. Mr. Queeny's, besides the National, Senatorial, and Congressional committees, included the central committees of seven states and a sum of $5625 paid directly to advertising counsel.

amount of three cents multiplied by the actual number of voters for the office at the last election. The permission to spend up to the greater one of these sums is further conditioned by an absolute maximum of $25,000 for the upper, and $5000 for the lower, House.

**National Deductions.** These figures are reckoned with remarkable deductions. The candidate's personal expenses, including those for traveling and subsistence, are not included. Neither are the costs of stationery, postage, distribution of circulars, nor fees, assessments, or charges required by the state as a condition of running for office. Lastly, the regulation is limited to elections and does not apply to expenditures in primaries.

### C. PRIMARY REGULATIONS

The Act of 1911 regulating campaign funds included primaries, but in the Newberry Case in 1921 [1] this was held unconstitutional as applied to the Senate. Four judges out of nine on the Supreme Court held primary regulation void generally on the ground that since Congress had power only to regulate "elections" primaries were beyond its scope of authority. Four held that primaries might properly be considered as part of the election, and the ninth judge who cast the deciding vote went on the special ground that as senators had become popularly elected since the law of 1911 was passed it could not be applied to their selection.

Congress willingly accepted this as a determination against all primary regulation (which it plainly was not) and omitted primaries from the 1925 codification. This left the regulation of primary expenditures entirely a matter of state law, which both as to primaries and elections constitutes a labyrinth of bewildering complexities. Little purpose would be served by an effort to follow the thread of limitation of the amount of expenditures through this maze, as such limitation in any form is exceedingly ineffective. The problem of holding the candidate responsible for excessive expenditures in the absence of actual knowledge has not been solved, with the result that

[1] Newberry v. United States, 256 U. S. 232 (1921).

he has only to remain oblivious of what is being done in his behalf to escape scatheless.[1]

The omission of primaries from the federal law led to the amazing exclusions of Smith of Illinois and Vare of Pennsylvania by the Senate for excessive primary expenditure. Its action even went to the extremity of refusing to receive the former even under a governor's appointment. Since then the Senate has seemed to recoil from its own extremes, but the precedents are there for future use, serving to illustrate meantime the immutable fact that abuses to which remedy within the law is denied will find one by breaking through the law or going outside it.

### D. AS TO PURPOSES

**Bribery and Treating.** Purposes of expenditures are dealt with either by prescribing a list of what may be done or by the opposite procedure of a list of prohibitions. Here the federal law leans heavily on the states, itself merely forbidding the giving of money or employment to influence a vote.[2] Such actions are likewise universally forbidden by state law, which is also unanimous in prohibiting election bets and treating voters to intoxicating liquor. Food and tobacco are not so commonly prohibited, and occasional prohibitions appear against paying naturalization fees and poll taxes for prospective voters.

**Transportation and Election Workers.** Carriage of voters to the polls is somewhat of a vexed question. It is generally reckoned a legitimate expense, but a strong minority amounting to a quarter of the states has either forbidden it or limited it to the transportation of the ill and infirm. Nearly all of this group are west of the Mississippi, which bespeaks a regional viewpoint in this matter — a conclusion confirmed by the fact that the few states forbidding pay for election day workers are to be found in the same section.

[1] This seems the effect of the leading decision on the point in the case of State ex rel. LaFollette v. Kohler, 200 Wis. 518 (1930).

[2] The Hatch Act of 1939 extends this to include work relief.

### E. THE REQUIREMENT OF REPORTS

**Of What and from Whom.** State statutes usually include elections with primaries in their requirements of reporting campaign expenditures, and the small minority which does not include both excludes not primaries but the final elections. A slightly larger minority, including many of the same states, require reports from candidates only and not from party committees.

**To Whom.** These reports are filed with the Secretary of the commonwealth by candidates for state-wide office and by county aspirants with some county officer whose duties relate to finances or accounting. The federal law calls for filing with the Clerk of the House or Secretary of the Senate in the case of candidates for each body, and for filing with the former official by committees campaigning for the Presidency.

**Publicity and Enforcement.** There is no adequate provision for publicity, the reports being merely filed as public records and open to inspection. There is no adequate provision for enforcement in that it is not the especial duty of any officer to see that the law is complied with. These statements also hold good in general as to the states. In this field we have the astounding instance of Governor Comstock of Michigan who in 1932–1933 deliberately defied a law saying that a candidate failing to report should not be placed on the ballot, sworn into office, or thereafter paid. Comstock broke through each of these barriers successively without anyone's attempting to support them against him, but it is perhaps significant that he was decisively defeated in the next election.

Newspaper enterprise gives these "public records" a measure of publicity in proportion to their news value. This acts as an enforcement agency in like proportion. As a result, United States Senate contests bring almost universal reporting of expenditures,[1] with the House of Representatives not quite so regular. In Maine a survey showed a majority of the

[1] One month after the 1940 election only 7 out of 102 candidates for Senate seats had failed to report.

county committees reporting, while town committees reported for only one twenty-fifth of the towns in the state.[1]

### F. DEFECTS IN THE SYSTEM

The combined effect of the state and federal laws is a very impressive paper regulation, but in practice they are far from thorough. Statutes teem with exceptions from the expenditures to be reported, election-day expenditures are inadequately regulated, and the greatest defect of all is the failure to hold the candidate responsible for all spending for the promotion of his candidacy. In the English system of regulating campaign funds each candidate for Parliament is required to have an agent and all expenditures must be made by him. Even pressure groups are prohibited from spending money directly to support a particular candidate.

**Suggested Improvements.** This system cannot perhaps be imported to America where the conditions are very different, but it would seem that something of the same exclusive responsibility might be vested here in campaign committees. The English restrictions are enforced by the courts in election contests by ruthlessly unseating the victor for any violation known or unknown to him. The vesting of like authority in our courts over all election contests would take from legislative bodies an authority which they notoriously abuse and give the defeated candidates a real chance to see that the law is enforced. There is no reason to think that they would fail in this here any more than they do in England.

### G. THE PRESENT SITUATION

Beyond the defects of the system there is the principle of the system itself. Money must be found by the candidate or others in his behalf and this fact, it is said, gives an unfair advantage to wealth. How far this is true is difficult to say, mainly because primary expenditures (where personal wealth

[1] See Orren Chalmer Hormell, *Cost of Primaries and Elections in Maine* (Brunswick, Me., Bowdoin College, 1926). It should be suggested, however, that whereas all county committees doubtless spent funds, not all town committees did, nor is it probable that every town had a committee.

counts most) are not reported to any one authority or according to any one standard. In discussing the primaries elsewhere[1] we have admitted this advantage of wealth as existing and endeavored to show its comparative unimportance.

For general elections there are the reports made to the Clerk of the House and Secretary of the Senate. Figures already taken from these show the rising course of presidential funds, and we may now take certain others to show the current cost of Senate candidacies.

TABLE 52. REPORTS FILED BY WINNING SENATE CANDIDATES FROM TEN NORTHEASTERN STATES, 1940

| *State* | *Name* | *Party* | *Received* | *Spent* |
|---|---|---|---|---|
| Maine | Ralph O. Brewster | Rep. | $7,050 | $8,105‡ |
| Vermont | Warren D. Austin* | Rep. | 1,750 | 596‡ |
| | George D. Aiken | Rep. | 412 | 412 |
| Massachusetts | David I. Walsh* | Dem. | 24,235 | 23,748 |
| Rhode Island | Peter S. Gerry* | Dem. | Nothing | 9,093‡ |
| Connecticut | Francis T. Maloney* | Dem. | 14,809 | 14,452‡ |
| New York | James M. Mead* | Dem. | 30,350 | 30,104 |
| New Jersey | W. Warren Barbour* | Rep. | 15,435 | 15,519 |
| Pennsylvania | Joseph Guffey* | Dem. | 5,395 | 6,393 |
| Maryland | George L. Radcliffe* | Dem. | 1,085 | 5,281 |
| Delaware | James M. Tunnell† | Dem. | Nothing | 3,550 |

* Incumbent.
† Defeated the incumbent.
‡ Spent more than leading opponent.

This list includes all Senators elected in 1940 east of the Alleghenies and north of the Potomac, the region which is doubtless by far the most wealthy in the whole country. In view of all the facts it does not show any alarming scale of expenditure or degree of success on the part of candidates spending the most money. Senators Guffey, Radcliffe, and Tunnell were far outspent by their Republican opponents to no effect, as was Senator Mead to some extent by his opponent, Representative Barton. The latter's expenditures of $36,667 set a record for the whole country. The excesses in the table

[1] Chap. IX, *supra*

above the $25,000 maximum permitted by law are explained by the fact that the New York candidates reported all expenditures, including those excepted from the legal limitations. A total of $1,139,401 was spent by all candidates throughout the nation. Four Senators facing no serious opposition (three of them southern and one western) report that they made no expenditures whatever.

But if not alarming, the situation is still not one to be considered as particularly commendable by the believer in real equalitarian democracy. We cannot imagine that any approval for such a system would be felt by Jefferson or Jackson or Lincoln. They certainly would have wished to find some way in which candidates might be nominated and elected without dependence on the wealthy.

### H. STATE ASSISTANCE TO CANDIDATES

Great difficulties, however, lie in the way of working out any such plan. For nominations no idea has been suggested except that of returning to the convention system, a recurrence which we have shown in another place [1] to be highly undesirable. For the election, certain suggestions have been made of state subvention of campaign funds, and certain actual practices of state-supplied services appear both here and abroad.

**Subsidy Proposals.** In his annual message for 1907 President Theodore Roosevelt proposed that a limitation of national campaign funds be supplemented by federal appropriation to pay "the proper and legitimate expenses of each of our great national parties, an appropriation ample enough to meet the necessity for thorough organization and machinery." Nothing came of this proposal, but in 1910 the state of Colorado passed an act appropriating to each political party twenty-five cents for each vote cast for its candidate for governor at the last election, one-half of which was to be passed on to its county organizations in proportion to their several shares in such votes. This was promptly held unconstitutional by the state Supreme Court and should hardly be mourned as it

[1] Chap. IX, *supra*.

would have helped to entrench the dominance of the existing major party organizations, a thing which existing conditions already tend too much to encourage.

**Foreign Practices.** Of services supplied by the state we have both foreign and domestic examples. Republican France permitted candidates the free mailing of one circular, and England and Japan extend like freedom to the sending of one letter first class. Fascist Italy (before elections were finally abolished there) allowed the voter free railroad fare to his own precinct from wherever in the country he might be. Republican France also set up official bulletin boards in each precinct, on which each candidate was allotted an equal space, and forbade all other advertising.

**Bryan's "National Bulletin."** None of these devices has been adopted or even suggested here, but the principle of the last French provision has received some application. William Jennings Bryan proposed a "national bulletin," a newspaper published by the federal government, the space being equally divided between the two major parties. This again faces the objection that it would entrench their dominance, and it is notable that when he placed it before the Democratic convention of 1920 for incorporation in the party platform it was defeated without a roll call.

**The Oregon Publicity Pamphlet.** In Oregon, on the other hand, a proposal of this nature is in actual operation. Significantly, it is an aid to candidates as well as parties and does not discriminate against small parties or independents. The state publishes and circulates a publicity pamphlet to every registered voter. By paying its share of the cost of printing, each party may have up to twenty-four, and each candidate up to four, pages. It is said that this publication is not always read by the voters and that much of the material is ineffective, owing largely to the utter lack of knowledge of most candidates as to what is effective propaganda. But the state does not warrant results, it only offers a chance to reach the voters that might not otherwise be available to the poorer candidates. It is also said that the pamphlet works indirectly

through the reprinting of its material in the newspapers. All in all it would seem a valuable service. Further study along the line it opens should be encouraged with a view to lessening the importance of money, and perhaps all public auditoriums (including those in schoolhouses) should be made available at small expense to the meetings of all bona fide candidates.[1]

## III. PATRONAGE AND CIVIL SERVICE

One of the greatest sources of party cohesion has been the use of governmental office as a reward for party services. It is of course inevitable that policy-determining positions should be filled by supporters of the party in power, since it is through the determination of policy that the popular will is put into effect. Appointments to such offices accordingly are not to be classed as patronage, but all appointments to positions not of a policy-determining type for purposes of party reward are properly so designated.

**The Origin of Patronage.** Patronage goes back to the earliest appearance of genuine political parties in England. When the Whigs and Tories first became separate entities in the reign of Charles II, that monarch (or his ministers for him) soon discovered that one of the best ways to ensure the support of a member of Parliament was to bind him to the government by the ties of office. At first these usually took the form of a government position held by the member himself, but as time went on the more modern device of appointing henchmen who could be depended on to carry elections became the prevailing method.

Under this plan the offices subject to royal appointment in

[1] An interesting proposal has just been made in Great Britain involving state subsidy without any preference of the major parties. In an anonymous article on "The House of Commons" in *The Economist* for January 24, 1942, appears the following:

"The logical course would be . . . for the State to pay all necessary expenses, and for the law to prohibit the candidate from spending a penny of his own. This would, of course, require a tightening up of the provision against freak candidacies. But this . . . could be achieved by requiring every candidate to be nominated by a tenth of the voters."

the American colonies were parceled out to the supporters of each current ministry, greatly to the disgust of the colonists and also greatly to the embarrassment of the royal governors. Again and again they urged upon the ministry the policy of placing colonial appointments in their hands with a view to building up the Tory Party in America, but the exigencies of English internal politics always prevented. Governor Dinwiddie of Virginia claimed that he could have checked the revolutionary agitation in his colony if only he had been given the appointing power.

**Patronage under the Early Republic.** During the Revolution all appointments were, of course, given to staunch patriots and (as in all such times of internal stress) much more attention was paid to the sufficiency of the aspirant's revolutionary zeal than to his ability to carry on the duties of the office. It was Washington's experience with the inefficiency of these public servants, as well as his own complete devotion to the general welfare, that motivated his high standards of appointment during his Presidency.

It is necessary to note with exactness in what the difference consists between the methods of appointment used by the early Presidents and those which have characterized succeeding regimes. It is not to be supposed either that the methods used before 1829 were idyllic or that positions were conferred without regard to political opinions. Washington and John Adams appointed mainly Federalists, Jefferson and his successors mainly Republicans. As is necessarily the case in a government controlled by a limited upper class and without any system for the selection of its employees, the appointments went to those who had eminent friends to vouch for them. The outstanding differences between this system and that which was soon to follow were first that appointments were held at the President's pleasure, and second that removals were rarely made except for cause.[1]

[1] It was with relation to this practice of retaining the appointees of previous Presidents that Jefferson exclaimed in exasperation, "Few die and none resign!" Such unwillingness to clear the way for their successors was unavailing to the office-holders of Jackson's time.

Such an arrangement was only sustainable as long as politics was a gentleman's game — an avocation and not a profession, a competition for honors or distinction rather than for money or power. All through the first thirty years of the last century the old politics was breaking before the new until the whole structure came down with a crash in 1829.

The new politics of patronage known as *the spoils system* first appeared in New York State. Here, at first under the leadership of Burr and De Witt Clinton and later under that of Marcy and Van Buren, a system was gradually worked out whereby the victorious party regularly turned its opponents out of office and filled the vacancies so created with supporters of its own. "To the victors belong the spoils!" said Marcy to the scandalized United States Senate.

**The Tenure of Office Act.** The infection soon spread to the national government, though only gradually and by degrees. The first step was for Crawford (who, it is interesting to note, was being backed by Van Buren for the presidential succession) to obtain the enactment of a law limiting the term of many appointive officials to four years, thereby placing their offices at the disposal of each successive President. This authority was not at once abused, largely because Monroe and John Quincy Adams were both gentlemen of the old school, but its creation was opposed by both Jefferson and Madison, the former of whom accurately predicted the results that followed. When Jackson acceded to the Presidency he found this weapon ready shaped to his hand, and he soon supplemented it by the practice of unlimited and undiscriminating removal.

**Jackson's Patronage Theory.** It is not to be supposed that Jackson's policy was entirely without theoretical justification and it is interesting to see what that justification was. In his first annual message in December 1829, he said:

"There are, perhaps, few men who can for any great length of time enjoy office and power without being more or less under the influence of feelings unfavorable to the faithful discharge of their public duties. . . . Office is considered as a species of property, and

government rather as a means of promoting individual interests than as an instrument created solely for the service of the people. . . . The duties of all public offices . . . admit of being made so plain and simple that men of intelligence may readily qualify themselves for their performance. . . . I submit, therefore, to your consideration whether efficiency . . . would not be promoted . . . by a general extension of the law which limits appointments to four years.

". . . No one man has any more intrinsic right to official station than another. Offices were not established to give support to particular men at the public expense. No individual wrong is, therefore, done by removal. . . . It is the people . . . alone who have a right to complain when a bad officer is substituted for a good one. . . . The proposed limitation would destroy the idea of property now so generally connected with official station, and . . . would, by promoting that rotation which constitutes a leading principle in the republican creed, give healthful action to the system."

The "rotation in office" which Jackson inaugurated did indeed become "a leading principle" of the American system of government, soon becoming a dizzy whirl which bade fair to turn the whole country into a vast scramble for power and place. Beginning with a change of officers every time there was a change of party control, it shortly developed into a change with every new President and then to a change whenever there was a shift in political influence. By the 'seventies the point had been reached of removing an officer whenever his sponsor happened to have less influence than some other politician who was demanding offices for his henchmen.

**Early Civil Service Regulations.** From the first there had been protests against the spoils system, and in the 1850's some tentative action was taken against it. An act of 1853 required clerkships in the government departments to be filled by examination, and one of 1856 provided for the recruitment of the consular service on the same basis. This act was repealed in the next year and the other was generally so administered as to constitute a farce of the broadest description. The examinations were noncompetitive, were generally oral, and often consisted of such questions as "What did you have for breakfast?" and "Who recommended you for this appoint-

ment?" A better practice was followed at intervals in the Treasury Department,[1] but even there these were only an interlude and by the 'seventies the department was being operated by typical spoilsmen.

After the Civil War, civil service reform was one of the first issues to come to the fore. Although detested by the politicians, who were now thoroughly wedded to the spoils system, it was backed by a popular demand that would not down, and on the recommendation of President Grant Congress authorized the creation of the first Civil Service Commission. Rules prepared by this group were put into force April 16, 1872, governing admission to positions in the departments at Washington and to federal offices in New York City. The suspicion that this was a mere election dodge seems well warranted, as it came in a campaign year and Grant persistently waived the rules requiring examination whenever they stood in the way of his own wishes. Congress too was hostile, and the whole system ceased to function when in 1874 the House defeated an appropriation to support it.

The next step came under Hayes with the imposition of civil service examinations as a means of gaining positions in the Interior Department [2] and the New York Postoffice and Customhouse. But the whole system rested on executive fiat, and the power that gave was rather likely to take away once a President gained office not possessed of Hayes' scruples.

**The Assassination of Garfield.** Before this could happen Congress was shocked out of its complacent acceptance of the spoils system. On July 2, 1881, President Garfield was shot by Charles J. Guiteau, "a persistent office-seeker," whose weak mind had apparently been inflamed by his own ill success and by newspaper attacks on the President for "double-dealing in the matter of the New York appointments. . . . Garfield was unquestionably a victim of the spoils system, whose rules he had refused to observe. . . . Said the New York *Evening*

[1] Under the secretaryships of Howell Cobb, 1857–60, a Democrat, and of Salmon P. Chase, 1861–64, a Republican.

[2] By order of the then Secretary, Carl Schurz.

*Telegraph* . . . 'The assassination of Mr. Garfield is . . . [a] natural outcome of debased . . . machine politics.'" [1]

**The Pendleton Act and Its Early Administration.** The result of Garfield's assassination was the Pendleton Act of 1883, which set up a bipartisan commission to administer civil service rules therein made applicable to the Washington departments and to all postoffices and customhouses containing fifty or more employees.[2] It authorized the further extension of the rules by executive order. "President Arthur, who was in office when the law was passed, had been a manipulator of local party patronage, but throughout his term he displayed considerable sympathy with the new law, by approving its provisions, appointing efficient commissioners, and giving them consistent support. President Cleveland, a firm friend of the merit system, took office under peculiar difficulties. The appetite of his party for spoils, after the exclusion of a quarter of a century, was insatiable; he withstood it bravely in many instances, and he maintained the law within its limited field of operation at that time, but outside the classified service there was a pretty clear sweep of the offices, and the system of removal on secret charges of offensive partisanship furnished a means of evasion of civil service reform principles which cast a certain discredit upon the merit system. President Harrison entered office under the strongest pledges of his party and himself, both to extend the system and apply its principles in all executive appointments; he was, however, much more subject to political influence than his predecessor, and the clean sweep was again repeated. He made extensions of the classified service it is true, but the most important one (the free delivery offices) was only effected at the last moment, after he had been defeated for reelection. President Cleveland in his second term did more for the competitive system than

[1] Theodore Clarke Smith's *Life and Letters of James Abram Garfield* (New Haven, Yale University Press, 1925), II, 1184–1185.

[2] The rules called for filling positions from the highest three on the list of those who qualified by passing the examination. This is still the case where a more rigid requirement has not been specifically imposed. The number of positions originally classified totaled 14,000.

had ever been accomplished up to that time, particularly in the extensive additions to the service made by him in his so-called blanket order,[1] which became subject to bitter criticism when the Republicans again came into power." [2]

The ultimate result of this criticism was the order of May 29, 1899, whereby President McKinley removed about 10,000 places from the classified list. This change, together with very lax enforcement of the law, made a bad record for the McKinley Administration in spite of presidential orders preventing removal on secret charges and extending classification to the Philippine civil service. This last, along with certain other additions, prevented any absolute decrease in the number of positions in the classified group.

**The Civil Service under Theodore Roosevelt and Taft.** The succeeding administration presents no such merely negative report. "Mr. Roosevelt was more consistent and energetic than any other President in advancing the reform," says William Dudley Foulke in his able summary of civil service history down to 1919.[3] Although more than twenty years have elapsed this statement still stands good.

Roosevelt had, of course, the advantage of succeeding another Republican, so that he was subjected to no great spoils pressure. Also he had served as Civil Service Commissioner under Harrison and Cleveland, and so approached the problem with a strong predilection on the merit side.

But in any case his achievements were remarkable. He went through two presidential campaigns — the one for his own election, the other for the choice of a successor — without a substantiated charge of abuse of his powers of appointment. Where the McKinley Administration had ignored violation of the civil service regulations, adequate enforcement measures

[1] By this order of May 6, 1896, civil service classification was extended to some 31,000 places.

[2] Excerpt from a paper on "The Advance of the Competitive System" by William Dudley Foulke, read before the National Civil Service Reform League at its annual meeting on Dec. 10, 1903. *Proceedings, National Civil Service Reform League* (1903), pp. 32–33.

[3] William Dudley Foulke's *Fighting the Spoilsmen* (New York, G. P. Putnam Sons, 1919), p. 257.

were now taken both by prosecuting offenders and by discharging them from the service, actions heretofore unheard of. Able civil service commissioners were appointed, encouraged to improve the regulations, and thoroughly sustained in their activities despite political pressure. The service was extended to Puerto Rico and to American officials in occupied Cuba. At home the extensions were so great that Roosevelt, who had come into office as President when there were only 110,000 employees under merit civil service, had by election day in 1908 increased them to 206,000, besides having established a physical examination system applicable to 32,225 laborers. Before leaving office he made one final order making all fourth-class postmasterships in the area east of the Mississippi and north of the Mason-Dixon line subject to civil service rules. In terms of the whole body of federal employees he had increased the classified group from 46.2 to 66 per cent.

One achievement of the Taft Administration was really a carry-over from Roosevelt's. That was the census of 1910 — the first in which civil service rules were even partially applied. Roosevelt vetoed a bill placing the census employees on a spoils basis, and Taft threatened to do likewise. As a result, the measure enacted placed the census clerical force on the strict merit basis of appointment of the highest-ranking applicant, and other positions were put on a less strict merit basis by executive order. This was supplemented by a rigid prohibition of political activity by census supervisors and enumerators.

Taft placed 2237 postmasters and 1386 postal clerks under the merit system and extended and improved rudimentary requirements which under Roosevelt had been laid down for the foreign service. He also vetoed an appropriation bill in the midst of the 1912 campaign in order to protect the competitive system. On the other hand, Taft was easygoing like McKinley, with none of Roosevelt's pugnacity, and violations of the civil service rules generally went unpunished. He made a notorious use of patronage to coerce Republican support

for the Payne-Aldrich Tariff, and he removed an experienced Civil Service Commissioner to replace him by an incompetent. The latter, however, soon resigned, but not before the precedent had been noted for future imitation.

**Wilson and Harding.** Nevertheless Taft's record seemed notable as compared with the two following administrations. Said the Council of the National Civil Service Reform League in 1923: "The progress of the competitive system under Presidents Cleveland and Harrison and the advances made under Presidents Roosevelt and Taft have been followed by a period of comparative retrogression under President Wilson, who, though personally friendly to the reform, approved numerous legislative acts excepting important places from the classified civil service. During his second term, however, he made a valuable contribution to the merit system by prescribing competitive examinations to fill the vacancies in presidential postmasterships caused by death, resignation or removal (about one-tenth of the whole number) by appointing the highest man on the eligible list. Unfortunately, the retrograde movement was not wholly arrested when President Harding assumed office. Although he prescribed the continuation of the examination system and made it apply to all presidential postmasters, he gave a choice of one out of the three highest, a choice which has so been manipulated by political influence that Republicans, and generally those recommended by Congressmen and political committees, have almost uniformly been chosen. . . . This is a system of appointment which leads to subsequent political changes, thus depriving the country of permanent expert service. Through the continuation of the examination system, it has been popularly understood that the merit system has been made to apply to all these appointments and the people have been gradually losing faith and in some cases have become utterly disgusted with the so-called civil service system." [1]

Wilson, in particular, was a great disappointment to the

[1] *Proceedings Forty-Third Annual Meeting National Civil Service Reform League* (1923), pp. 3–4.

reformers. He had been outspoken for merit appointments and at the time of his election was one of the Vice Presidents of the National Civil Service Reform League. But the pressure for office after the Democrats had been sixteen years out of power was too great and the necessity for rewarding large campaign contributors too pressing to be successfully resisted. The President was driven to the device adopted by Lord Chatham (the first Pitt) when at the head of the affairs of England. He would wield the power and let others handle the patronage. All applicants for office were told to go to the heads of departments.

As matters stood they were not likely to apply to the department heads in vain. Bryan, who had disgusted reformers by his frank attack on the merit system in 1896, had been made Secretary of State; Burleson, an old-fashioned southern politician, was Postmaster General; and in all the Cabinet there was hardly one man sympathetic with civil service reform. Appointments were generally made on a spoils basis, both to existing offices and to new ones created by the President's reform program. "Deserving Democrats"[1] were even saddled on occupied Santo Domingo, and the custom of appointing campaign contributors to foreign embassies became definitely established. The rule forbidding inquiries as to an aspirant's politics was evaded, and by a similar sharp practice a large part of the rural delivery carriers were practically removed from the merit basis. With knowledge of politics obtainable, post-office appointments became almost entirely partisan. Finally complaisant politicians were appointed to the Civil Service Commission itself, with the result that the lists of persons passing the examinations were denied to public inspection on the ground that they might be used "to embarrass the administration."

Harding was himself a politician of the old school and under him the total number in the classified service positively decreased. In the departments and agencies headed or dominated by his friends and cronies — the so-called "Ohio

[1] The phrase used by Bryan in urging their appointment.

Gang" — the spoils system was rampant, resulting in a series of scandals of a most appalling character. While the membership of the Civil Service Commission was improved and a system of physical examinations was made available to all departments, the only real work for the merit system was the efforts of Secretary Hughes for a classified foreign service. Prohibition enforcement was placed in the hands of the spoilsmen, a fact having not a little to do with its ultimate failure. In general, the government service sank lower than it had before within the present century.

**Coolidge and Hoover.** The record of the Coolidge administration was very largely negative. A slight increase was made in the number of merit positions, largely through the enactment of the Rogers Act creating a professional Foreign Service, and the Prohibition Unit (much too late to avail the cause it had ruined) was brought at last under classification. But the National Civil Service Reform League was complaining at the end of the administration as it had at the beginning of the nullification of the merit principle in the appointment of postmasters and rural delivery carriers, and when a Senate investigation disclosed an actual sale of positions by Republican politicans in the lower South, nothing was done to prosecute the offenders. The most that the incoming Hoover administration did to these men was to refuse to accept their further recommendations.

The record of this administration was only a slight improvement on that of Coolidge. A somewhat larger number of positions were added to the classified list, including the municipal employees of the District of Columbia, and the civil service laws of Puerto Rico were revised and strengthened. On the other hand, the increased Republican congressional majority excepted many places from civil service requirements, and the Post Office Department openly avowed the policy of making its local appointments on the basis of political recommendations.

**F. D. R.'s First Term.** This example was profited by and improved upon by *Mr. James A. Farley*, Postmaster General under President Roosevelt. Acting under a presidential order

disqualifying incumbent postmasters and their subordinates from participating, examinations were held for practically all post offices ostensibly subject to merit civil service. Ample use was made of the privilege of selecting from the highest three passing to dispense these positions as patronage, going so far as to include public announcement "that so-and-so would be appointed postmaster at X, 'when examination by the Civil Service Commission has been completed.' "[1] Farley himself was known as "Jobmaster General" [2] and worked out a very elaborate system whereby appointments were first held back until congressmen had earned their rewards by "voting right" and then were dispensed quite frankly as a means of strengthening party lines. Farley's frankness [3] shocked the Republicans, whose practice had been less avowed, but the National Civil Service Reform League had the justice to recognize that his policy was only the culmination of long-standing tendencies. They blamed Congress, which more and more was passing legislation inimical to civil service reform and marveled that the President, a long-recorded friend of their principles, did not do more for them. Especially they complained of the exemption of "emergency agencies" from civil service rules. On this point the 1936 Report of the League is peculiarly instructive:

"There are nearly 200,000 positions which have been created in the new agencies — both temporary and permanent — since March, 1933. Almost 95 per cent of these positions have been excepted from the civil service law and rules.

"Figures furnished by the U. S. Civil Service Commission show that in April, 1936, there were 36 independent agencies which had been created since March, 1933. Of these, 25, with 111,146 employees, were entirely excepted from the provisions of the civil service act; and 11 with 8,911 employees, were included under it so far as the bulk of personnel is concerned, although many special

[1] Annual Report of the National Civil Service Reform League for 1934.

[2] See McKee's "The Job-Master General," *North American Review*, CCXXXVII (1934), 119.

[3] Which amply appears in the sections pertaining to patronage in his work *Behind the Ballots* (New York, Harcourt Brace & Co., 1938). See especially pp. 223–238 and 271–281.

classes of positions such as attorneys, examiners, officers and experts — were excluded.

"In addition 72,584 persons were employed under the works program and assigned to the regular departments, only a few of whom had a classified civil service status.

"In the whole federal service positions subject to the merit system decreased by 852 between June 30, 1933, and June 30, 1935, while the positions excepted from the civil service act increased by 154,840. It is significant that in spite of the abolition of the AAA and the NRA liquidation of these establishments has been retarded because of the reluctance to drop any of the politically sponsored employees. On January 1, 1936, nine months after the invalidation of the NRA, there were still some 2,400 employees on the NRA payroll.

"When the new agencies were created the pretext was used that the emergency was too great to permit delay which might result from placing them under the civil service law; and that the Civil Service Commission's registers could not immediately supply a sufficient number of satisfactory persons. Although some of the agencies voluntarily made use of these registers to some extent, this practice was not as widespread as it might possibly have been."

The truth was that *the New Dealers* had been very insistent that their ideas could be safely executed only by persons thoroughly in sympathy with them. They did not wish to risk the type of sabotage which it had been alleged was used by the established civil service officials against the plans of the McDonald Labor government in Great Britain. Farley took much the same position, although to him "sympathy" was most likely to be thoroughly demonstrated by an aspirant's having been for Roosevelt "before Chicago," i.e., before he was nominated by the Democratic national convention.

But the National Chairman did not have an entirely free hand. The report of the National Civil Service Reform League records the efforts of Secretaries Ickes, Wallace, and Perkins to maintain the merit system in their departments. In Congress Senator Norris and Representative Ramspeck led a largely unsuccessful fight for the same end. Even where appointments were not on a political basis, however, conditions were not always satisfactory. Said the Civil Service Reform League:

"The drafting into the public service of representatives of private industry, education and professional and civic groups has been a natural outgrowth of the war against the depression. Yet it is almost ironical that in certain federal bureaus, this has initiated a personal or social patronage system which is only in degree less deplorable than the political spoils system. Indeed it has been pointed out with some plausibility by professional politicians that if a political party or leader makes bad appointments, responsibility can be fixed and punishment meted out at the next election, but with a new system of personal appointments within a government agency on the basis of friendship they are not so easily traced and no one is publicly responsible for the results. Actually the mere ignoring of political endorsements does not imply the use of a system of sifting qualifications and choosing employees on merit. The installation of makeshift personnel systems in certain recovery agencies has resulted in selections on the basis of acquaintanceship and in personal log-rolling which would have been avoided had these agencies made use of the Civil Service Commission's recruiting facilities.

"From the viewpoint of employe morale and of the efficiency of the service, there is little to choose between an appointment or a promotion impelled by common membership in a club, lodge or university alumni association, and common membership in a political organization. Until both kinds of favoritism are eliminated we cannot have a true career service." [1]

As the 1936 election approached a new interest in merit civil service was manifested by both President and Congress. The number of competitive classified positions, which had fallen steadily from 467,161 on June 30, 1932, to 450,620 on June 30, 1934, began thereafter to rise, reaching a total of 498,725 in the June preceding the election. Much of this was by action of the President, as for instance in the orders of November 9, 1935, and July 20, 1936. The former placed numerous positions in the Civilian Conservation Corps within the merit service; the latter required civil service examinations for all post-office appointments of the higher classes and stipulated that in all cases they were to go to the man making the highest grade. Congress also, belatedly awakening to the appeal for civil service reform, early in 1936 passed several measures

[1] Annual Report of the National Civil Service Reform League for 1935.

imposing merit requirements on the latest among the New Deal administrative bodies. Several executive orders securing the service against spoils interlopers were also promulgated.

**Developments since 1936.** Legislative enthusiasm did not survive the election, but it was otherwise with the President. Congress signalized its 1937 session by exempting a great number of positions from civil service requirements, including among them even the C.C.C. posts recently classified. Mr. Roosevelt, on the other hand, placed all positions in the federal prison system within the merit service, sent Congress a message urging "the desirability of placing all but policy-forming positions" under the competitive system, and plunged into his great fight for *the Federal Reorganization Bill.*

As applied to the civil service, the first Reorganization Bill called for the substitution of a single administrator "directly under the President" for the independent bipartisan Civil Service Commission, the administrator to be policed by a non-salaried advisory board of seven. This was only partially approved by the National Civil Service Reform League (now become on the whole very favorable to the President) and was stoutly opposed in Congress as forming part of a program for an executive dictatorship. When the bill eventually passed in 1939 these civil service provisions had been stricken out.

Meantime the President pressed onward, obtaining legislation placing upon a statutory basis the extension of the merit system to post-office positions and extending it by *the Executive Order of June 24, 1938,* to "all positions . . . of a nonpolicy-determining character" throughout the federal service. The operation of this order was suspended early in 1939 as to some 9 per cent of the places involved, and a commission headed by Mr. Justice Reed of the United States Supreme Court was appointed to study the best way in which such extension could be accomplished and what positions were to be considered "policy-determining." The report of the committee (transmitted to Congress by the President on February 24, 1941) considered as "nonpolicy-determining" all the

higher administrative and investigative positions of the government and divided evenly as to whether government legal advisers and attorneys should properly be brought within the competitive service. It recommended postponement of the system's application to the investigative agencies of the government for the duration of the present crisis.

Congress itself had meantime passed *the Ramspeck Act* removing all statutory exemptions from civil service rules on positions not needing Senate confirmation, with the exception of assistant district attorneys and places under the Tennessee Valley Authority and the Works Progress Administration. By June 30, 1941, the merit service stood at an all-time high of 990,218 out of a total of 1,358,150 federal employees.

**Can the Gains Be Held?** It should be recognized that this result was only attained by the process of "covering into the service" of innumerable "deserving Democrats" who had first obtained their positions on the basis of spoils politics. This, as we have seen, is nothing new, President Roosevelt and his subordinates having at most only carried out the process more thoroughly and more successfully than previous administrations. Whether the Republicans, if returned to power at some future time, would maintain in its integrity a civil service so constituted may be a matter of doubt. It might depend on how soon such a return came, whether before or after the public mind had become accustomed to continuance in office of all efficient public servants. A more difficult question may be how the President's policies are to obtain congressional support if he really has no positions to hand out for "voting right."

**The Problem of W.P.A.** Possibly one explanation of the willingness with which the President pushed civil service reform was the reliance placed by Democratic leaders on the votes of beneficiaries of the New Deal other than those in regular public office. Prominent among these were the W.P.A. workers, a group varying from one and a half to three and a quarter millions in number over the period from 1936 to 1940.

Acting on Al Smith's maxim, "Nobody shoots at Santa Claus," the voters on various types of relief supported Democratic candidates very consistently throughout Mr. Roosevelt's first two administrations. Pressure to bring about this result was largely superfluous, although some complaint was made of it in Congress during the 1936 campaign. In the primaries, however, when it was a question of selecting a Democratic candidate, such automatic reactions could no longer be relied upon and definite steps were taken to assure results. In consequence, strong complaint was made concerning the coercion of W.P.A. workers in the primaries of 1938.

Senatorial investigation revealed serious conditions of this nature in three or four states,[1] coupled with a reluctance to punish and a willingness to whitewash such activities on the part of national W.P.A. officials. Aubrey W. Williams, Deputy Works Progress Administrator under Harry Hopkins, was proved to have told the Professional Works Progress Administration Projects Conference: "We've got to stick together. We've got to keep our friends in power."

On the other hand, it should be noted that these activities in their serious form were confined to a very few states and that here they often constituted a "fighting of the devil with fire," as state patronage and the pressure of private employers [2] was being largely used on the other side. Had the abuses been inspired from Washington they would certainly have been more widespread. Nevertheless, the situations disclosed were sufficiently serious to impel Congress to legislate. By the Hatch Acts of 1939 and 1940 first direct federal beneficiaries and later all persons indirectly paid by federal funds are protected against coercion or solicitation in all political campaigns.

**Civil Service in the States.** The spread of civil service among the states has been much slower than its application to the federal government. New York and Massachusetts

[1] Serious W.P.A. abuses revealed by the investigation were mainly limited to the four states of Pennsylvania, Kentucky, Tennessee, and Illinois. The Illinois abuses were not in the nature of coercion.

[2] The former was most common in Kentucky; the latter in Pennsylvania.

adopted the competitive system within two years of the Pendleton Act. Thereafter action lagged until Illinois and Wisconsin initiated a new movement in 1905. This continued at intervals until 1915, when a maximum of ten merit civil service states was reached. In 1920 Kansas ceased appropriations to maintain its civil service administration, and the following year Connecticut repealed its civil service law.[1] In the same year the Illinois system fell under the control of its enemies, where it for long remained. Maryland adopted civil service reform in 1921, but no further additions took place until 1937 when five states joined the group, followed by three more in 1939. This made seventeen, but the Michigan system [2] had been riddled by adverse legislation. In 1940 Arkansas repealed its law but Louisiana passed one, so the total number of merit service states remained the same. The revival of civil service administration in Kansas and the addition of Vermont in 1941 makes a total number of nineteen civil service states. Several more employ merit selection in some of their departments, and all others are now in the process of creating civil service administrations to select their social security employees, in conformance with an amendment to the Federal Social Security Act effective January 1, 1940.

**In Cities and Counties.** Eight hundred and sixty-nine cities and 173 counties had merit civil service in 1940. All but a dozen of the latter were in the three states of New York, New Jersey, and Ohio, which have made the most effort to establish comprehensive reform. Hence in most of the country the strength of the county political machine has been but little impaired by civil service rules. Many cities also have no civil service administration or only a farcical one, so the local politicians need not fear a scarcity of distributable jobs for some time to come.

But what of *the federal situation* where the President's order of 1938 has assumedly initiated an era of unadulterated purity?

[1] Both states have recently returned to the fold, Connecticut in 1937 and Kansas in 1941. An attempt to repeal the Connecticut law was vetoed by Governor Hurley in June 1941.

[2] Adopted in 1937.

One does not have to be cynical or opposed to real reform to doubt whether the summary method thus adopted will work in actual practice. Aside from the danger that the Republicans may one day oust the spoils appointees frozen into the service, it may still be asked, "What substitute for patronage?" From every President's viewpoint patronage was the coin in which he paid for support for his measures in Congress. It mattered not that civil service extensions made that coinage scarcer, because in accordance with economic laws this only increased its value. Mr. Farley's successful traffic showed what could be done with a patronage as scant as that at first available to the New Deal Administration. But with patronage totally eliminated, what means is there of controlling Congress?

It is to no purpose to say that Great Britain gets along without patronage as a means of controlling Parliament. Germany does not use patronage either, because Hitler has other means of control. A Reichstag member's head might literally roll if he became unruly. So the collective head of Parliament may figuratively roll if it defeats the Cabinet on any important measure. In other words, the Cabinet can "go to the country" by calling a new election. With us the President has no such power. Without it and without patronage how can he control a Congress which owes him nothing and can hope from him nothing? It may work, but how it is difficult to see. The logical next step is the adoption of the Cabinet system, an action apparently as far as the antipodes from everyone's mind.

## *AUTHORITIES AND EVALUATIONS*

On the whole subject of campaign finance the outstanding authority is Overacker's *Money in Elections* (1932), supplemented by the same author's "Campaign Funds in a Depression Year," *American Political Science Review*, XXVII (1933), 769, her "Campaign Funds in the Presidential Election of 1936," *ibid.*, XXXI (1937), 473, and her "Campaign Finances in the Presidential Election of 1940," *ibid.*, XXV (1941), 701. Reference may also be had to Pollock's *Party Campaign Funds* (1926) and to Sikes' *State and Federal Corrupt Practice Legislation* (1928). Original sources include the reports of

Senate campaign fund investigation committees. Since 1920 one of these has functioned in each presidential campaign year. The report of the Kenyon Committee of 1920 is particularly useful. Notice should be given to Peel and Donnelly's *1928 Campaign* (1931) and their *1932 Campaign* (1935), as well as to Woody's *Chicago Primary of 1926* (1926). Early phases of the problem may be studied in Bishop's *Money in City Elections* (1887) in Brooks' *Corruption in American Politics and Life* (1910), and in Chaps. XVI and XXI of Croly's *Marcus Alonzo Hanna* (1912). The latest phases are obtained only in recent newspapers and magazines, to the former of which the *New York Times Index* is the most complete guide.

On the subject of patronage the prime sources are the publications of the United States Civil Service Commission and of the National Civil Service Reform League. Both of these organizations issue annual *Reports*. The reports of the Commission are necessarily written from the viewpoint of those administering the system, and hence for criticisms the reports of the League have generally been more objective. Since about 1937, however, the latter have suddenly become both less critical and less definite. Another good record of year-by-year development is the section, "Civil Service in the United States," in the *American Yearbook*, which since 1935 has been very ably written by Mr. Harry B. Mitchell, President of the United States Civil Service Commission.

Secondary authorities include McBain's *Origin of the Spoils System in New York*, Columbia Studies in History, Vol. XXVIII, No. 1 (1907); Fish's *Civil Service and the Patronage* (1920); the same author's "Removal of Officials by Presidents of the United States," *American Historical Association Reports*, I (1900), 65; Smith's *United States Civil Service Commission* (1928); and especially Foulke's *Fighting the Spoilsmen* (1919). Particular phases may be studied in the last-named author's *Roosevelt and the Spoilsmen* (1925) and in a series of articles in *Annals of the American Academy of Political and Social Science*, Vol. CLXXXIX (1937), under the general title "Improved Personnel in Government Service." Developments down to July 1940 are summarized in *Civil Service Agencies in the United States, a 1940 Census*, being Pamphlet No. 16 of the Civil Service Assembly of the United States and Canada, an active organization of those engaged in civil service administration in both countries. For later events recourse must be had to magazines and newspapers, to the latter of which the *Times Index* again forms the best guide. Material on the abuse of the W.P.A. is largely to be found in *Investigation of Senatorial Campaign Expenditures and Use of Governmental Funds*, Senate Report No. 1, 76 Congress, 1st Session (January 3, 1939), and in the debates ensuing thereupon as recorded in the *Congressional Record*.

# *Chapter XIII*

## THE SUFFRAGE AND ELECTIONS

### I. HISTORY OF THE SUFFRAGE

In both England and America the right or privilege of voting — that is, the opportunity of participating in the initial stages of the political process — has undergone a long course of evolution. Parallel with it the right to hold elective office — that is, the opportunity to receive the voters' designation to participate in the later stages of that process — has gone through much the same development.[1]

#### A. THE SUFFRAGE IN ENGLAND

**The Original Basis.** Voting in England has always been limited to the choice of local — usually municipal — officials and that of members of the House of Commons. Originally all the rights or privileges involved in the electoral process derived from the King. He it was who granted charters to municipalities entitling them to choose their own officers and who designated what constituencies should be represented in Parliament. In chartering municipalities he could and did regulate the suffrage and the right to hold office therein. If he did not always do this thoroughly but left these matters to be determined by municipal custom, that was merely the fruit of the royal negligence or benevolence.

The Parliament of the Middle Ages existed for a very definite and particular reason. It was not (as the Parliament of

[1] For an interesting account of the development of this latter right see Frank Hayden Miller's "Legal Qualifications for Office in America," *Annual Report of the American Historical Association for the Year 1899*, I, 87–153.

today is) an imperial governing body. It was not (as the Witanagemote of the Saxons appears to have been) a body of advisers to the King on general questions of policy. It sat for the single purpose of giving the popular consent to the levying of taxes and its whole composition and action were vitally related to that purpose.

One result of this situation was that the King and the property owners had rather different views as to how the House of Commons should be constituted. The King wanted a docile body that would give him money when he asked for it. The property owners wanted, if not a body reluctant to sanction taxes, at least one that would first insist on being shown very good reasons for the levy. The King consequently had an interest in having both voters for, and members of, Parliament who would not themselves feel the weight of property taxation; the property owners had an interest in seeing that voters and members alike were "men of substance."

In the "boroughs" (as the municipalities entitled to parliamentary representation were called) this whole matter had been settled by the bargain involved in granting the royal charter. That document either regulated the suffrage *in perpetuo* or left it to local regulation or custom. The counties, each of which was entitled to one or more members, held their elections under the presidency of the King's sheriff, an officer naturally desirous of obtaining members who would do his master's will. It is probable, therefore, that he encouraged the participation of those of little property or position, knowing that they would not vitally object to taxation and also that their small importance in the community would make them easy for His Majesty to coerce.

**The First Limitations on the Suffrage.** It was reasons like these that appear to have led to the first parliamentary regulation of the county suffrage — the Act of 1430 (8 Henry VI, c. 7). Reciting first that county elections had "of late been made by a very great, outrageous, and excessive number of people . . . of which the most part were of small substance and of no value," it proceeded to limit the suffrage

therein to forty-shilling freeholders, i.e., to those owning land and receiving from it an annual income perhaps equivalent in modern money to $200. This was followed in 1445 by legislation (23 Henry VI, c. 15) requiring county members to be of gentle birth and in receipt of an income of not less than ten times the voting qualification. It is believed that before these acts all freemen were theoretically eligible to vote for, and be elected to, Parliament, subject in practice, however, to the coercion of the King's sheriff on the one hand and of the local gentry on the other.

**The Suffrage as It Came to America.** These laws were the only regulation of the suffrage on the English statute books at the time of the colonization of America. At least two other restrictions on the right to vote were in existence but were so thoroughly a part of the common law that parliamentary enactment had been unnecessary. Women could not vote, nor could minors. Male sex and the attainment of the age of twenty-one years were held essential to the suffrage.

These restrictions were considered so much a matter of course that no reasons justifying them appear in the early law books. Blackstone, for instance, merely mentions the age requirement and fails entirely to specify that women could not vote. He apparently thought it no more necessary than to say that the suffrage was denied to horned cattle.[1] He states elsewhere that the fixing of the age of twenty-one for maturity is "purely arbitrary," and beyond this no reasons are given for requirements denying the suffrage to a majority of the population.

Of course no argument was necessary to prove that some age standard must be had for voting as well as for other purposes. Blackstone is probably incorrect when he assumes the twenty-one-year requirement to be entirely without particular reason. It had a reason, but not one of the kind that Black-

[1] One is reminded of the opening statement about the suffrage in a political science textbook of the last century: "Women, minors, paupers, and insane persons have no vote in the United States." Charles Nordhoff's *Politics for Young Americans* (New York, Harper & Brothers, 1875), p. 36. No wonder the woman suffrage advocates inquired: "Are women people?"

stone delighted to show. It was not such as could be defended as the quintessence of soundness to the dryly logical mind of the eighteenth century. It was simply the medieval notion of a round number plus one, which is to be found exemplified in every field of life. To assure full measure of goods, to assure a full term of enjoyment of a lease of land, a frequent custom was to take the round amount intended and add one, as it were, "for luck."

To these there began to be added restrictions of a religious nature. The Reformation had let loose the winds of controversy and the waters of hate. Toleration of variant opinion was unknown. Theological differences were punished by imprisonment, beheading, and burning alive. It was not strange, therefore, that those whose life and liberty were thought pernicious to the state should not be allowed to take part in her government.

The earliest action was against the Roman Catholics. Elizabeth was scarcely on the throne when her Parliament passed an act (the First Act of Supremacy, 1559) which sought to exclude adherents of the old religion from the lower House. This was strengthened and extended to the House of Lords by subsequent legislation (1563, 1673).

### B. EARLY HISTORY OF THE SUFFRAGE IN AMERICA

**Colonial Suffrage.** In the colonies all of these restrictions existed, sometimes in changed and aggravated forms. Women and minors were, of course, excluded from the suffrage. The southern colonies began in the eighteenth century to limit the right to vote to whites, though it is notable that North Carolina definitely repealed this enactment in 1734.[1] Foreigners were generally excluded from the electoral process, but South Carolina specifically laid it open to Huguenot refugees from France.

Religious restrictions were naturally of greatest strictness

[1] The right to vote was again taken from the free Negoes of North Carolina in 1835.

in New England and during the seventeenth century. Church membership or a certificate of orthodoxy or good conduct were common requirements in the Puritan-controlled colonies. New Hampshire and Rhode Island, falling outside this class, limited their restrictions to temporary or unenforced rules against Catholics, which were elsewhere usually permanent and in full effect. The Catholics suffered both in England and America for the unintelligent policy of the later Stuarts who were of their faith. It was assumed that no Catholic could be loyal to the Protestant succession set up by the Revolution of 1688. They were accordingly denied the vote in nearly all the colonies.[1] Honorable exceptions should be made of Pennsylvania and South Carolina, neither of which ever went further than to limit voting to Christians.

Property and taxpaying qualifications existed in the colonies in amazing variety. Expressed in terms of land or currency of varying and fluctuating values, they convey no definite meaning to the reader of the present day. We can best judge their importance by their effect on the electorate. This varied with the local situation. Pennsylvania, a colony with the lowest land area requirement (50 acres) and the lowest religious requirement also, had a voting constituency of 8 per cent of its whole population, while Rhode Island and Massachusetts, with the lowest land value requirement (£40 or 40 shillings a year) and somewhat higher religious qualifications, had constituencies of 9 and 16 per cent, respectively.

The main thing to be observed is that the various voting requirements of the colonial period (among which the property qualification was by far the most important) served to create a political community akin to the republics of the ancient world, an oligarchy in which the right to vote was limited to a small minority.

**The Evolution to White Manhood Suffrage.** The religious requirements for the suffrage had practically disappeared before the Revolution. The landowning and taxpaying qualifications in general remained and became increas-

[1] See p. 81, *supra*, for other groups commonly denied the suffrage.

ingly onerous as the growth of the country produced large classes of people who owned no land and many who possessed no taxable property of any kind. At the same time, the equalitarian theories of Jefferson and of the French Revolution were sweeping over the country and gradually became the accepted basis for American democracy.

The propertied class fought hard to prevent suffrage extension, but in view of the conditions their defeat was certain. Pennsylvania attained white manhood suffrage as early as 1776, and New Hampshire and Georgia achieved it also before the end of the century. Meanwhile Vermont, Kentucky, and Tennessee had been admitted to the Union on the same basis. By 1822 general property-owning requirements had disappeared in all but four states and in these they were repealed before the Civil War. Taxpaying qualifications sometimes outlasted the others, but by 1860 there were but two states in which they were a general requirement for the suffrage.

**Effects of Early Immigration.** The great German and Irish immigrations beginning in the late 1840's had strangely conflicting effects on the suffrage in different sections of the Union. In the West, where settlers were strongly desired, the requirement of citizenship was reduced to admit the participation of "declarants," i.e., those who had merely taken out papers expressing their intention of becoming citizens at the expiration of the required residence period. In the East, where large unassimilated foreign groups were accumulating, literacy tests were for the first time proposed and in two states (Connecticut and Massachusetts) actually adopted.

### C. NEGRO SUFFRAGE

At the outbreak of the Civil War unlimited Negro suffrage existed only in the four northernmost states of New England. In New York the very few Negroes possessing land worth $250 a year were allowed to vote. Elsewhere throughout the Union a white skin was a necessary qualification for taking any part in the political process. By 1870 the national Constitution

had been amended to forbid the denial of the suffrage "by any State on account of race, color, or previous condition of servitude."

**The Reason for Its Adoption.** This great change was not mainly brought about by any immediate love of the Negro. If the northern voters in general or the majority of the Republican Party in particular loved him, it was always at an ample distance. All through the Civil War, and later at the very time when Negro suffrage was being imposed on the South at the point of the bayonet, northern states were defeating (both in their legislatures and in popular referendums) amendments to their election laws extending to the colored man the right to vote. Friends he had indeed, but they were not the majority.

The imposition of Negro suffrage upon the South was with the northern majority only the counsel of expediency. It was no part of the original program of the Republican Party or of Lincoln's ideas as to southern reconstruction. Johnson, in opposing it, correctly claimed that it was contrary to the plans of his "illustrious predecessor." The Radical Republicans, in favoring it, were in general compelled to fall back on the contention that it was the only way to keep the South in the Union. The mirage of a loyal white majority which had been coerced into secession (so commonly believed in during the first years of the war) had vanished long before Appomattox. Outside of Tennessee there was no considerable number of whites whose loyalty had survived the formal vote of their states to secede.

The northern leaders concluded, wrongly but very naturally, that no southern white man could be trusted. The opposition which the more conservative of them had shown to the passage of the secession ordinances was held merely to aggravate their later participation in the rebellion. It was supposed that it showed them to be "sinning against light." That it really proved a consistency of constitutional theory was little known or heeded.

The only possible alternative to trusting the southern whites was Negro suffrage. Nobody thought of military rule

in the South as a permanent policy. A democracy must be ruled by votes, not bayonets. Loyal votes in any great number could only be obtained, it was thought, from the Negroes, though it was believed that they might form a nucleus about which would gather an increasing loyal vote among the whites.

**Its Results.** So unlimited Negro suffrage was imposed, and within ten years it became evident that the North had made a horrible mistake, one of those blunders which Fouché once described as being "worse than a crime." Governments chosen by the votes of unlettered field hands proved miracles of wastefulness and corruption. A militia of former slaves officered in part by "carpetbaggers" and "scalawags" could not hold down the veterans of Lee and Johnston. Honestly where they could, forcibly and fraudulently where they must, the whites won back control. Federal troops for a time retarded a process they could not prevent, but after the situation had nearly produced a new civil war in the disputed election of 1876 the North gave it up as a bad job and President Hayes called the troops home. The last "carpetbag" governments fell, immediately and without a struggle. Since then the post-war suffrage amendments remain on the statute books, a practical nullity, though on occasion enforced by courts to a very limited extent.

**1877–1888.** The Republicans continued to dwell on the wrongs of the Negro in their national platforms and campaign speeches. They were long able to do this without proof of good faith because of their failure to obtain a majority of both Houses of Congress at the same time. Meanwhile the Supreme Court repeatedly invalidated federal legislation protecting the Negro's right to vote, on the basis of a strict construction of the language of the Fourteenth and Fifteenth Amendments.

**The Force Bill of 1890.** The statutes thus invalidated merely provided for judicial procedure. When the Republicans regained control of both houses in the election of 1888 they attempted direct control of the election process. The

so-called Force Bill of 1890 would have placed a bipartisan federal board in control of the election in any congressional district upon petition of any 500 voters. This passed the House overwhelmingly but failed in the Senate through the defection of western Republicans. No subsequent attempt has been made to pass similar legislation, and the G.O.P. has relied in the main on its traditional claims to retain the increasingly important Negro vote in the North, which it did rather successfully down to the advent of the New Deal.

**Southern Constitutional Requirements.** The South meantime proceeded to crystallize its anti-Negro practices into law, usually embedding them for greater security in the state constitutions. This could be done to a great extent without transcending national constitutional limitations. Stringent residence, poll-tax, and registration requirements were the first step. Literacy tests of a weirdly flexible nature (which could be made hard for the Negro and easy for the white man) formed the second. Besides these there were disqualifications for the commission of petty crimes, and property-owning or taxpaying requirements as alternatives to the literacy test. Add to all this the fact that some of these elaborate tests are often not even nominally enforced against the whites[1] and it becomes evident how the Negro is successfully eliminated from the electorate by provisions which make no reference to him by name.

**Position of the Supreme Court.** Not that every device which avoids such reference is held constitutional. The approval of the United States Supreme Court appears to be limited to those rules which, if impartially administered,

[1] The poll-tax requirement is the principal exception to this statement. It is so enforced as to reduce the voting population of many southern states to such whites as can afford the poll tax and such other persons as, in spite of strict legal prohibitions, have their poll taxes paid for them by designing politicians. In the cities this latter class includes many Negroes. Cities in which the local machine has thus secured the Negro vote include San Antonio, Memphis, Chattanooga, Nashville, Atlanta, Durham, Raleigh, and Richmond. In other places (notably in Miami and in Spartanburg, S. C.) the attempts of Negroes to register and vote have been met recently with threats of Ku Klux activity. See generally Storey's "Suffrage in the South, Part II: The One Party System," *Survey Graphic*, XIX (1940), p. 163.

would also limit the white vote. The so-called "grandfather clause," which sought to exclude the Negro alone by the very terms of its enactment, was held invalid when attacked before that august body.

The "grandfather clause" took the form of an exception to the literacy test requirement. All persons, and the descendants of all persons, who could vote before the year 1867 were exempted from its operation. Strangely enough, as the Supreme Court observed, the year 1867 marked the time when the Reconstruction Acts gave the Negro his first chance at the suffrage. The clause was held void as a palpable evasion of the constitutional requirement.[1]

Beyond preventing such obviously open discrimination the Court refuses to go. It plainly considers that to do so would be to attempt the unwise and in some cases the impossible. For instance, in dealing with the petition of certain Alabama Negroes alleging that the suffrage restrictions of their state (one of the most thorough in devising such requirements) were intended solely to deprive their race of the vote, the Court declared that it could not take over and operate the whole election machinery of a commonwealth. The wrong committed, if any, it said, could be remedied only by the political departments of the government.[2]

**The White Primary.** With the advent of the primary a new problem faced the southern whites — that of preventing the participation of Negroes in the first phase of the electoral process. In the old system of caucus and convention this had been done without difficulty, as everything had been governed by party rules. Many states continued this as far as concerned primary-voting qualifications, even after the actual control of the process had passed into official hands. The state election officers received and counted the primary votes of those whom the party rule declared to be qualified, and the Democratic party rules declared a white skin to be a necessary

[1] In Guinn *v.* United States, 238 U. S. 347 (1915), and Myers *v.* Anderson, 238 U. S. 368 (1915).

[2] Giles *v.* Harris, 189 U. S. 475 (1903).

qualification. This in substance was the practice of most southern states.

Texas, however, went further and by statute excluded Negroes from primary elections. This the Supreme Court held bad as denying them as a class "the equal protection of the laws," contrary to the terms of the Fourteenth Amendment.[1] The state then placed the determination of primary qualifications in the hands of the state committee of each party. The Democratic committee excluded Negroes and the Court held its act void as transcending its proper function.[2] The opinion intimated, however, that the powers which could not rightfully be entrusted to the committee might properly be conferred upon the state convention. The Texans took the hint and their action was held constitutional. A third "white primary" act conferring the power to determine qualifications upon the state assembly of the party was upheld,[3] even though its effect was to make the Democratic organization "a white man's club."

### D. WOMAN SUFFRAGE

**The Pre-Civil-War Period.** After color, the sex requirement for the suffrage was next attacked. It was, in fact, already under fire. The early nineteenth century was a period of intellectual ferment in which all existing rules were thoroughly questioned. The restrictions which confined women to purely domestic duties began to be attacked. As early as 1848 an "equal rights" convention was held at Seneca Falls, N. Y., at which the grievances of woman against man were enumerated in a crude paraphrase of the Declaration of Independence. First upon the list appears this accusation: "He has never permitted her to exercise her inalienable right to the elective franchise."

This statement exemplifies the whole tone of the early period of the woman suffrage agitation. It was entirely based

[1] Nixon *v.* Herndon, 273 U. S. 536 (1927).
[2] Nixon *v.* Condon, 286 U. S. 73 (1932).
[3] Grovey *v.* Townsend, 295 U. S. 45 (1935).

on a claim of "natural" or "inalienable" rights. Its leaders were radical theorists with all the faults of the radical theorists of that day, the same faults that were also a burden to the contemporary abolitionist and prohibition movements.

In these movements the early suffrage leaders were also involved, to at least the temporary detriment of their cause. By becoming general "reform" advocates they made enemies of all the groups and interests which any of their "reforms" attacked. Added to this was the natural unpopularity which in the minds of moderate and conservative persons attaches itself to the inevitable "lunatic fringe" among theoretical reformers. The agitation throughout its early stages undoubtedly provoked more opposition than support. It opened the question, ventilated it, and impressed the fact of its existence upon the mind of the nation. Beyond this its accomplishments were negligible. Its lone pre-Civil-War success consisted in enabling the women of Kansas to vote for their school boards.

**The Effects of the War.** The war itself did much to rid the suffrage cause of the odium attached to it. This was partially due to the patriotic service of women of all classes, and partially to the special capabilities displayed by certain suffrage leaders in managing "war work" on a large scale.

These women seemed possessed of executive abilities worthy of a share in wielding the powers of government, but their next step showed a great lack. Persons having a real consciousness of the deep basis upon which a fundamental reform must be laid would never have thought to accomplish it by a mere trick of judicial construction. The suffragists sought to obtain their end by a Supreme Court decision that the vote was one of the privileges or immunities of citizens of the United States guaranteed by the Fourteenth Amendment. The Court naturally refused to make such a decision.[1]

**Rise of Woman Suffrage in the West.** Meantime success came from a most unexpected quarter. The new and almost womanless territory of Wyoming adopted complete woman suffrage in 1869. This was done almost in a spirit of jest, but

[1] In Minor *v.* Happersett, 21 Wall. 162 (1875).



SATIRE ON THE FEMINIST MOVEMENT BY CURRIER & IVES (1868)
(From Murrell's *History of American Graphic Humor*, Vol. II)

it *was* done, and thereby a permanent nucleus was established for the suffragists from which in time their cause expanded. Utah adopted it the next year and Washington in 1883. Both of these were territories at the time and hence subject to the direct control of the federal courts and of Congress. The latter abolished woman suffrage in Utah in 1887 and the former twice invalidated it in Washington on technical grounds, but the movement in the West would not down. Wyoming came into the Union in 1890 as the first woman suffrage state and with the help of the Populists, Colorado, Idaho, and Utah also went suffragist before 1900.

**1900–1910.** Then the movement seemed to languish for a time, the rising tide of opinion seemingly breaking in vain on the conservative masses of male voters in the various states. It is slow work persuading any class to give up an exclusive privilege. Still the tide rose, more and more states submitted woman suffrage to referendums, repeated submissions brought defeats by dwindling majorities. It was plain that a break must come and that when it came the tide would not be long in sweeping all before it.

**The Break Through.** It came in 1910. In that year Washington, on its third referendum trial, went for suffrage. California followed in 1911, Arizona, Kansas, and Oregon in 1912, Illinois (presidential suffrage only, granted without referendum) in 1913, Montana and Nevada in 1914. The next year the tide broke full, hard, and unsuccessfully on the rock of the conservative East. The voters of Massachusetts, New York, New Jersey, and Pennsylvania rejected woman suffrage.

**Final Adoption.** This was the movement's last serious defeat. In 1916 all three major parties (Progressive, Democratic, and Republican) endorsed the suffrage demand, the first named calling for national and state action and the others for state action only. Next year New York went suffrage,[1] followed in 1918 by Michigan, South Dakota, and Oklahoma. That year the national suffrage amendment, endorsed as a

[1] Aided by a declaration of "neutrality" by Tammany Hall.

war measure by President Wilson, was passed by the House of Representatives but failed in the Senate. In 1919 it passed both houses and was submitted to the states, which ratified it just in time to permit women to participate in the presidential election of 1920. The great work of "female emancipation" was completed.

**Results.** Since the triumph of woman suffrage a period of less than twenty-five years has elapsed, hardly a sufficient time upon which to base conclusions as to the effect of so important a change in the political process. Some of its most obvious and immediate results proved to be quite superficial. The granting of suffrage by the Nineteenth Amendment was immediately followed by the creation of a great many committee positions for women in both major parties. This was generally done by doubling the size of all committees and filling the positions so created by so-called "committeewomen." The object was largely to cajole the new voters by catering to their feeling of sex solidarity, but another contributing factor was the feeling of many an old-time precinct worker that "dames were beyond him." He needed expert assistance in dealing with this new type of voter.

An unforeseen result of woman suffrage which appeared very early and has persisted down to date was what might be called "the widow's succession." When husbands died in office or (in one notable case) were removed from it by impeachment, the wives often ran for the position so vacated and were all too frequently elected. This occurred in positions of all degrees of importance, from United States senators and governors of states to local sheriffs and tax collectors. The practice is an unfortunate one because the election turns not upon the qualifications of the candidate but upon the gallantry of the voters. Sometimes, for minor positions, there is also the somewhat doubtful motivation of aiding a family which might become destitute because of the loss of its breadwinner. Experience so far indicates that while women so elected may sometimes become tolerably efficient in the work of their offices, the really able feminine incumbents are to be

found mainly among those who have attained office by more normal methods.

**Distrust of Female Candidates.** It cannot be denied that normal methods of attaining office are not too open to women. The average male politician distrusts everything he cannot understand, including the female sex, and is much more willing to accord women committee positions under pretty thorough male control than to place them in office where they are rather more likely to get out of hand. He has small confidence in woman's ability as a campaigner. One able political observer has said that women are nominated only in two situations: when they are sure to win and when they are sure to lose. For the doubtful battle, politicians prefer a man to tie to.

**Woman's Record as an Office-holder and Voter.** With this feeling dominant in the male breast, it is not surprising that women have not advanced farther in politics. The highest positions held by women have been attained by "widow's succession." "Ma" Ferguson and Nellie Tayloe Ross as state governors and Mrs. Hattie Caraway as United States Senator are instances of this method. Legislative positions of less note have been ably filled by women elected in the ordinary course. Almost any state legislature may have one or two, and the federal House of Representatives has had several to its credit, prominent among whom at present are Jeannette Rankin of Montana and Mary T. Norton of New Jersey. Clerical positions within the voters' gift have not infrequently been filled by women to good advantage, as the work lies in the range of their special abilities, but occasional experiments in making women law enforcement officers have not been so successful. A "landslide" (like the Democratic victory of 1932) has sometimes swept into office women whose election was quite unexpected, and like most such victims of chance their records in office have not generally led to reelection.

Woman as a voter has not proved the reforming factor the suffragists predicted. Politicians in general count on families to vote as a unit, with the husband's preference as the deter-

mining factor — though there are enough exceptions to this to make its standing as a rule somewhat doubtful. Before suffrage was granted on a national scale women's votes in the western states in all probability kept Wilson in office on the slogan "He kept us out of war" and they were also influential in bringing about national prohibition. They did not impede the repeal of prohibition, however, nor is it likely that they will prove an efficient barrier to future military adventure. As a lever to overturn corrupt conditions in local politics, the female vote has in general proved no more effective than the male.

These facts, however, are not reasons against woman suffrage. We cannot rightfully demand of a new class of voters that it prove its right at the polls by improving our government. The participation of any adult group in the political process is fully justified by its need for protecting its own interests.

## II. PRESENT SUFFRAGE REQUIREMENTS

### A. QUALIFICATIONS

Existing restrictions on the suffrage rest upon the principle that the vote should not be denied except for cause shown. Maturity for voting purposes, as for all others except marriage, is universally assumed to occur at the age of twenty-one. Citizenship is another universal requirement,[1] the declarant's right of suffrage granted by the western states having been repealed after the need for encouraging immigration ceased. Residence requirements, of course, always appear. They vary from two years to six months in the state, from one year to thirty days in the county, and from one year to ten days in the precinct. An average might be: state, one year; county, three months or ninety days; precinct, thirty days. Occasional or alternative requirements sometimes take

[1] Pennsylvania requires a voter to have been a citizen one month; California, New York, and Utah, 90 days; Minnesota, three months, and Connecticut, five years.

the form of a certain period of residence in the United States or in the city, town, or ward. Not all state laws requiring a period of residence in the county mention the precinct, and vice versa. The former Maine statute and the present Oregon one mention only the state. The former recently changed its state residence period from three months to six in order to deliver its great popular resort of Old Orchard Beach from the control of voters who were mere summer visitors.

### B. DISQUALIFICATIONS

These qualifications alone can be called universal, but there are certain disqualifications for the vote that seem rather of that character. Almost all state laws specifically exclude by various descriptions all mentally deficient or unsound persons and all persons guilty of felony or infamous crime.[1] The general effect of this latter restriction is to bar those who have served terms at hard labor, usually in a state prison or penitentiary, unless and until pardoned for their offenses. Sometimes other crimes, notably crimes against the election laws, are included among the causes for disfranchisement. Several southern states include a number of lesser crimes in this list as an additional way of excluding some Negro votes. Tribal Indians or Indians not taxed are occasionally specifically deprived of the suffrage.

### C. THE LITERACY TEST

There remains for consideration the literacy test and its alternatives. In the South this is aimed against the Negro, and in the North generally against the immigrant, although in some northern states where it exists the literacy average is so high as to deprive it of any particular object. It is found in various forms in some nineteen states. In the South it not uncommonly has alternatives, such as property-owning, taxpaying, military service in a former war, or descent from some war veteran. Taxpaying (at least of a poll tax) is some-

[1] Missouri does not allow restoration of the suffrage by pardon after a second conviction.

times made an out and out additional requirement,[1] and some five or six states[2] (mostly western) make taxpaying on property a requirement for voting in local elections authorizing special assessments or the issue of bonds. The northern literacy test permits of no alternative and tends to be definite in character (reading and/or writing alone). The southern test tends to indefiniteness (e.g., reading and giving a reasonable interpretation of any clause of the state or national Constitution) and therefore permits of a maximum of official discrimination. All tests except that of New York are given by election officials. New York requires an eighth-grade diploma or the passing of a reading-and-writing test set by the State Board of Regents (the state educational authority) and conducted by school officials. It need hardly be said that this is a safer and far superior method.

## III. THE EVOLUTION OF VOTING METHODS

**Early English Voting.** The English method of voting for members of Parliament was for each candidate to appear at the polling place at the head of his supporters. There the King's sheriff or other election official would declare "by view" who appeared to be elected. It was then within the power of the losing candidate to demand a "poll," which meant that each voter must mount the "hustings" or platform where the election officers sat, answer to their demand as to whom his vote was for, and have it recorded opposite his name in the polling book.[3] This process might go on for days,

[1] Eight southern states have poll-tax-paying requirements which greatly diminish even the white vote and place control largely in the hands of the politicians who pay the poll taxes assessed against the more controllable voters. Persons over sixty are generally exempt from the poll tax. This exemption gives great strength to the Townsend and other old-age pension proposals by enabling the aged to cast more than their normal percentage of the total vote. On the whole problem see Stoney, "Suffrage in the South, Part I: The Poll Tax," *Survey Graphic*, XIX (1939), 5, and Rowan, "America's 'Rotten Districts,'" *Common Sense*, IX (October 1940), 7.

[2] In 1940 these included Arizona, Michigan, Montana, Nevada, Texas, and Utah.

[3] A vivid picture of this proceeding by the great English artist William Hogarth (1697–1764) is to be found in his "Election" series under the title "The Polling."

its termination being dependent on the decision of the officer in charge that all qualified and wishing to vote had voted. Any question as to the fairness or legality of the procedure might result in a "scrutiny" or determination by a parliamentary committee.

**Colonial Methods.** Before the Revolution this English method was substantially adopted by all the southern colonies and by New York and New Jersey. The New England colonies and Pennsylvania and Delaware, on the other hand, early adopted the use of the ballot. There was no particular effort at secrecy, though one of the motives may have been to permit it if the voter so desired. More potent probably was the fact that in New England the voters had more officers to elect than was the case elsewhere, and the vote could be taken more expeditiously by ballot. In Pennsylvania and Delaware, the other two ballot colonies, its use was optional with the voter.

**Effects of the Revolution.** The increase in elective officers produced by the Revolution in the states whose governors and upper houses had formerly been appointed by the Crown soon extended the use of the ballot. By the end of the eighteenth century viva voce voting survived only in Virginia among the original states and in Kentucky and the Northwest Territory, whither it had spread from the Old Dominion.[1]

**Effects of Manhood Suffrage.** Now a new consideration began to operate. Formerly the independence of the voter had been guaranteed by property and taxpaying qualifications. As these tended to disappear in the tide setting in toward manhood suffrage, bribery and intimidation began to play a greater part in elections. The latter cause was first recognized when in 1800 Governor St. Clair of the Northwest Territory reported that the power of creditors over debtors was being used there. The same year the territorial legislature voted the adoption of the ballot.

**Rise of the Printed Ballot.** The ballot as originally used in the colonies was an entirely handwritten document. This

[1] Viva voce voting was later used for a time in Illinois, Arkansas, Missouri, Texas, and Oregon.

made for secrecy, as the voter would normally make it up in the privacy of his home and could bring it to the polls and drop it in the ballot box[1] without its contents being observed by anyone. Now, with a constantly increasing number of elective officers, the handwritten ballot was becoming more and more difficult to prepare, with the result that in the period between 1799 and 1845 printed ballots were authorized in practically all the states.[2]

**Party Tickets.** This removed the preparation of ballots from the hands of the voter but did not vest it in the state. Political parties at once stepped into the breach and supplied the voter with their "tickets," as the printed array of party candidates were called. So-called "ticket peddlers" infested the vicinity of polling places, thrusting a ticket into everyone's hand and then watching carefully to see if it was voted.

Such observation was possible because the ballot box was always in plain view and the tickets were generally distinguishable. All parties wanted to know how the votes were being cast, so each printed its ticket on a different colored paper from the others. Attempts to secure secrecy by requiring printing on white paper were easily evaded because so many shades of white paper are possible. Even the quality and weight of the paper and the color and heaviness of the ink could be made to serve the same purpose.

Furthermore, the voter never knew whether he was getting the right party ballot and the election officers never knew whether he was casting more than one vote. Astute party workers were known to get out fake opposition ballots with a few of their own candidates tucked away in the middle, and unscrupulous voters were known to insert tissue-paper ballots inside larger ones before dropping them in the ballot box.

[1] "Balloting trunks" are mentioned in the colonial records as early as 1676. See Eldon Cobb Evans' *History of the Australian Ballot* (Chicago, University of Chicago Press, 1917), p. 4.

[2] Among the original states, Pennsylvania was the first and Connecticut the last to adopt this method. Adoption was generally by statute but in Massachusetts it was authorized by court decision. Henshaw *v.* Foster, 9 Pickering 312 (1829).

The latter device was one of those most used in overcoming the Negro vote in the South.

Beyond all this was the widespread disorder and corruption which prevailed at nearly all elections. Gangs of roughs would seize city polling places and allow none but their particular ticket to be cast. Where force did not prevail, bribery and intimidation too often did. Employers took their laborers to the polls and voted them in droves, requiring them to keep their ballots in sight until they were dropped in the box. The price of votes averaged about two dollars, and the corruptible element was at times strong enough to determine election results in both state and nation. Decent people were becoming disgusted with the whole electoral process.

**The First Attempted Remedy.** A premature attempt to remedy this evil was made in the fifties. In 1851 a combination of Free Soilers and Democrats put statutes through in Massachusetts and Rhode Island requiring all ballots to be cast in identical envelopes furnished at the polls by election officials. The Whigs, who, as the wealthiest party, stood to profit most from bribery and intimidation, changed both laws to make the use of envelopes optional with the voter, thus killing off a promising indigenous reform which might have redeemed the ballot from its curse of publicity.

**The Australian Ballot.** In the end recourse was made to a different and foreign proposal first put forward in the same year that the envelope idea was adopted here. In 1851 the officially-supplied secret ballot was proposed in the legislative Council of South Australia by Francis S. Dutton. Five years later it was enacted into law in the colony of Victoria. Within thirty years it swept through Australia and was adopted in New Zealand, England, and Belgium. Fifteen years later it had been generally adopted throughout the United States.

In 1888 the Australian system was introduced almost simultaneously into the municipal elections of Louisville, Kentucky, and the state elections of Massachusetts. It had previously been defeated in Michigan and Wisconsin and was then undergoing a series of governor's vetoes in New York. Once

in practice, its merits were so obvious that it was found impossible to hold out against it. By 1896 it had been adopted by thirty-nine of the then forty-five states. At the present time every state except one has an official ballot, and all but one of these requires it to be obtained and marked at the polling place. South Carolina is alone in merely requiring the ballot to be of white paper "without ornament, . . . symbol, or mark," and Delaware is alone in supplying an official ballot through the medium of party chairmen and allowing it to be marked anywhere the voter wishes.[1]

## IV. PRESENT METHODS OF VOTING BY BALLOT

The Australian ballot, which is furnished by all other states, is one which is officially supplied, contains the names of all the regularly nominated candidates for the offices to be filled at the current election, can be obtained only at the polls, and must be marked there in such a way that the individual voter's choices will not be known to anyone.

**Operation of the Australian Ballot.** The preparation of the ballots is seen to and paid for by the state or the county, and the facsimile signature of the responsible official (usually the Secretary of State or the County Clerk) appears on the back as a certification of correctness. The names of party candidates are placed on the ballots when their party has conformed to the state's requirements for recognition by the government. These usually take the form of demanding a certain number or percentage of the vote for "the head of the ticket" (say, for governor) to have been cast for the party's candidate in the last election. New parties and those receiving fewer than the required number of votes may get on the ballot by obtaining a required number of signatures to petitions.[2] An alarming tendency has set in to make all these

[1] In February, 1942, a grand jury investigation at Wilmington revealed the printing and distribution on request of a party chairman of 20,000 unauthorized ballots in the Delaware election of 1940.

[2] Unpopular parties must be careful how they obtain signatures, as is attested by recent prosecutions of Communists in Oklahoma and Pennsylvania for ob-

requirements so high as to bar minor parties,[1] which is carried further in some states by excluding parties held to advocate violence. Voting is a safety valve for minority opinions which it is unwise to deny even to the most hated radicals.

## STATE OF MAINE

### Municipal Election for the Town of Kennebunk

Candidates to be voted for in the Municipal Election to be held March 5, 1934, in the Town of Kennebunk

Penalty for wilfully defacing, tearing down or destroying a list of candidates or a specimen ballot, FIVE TO ONE HUNDRED DOLLARS FINE.

ALBERT W. MESERVE, Town Clerk.

### SPECIMEN BALLOT

**For Town Clerk** — Vote for ONE
- ALBERT W. MESERVE

**Selectmen, Assessors, and Overseers of the Poor**
**Upper District** — Vote for ONE
- HARRISON B. CHAPMAN
- LESLIE B. TITCOMB

**Middle District** — Vote for ONE
- JOHN N. BALCH
- ARTHUR L. LEECH

**Lower District** — Vote for ONE
- HORACE B. FURBISH
- WARREN K. WENTWORTH
- WILLIAM A. YATES

**Superintending School Committee for Three Years**
**Upper District** — Vote for ONE
- PAUL R. RUSSELL

**Superintending School Committee for One Year**
**Middle District** — Vote for ONE
- HAROLD H. BOURNE

**For Town Treasurer** — Vote for ONE
- HOWARD L. BURR

**For Collector of Taxes** — Vote for ONE
- A. LOUISE STONE

**For Road Commissioner**
**Upper District** — Vote for ONE
- CURTIS R. COOMBS

**For Road Commissioner**
**Middle District** — Vote for ONE
- FRANK A. DRESSER
- WILLIAM H. NEDEAU
- HARRY E. RUSSELL

**For Road Commissioner**
**Lower District** — Vote for ONE
- ERNEST R. BROWN
- NORMAN H. STEVENS

**For Auditor of Accounts** — Vote for ONE
- ELLIOT FREEMAN

**For Park Commissioner for Three Years** — Vote for ONE
- FRANK RUTTER

**For Chief Engineer of Fire Department** — Vote for ONE
- CHARLES H. CURRIER

**For Assistant Engineers of the Fire Department** — Vote for THREE
- GEORGE J. COOPER
- RALPH O. EVANS
- JOHN E. WATERHOUSE
- CHARLES M. WORMWOOD

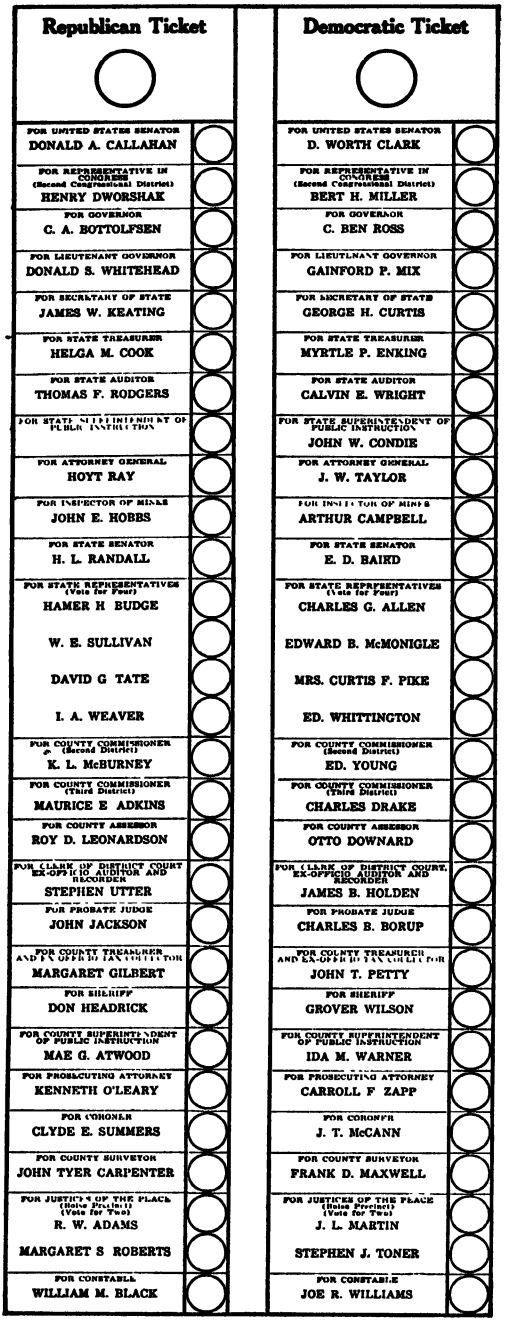
**For Constables** — Vote for TEN
- GEORGE L. AUTHIER
- JOHN A. CAMPBELL
- EARL H. CURTIS
- FRED T. CLARK
- FRED L. HALL
- LESTER JACKSON
- ARTHUR L. LEECH
- ARTHUR WESLEY LEECH
- TRUMAN I. LITTLEFIELD
- CHARLES A. ROSE
- CHARLES H. ROBINSON

OFFICE-BLOCK BALLOT WITHOUT PARTY EMBLEMS

**Types of Australian Ballots.** As first introduced into Massachusetts and Louisville, the Australian ballot was in the so-called *office-block* form, that is to say, the form in which the names of the candidates for each office appear under the head-

taining them under false pretenses. Socialist Laborites attempting to solicit signatures in Illinois in 1940 were mobbed.

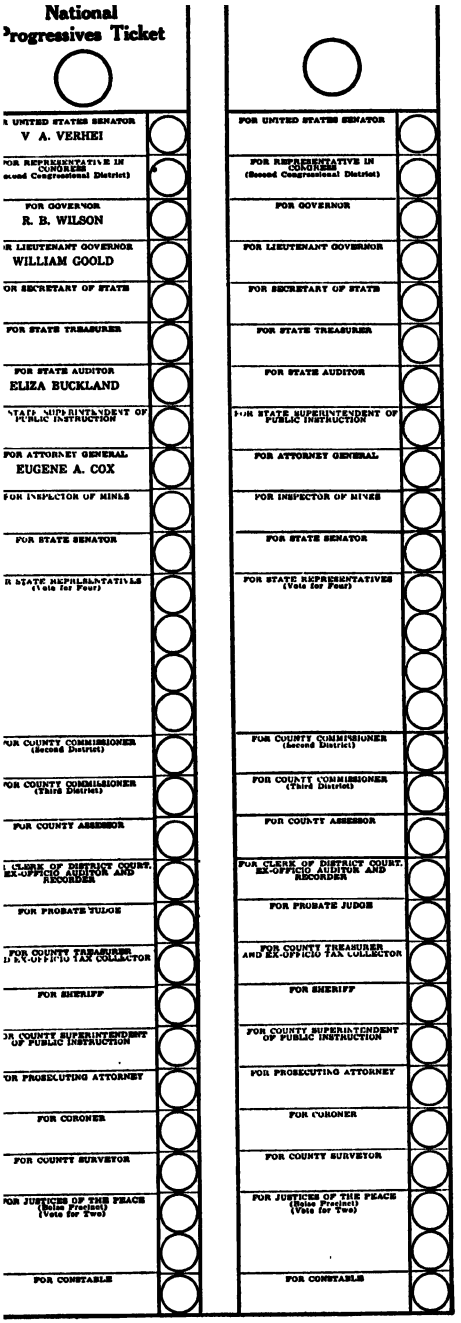
[1] For further information as to these requirements see the American Civil Liberties Union pamphlet *Minority Parties on the Ballot* (1941) and the *Report on the Efforts of the Socialist Party to get on the Ballot in 1940*, prepared by its campaign staff (November 1940).



| Republican Ticket | | Democratic Ticket | |
|---|---|---|---|
| FOR UNITED STATES SENATOR<br>DONALD A. CALLAHAN | | FOR UNITED STATES SENATOR<br>D. WORTH CLARK | |
| FOR REPRESENTATIVE IN CONGRESS<br>(Second Congressional District)<br>HENRY DWORSHAK | | FOR REPRESENTATIVE IN CONGRESS<br>(Second Congressional District)<br>BERT H. MILLER | |
| FOR GOVERNOR<br>C. A. BOTTOLFSEN | | FOR GOVERNOR<br>C. BEN ROSS | |
| FOR LIEUTENANT GOVERNOR<br>DONALD S. WHITEHEAD | | FOR LIEUTENANT GOVERNOR<br>GAINFORD P. MIX | |
| FOR SECRETARY OF STATE<br>JAMES W. KEATING | | FOR SECRETARY OF STATE<br>GEORGE H. CURTIS | |
| FOR STATE TREASURER<br>HELGA M. COOK | | FOR STATE TREASURER<br>MYRTLE P. ENKING | |
| FOR STATE AUDITOR<br>THOMAS F. RODGERS | | FOR STATE AUDITOR<br>CALVIN E. WRIGHT | |
| FOR STATE SUPERINTENDENT OF PUBLIC INSTRUCTION | | FOR STATE SUPERINTENDENT OF PUBLIC INSTRUCTION<br>JOHN W. CONDIE | |
| FOR ATTORNEY GENERAL<br>HOYT RAY | | FOR ATTORNEY GENERAL<br>J. W. TAYLOR | |
| FOR INSPECTOR OF MINES<br>JOHN E. HOBBS | | FOR INSPECTOR OF MINES<br>ARTHUR CAMPBELL | |
| FOR STATE SENATOR<br>H. L. RANDALL | | FOR STATE SENATOR<br>E. D. BAIRD | |
| FOR STATE REPRESENTATIVES<br>(Vote for Four)<br>HAMER H BUDGE<br>W. E. SULLIVAN<br>DAVID G TATE<br>I. A. WEAVER | | FOR STATE REPRESENTATIVES<br>(Vote for Four)<br>CHARLES G. ALLEN<br>EDWARD B. McMONIGLE<br>MRS. CURTIS F. PIKE<br>ED. WHITTINGTON | |
| FOR COUNTY COMMISSIONER<br>(Second District)<br>K. L. McBURNEY | | FOR COUNTY COMMISSIONER<br>(Second District)<br>ED. YOUNG | |
| FOR COUNTY COMMISSIONER<br>(Third District)<br>MAURICE E ADKINS | | FOR COUNTY COMMISSIONER<br>(Third District)<br>CHARLES DRAKE | |
| FOR COUNTY ASSESSOR<br>ROY D. LEONARDSON | | FOR COUNTY ASSESSOR<br>OTTO DOWNARD | |
| FOR CLERK OF DISTRICT COURT EX-OFFICIO AUDITOR AND RECORDER<br>STEPHEN UTTER | | FOR CLERK OF DISTRICT COURT, EX-OFFICIO AUDITOR AND RECORDER<br>JAMES B. HOLDEN | |
| FOR PROBATE JUDGE<br>JOHN JACKSON | | FOR PROBATE JUDGE<br>CHARLES B. BORUP | |
| FOR COUNTY TREASURER AND EX-OFFICIO TAX COLLECTOR<br>MARGARET GILBERT | | FOR COUNTY TREASURER AND EX-OFFICIO TAX COLLECTOR<br>JOHN T. PETTY | |
| FOR SHERIFF<br>DON HEADRICK | | FOR SHERIFF<br>GROVER WILSON | |
| FOR COUNTY SUPERINTENDENT OF PUBLIC INSTRUCTION<br>MAE G. ATWOOD | | FOR COUNTY SUPERINTENDENT OF PUBLIC INSTRUCTION<br>IDA M. WARNER | |
| FOR PROSECUTING ATTORNEY<br>KENNETH O'LEARY | | FOR PROSECUTING ATTORNEY<br>CARROLL F ZAPP | |
| FOR CORONER<br>CLYDE E. SUMMERS | | FOR CORONER<br>J. T. McCANN | |
| FOR COUNTY SURVEYOR<br>JOHN TYER CARPENTER | | FOR COUNTY SURVEYOR<br>FRANK D. MAXWELL | |
| FOR JUSTICES OF THE PEACE<br>(Boise Precinct)<br>(Vote for Two)<br>R. W. ADAMS<br>MARGARET S ROBERTS | | FOR JUSTICES OF THE PEACE<br>(Boise Precinct)<br>(Vote for Two)<br>J. L. MARTIN<br>STEPHEN J. TONER | |
| FOR CONSTABLE<br>WILLIAM M. BLACK | | FOR CONSTABLE<br>JOE R. WILLIAMS | |

**PARTY-COLUMN BALLOT WITHOUT PARTY EMBLEMS FROM ADA COUNTY, IDAHO**

(See facing page for right half of ballot)


National
Progressives Ticket
R UNITED STATES SENATOR
V A. VERHEI
OR REPRESENTATIVE IN CONGRESS
econd Congressional District)
FOR GOVERNOR
R. B. WILSON
R LIEUTENANT GOVERNOR
WILLIAM GOOLD
OR SECRETARY OF STATE
FOR STATE TREASURER
FOR STATE AUDITOR
ELIZA BUCKLAND
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
FOR ATTORNEY GENERAL
EUGENE A. COX
FOR INSPECTOR OF MINES
FOR STATE SENATOR
R STATE REPRESENTATIVES (Vote for Four)
UR COUNTY COMMISSIONER (Second District)
OR COUNTY COMMISSIONER (Third District)
FOR COUNTY ASSESSOR
LERK OF DISTRICT COURT, EX-OFFICIO AUDITOR AND RECORDER
FOR PROBATE JUDGE
FOR COUNTY TREASURER D EX-OFFICIO TAX COLLECTOR
FOR SHERIFF
OR COUNTY SUPERINTENDENT OF PUBLIC INSTRUCTION
OR PROSECUTING ATTORNEY
FOR CORONER
FOR COUNTY SURVEYOR
OR JUSTICES OF THE PEACE (Boise Precinct) (Vote for Two)
FOR CONSTABLE
FOR UNITED STATES SENATOR
FOR REPRESENTATIVE IN CONGRESS (Second Congressional District)
FOR GOVERNOR
FOR LIEUTENANT GOVERNOR
FOR SECRETARY OF STATE
FOR STATE TREASURER
FOR STATE AUDITOR
FOR STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
FOR ATTORNEY GENERAL
FOR INSPECTOR OF MINES
FOR STATE SENATOR
FOR STATE REPRESENTATIVES (Vote for Four)
FOR COUNTY COMMISSIONER (Second District)
FOR COUNTY COMMISSIONER (Third District)
FOR COUNTY ASSESSOR
FOR CLERK OF DISTRICT COURT, EX-OFFICIO AUDITOR AND RECORDER
FOR PROBATE JUDGE
FOR COUNTY TREASURER AND EX-OFFICIO TAX COLLECTOR
FOR SHERIFF
FOR COUNTY SUPERINTENDENT OF PUBLIC INSTRUCTION
FOR PROSECUTING ATTORNEY
FOR CORONER
FOR COUNTY SURVEYOR
FOR JUSTICES OF THE PEACE (Boise Precinct) (Vote for Two)
FOR CONSTABLE

ing of that office and not in partisan groups. This constituted a mighty blow to straight party voting and means were speedily found to offset it. When the Australian ballot was adopted in Indiana in 1889 a new form was originated known as the *party column.* In this each party name appears at the top, with the names of its candidates under it. The names of the candidates for a given office ordinarily form a horizontal row across the party columns.

*Position on the ballot* is determined by a variety of rules. In the party-column states perhaps the most common rule is to give first place, i.e., the column at the extreme left-hand side of the ballot, to the party casting the highest vote for governor at the last election. The other parties follow in the order of their size. A state may arrange the columns in alphabetical order or determine arbitrarily that a given column shall occupy a given position.[1] Once such a position on the ballot has been definitely established party managers are loath to see it change, as they will then have to reinstruct their ignorant voters.

In the office-block states it is perhaps most common to arrange the candidates' names alphabetically under the title of each office. Some provide that the party casting the highest number of votes at the last election shall come first in each block and the others after it in the same relative order. Others provide for rotation, i.e., the appearance of each candidate in each position on an equal number of ballots. Still others leave it entirely to the discretion of the election officer.

*Methods of marking the ballot* vary from state to state. There is indeed a general similarity in the means used, as the vast majority require the insertion of a simple cross in pencil. Two states [2] differ by requiring instead that the voter strike out the candidates not voted for, and four states [3] by insisting on

[1] As in the original Indiana act, for example: "The . . . list of candidates of the Democratic party shall be placed in the first column . . .; of the Republican party in the second column; of the Prohibition party in the third column; and of any other party in such order as the Board of Election Commissioners shall decide." Statutes of Indiana, 1889, Chap. 87.

[2] Texas and Virginia. [3] California, Louisiana, Nevada, and Oklahoma.

the use of an official stamp. Three of these furnish a stamp marking X, but the fourth (Louisiana) supplies one that merely fills or obliterates the space in which it is struck. States requiring pencil are constantly vexed by questions as to what is an identifying mark,[1] for of course a ballot cannot be counted if its secrecy has been destroyed. The stamp method cures all this trouble and it is amazing that so sensible an idea has not had a wider spread.

The greatest differences concern the question where the marks are to be placed. The party-column ballot can be voted for a straight ticket by a single cross in the circle or square at the head of any column in all but four of the thirty-one states that use it. These four provide no single space for voting. Texas, as we have seen, requires the columns not voted to be crossed out. The other three states[2] require the mark to be in the square to the left of the name of each candidate voted for, the same method as is used in voting a split ticket in the other party-column states.[3] This method is used necessarily in the office-block states, as the form of the ballot provides no other place for marking.

[1] For example, in a city election in Easton, Pa., in November, 1941, the following marks were held by the courts to render a ballot void: check mark instead of a cross in the voting square; "blocking out" (i.e., filling up with pencil marking) the voting square of the candidate opposed; and a line instead of a cross in the voting square. Ballots were also voided by erasures and the use of ink. (The latter is specifically forbidden in the Pennsylvania statutes.) On the other hand marking crosses outside the voting square, marking the party square with a star instead of a cross, marking both party squares in addition to those beside the candidate's name, using colored pencil, and blocking out a party square where squares beside the names were properly voted were held not to affect the ballot's validity. None of these questions could have arisen if an official stamp had been required.

[2] New Jersey, North Dakota, and Wyoming.

[3] In general a split ticket can be voted either by marking every candidate voted for or by placing a mark above one party column and then marking the individual square of every candidate voted for in other party columns. This latter method makes ballot tampering by crooked election officials easy, as they have only to add crosses and need not erase anything in order to alter the vote for any office. States providing for voting a straight ticket on a party-column ballot by means of a single cross are: Alabama, Arizona, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Michigan, Missouri, New Hampshire, New Mexico, North Carolina, Ohio, Oklahoma, Rhode Island, South Dakota, Texas, Utah, Vermont, Washington, West Virginia, and Wisconsin.

**Reasons for Using the Office-Block Ballot.** The immediate object of the office-block ballot is, of course, to compel the voter at least to note the names of the persons for whom he is voting. In most party-column states he has only to put his cross above the party label and may not even know the name of a single candidate. Much the same is true in the few party-column commonwealths which do not provide a party circle. Their ballots take longer to mark, but they can be voted without reading anything but the party label.

The ultimate aim of the office-block ballot is to encourage independent voting while that of the party-column ballot is to maintain party regularity. Each succeeds measurably in its purpose. The records of the sixteen states that use the office block[1] contain numerous instances of notable governors and senators elected in spite of the "bandwagon pull" of a presidential campaign year. Further down the list the competent minority candidate will stand a lesser chance, but in any case he is better off than in a party column where the majority has the maximum inducement to "go it blind."

This advantage of the office-block ballot may be slightly diminished by always placing the candidates in a particular order by parties under each block, but this alone is not enough to make any great difference. It can be truly minimized by such an arrangement without party designations, a method regularly used in Florida, Mississippi, and Virginia to confuse the ignorant vote.[2] Another provision that completely nullifies its value is the Pennsylvania device of putting party squares at the side of the office-block ballot so that it can be voted with one cross.

All this is of moment also in preventing bribery and intimidation. As it takes longer to split a ballot in the party-column states, an observant poll watcher can tell whether the

[1] Arkansas, California, Colorado, Kansas, Maryland, Massachusetts, Minnesota, Mississippi, Montana, Nebraska, Nevada, New York, Oregon, Pennsylvania, Tennessee, and Virginia.

[2] Allegedly this is aimed solely against the Negroes, although it is difficult to see the need of confusing voters almost none of whom reach the polls. The Democratic candidates always come first in each office block in these states.

## PARTY COLUMN

**To vote a Straight Party Ticket mark a cross (X) in this column**

| | |
|---|---|
| DEMOCRATIC | ☐ |
| REPUBLICAN | ☐ |
| SOCIALIST | ☐ |
| PROHIBITION | ☐ |
| COMMUNIST | ☐ |
| INDUSTRIAL GOVERNMENT | ☐ |

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### PRESIDENTIAL ELECTORS

(Vote for the candidates of one party for President and Vice President, or insert the names of candidates)

| | | |
|---|---|---|
| For FRANKLIN D ROOSEVELT ..... President<br>HENRY A WALLACE ..... Vice President | DEMOCRATIC | ☐ |
| For WENDELL L. WILLKIE ..... Prendent<br>CHARLES L McNARY ..... Vice Prendent | REPUBLICAN | ☐ |
| For NORMAN THOMAS ..... President<br>Vice President | SOCIALIST | ☐ |
| For EARL BROWDER ..... President<br>JAMES W FORD ..... Vice Prendent | COMMUNIST | ☐ |
| For JOHN W. AIKEN ..... Prendent<br>AARON M ORANGE ..... Vice Prendent | INDUSTRIAL GOVERNMENT | ☐ |

### UNITED STATES SENATOR

(Vote for One)

| | | |
|---|---|---|
| Joseph F Guffey ..... | Democratic | ☐ |
| Jay Cooke ..... | Republican | ☐ |
| David H H Felix ..... | Socialist | ☐ |
| H B Mansell ..... | Prohibition | ☐ |
| Carl Reeve ..... | Communist | ☐ |
| Frank Knotek ..... | Industrial Government | ☐ |

### STATE TREASURER

(Vote for One)

| | | |
|---|---|---|
| G Harold Wagner ..... | Democratic | ☐ |
| James F Malone, Jr ..... | Republican | ☐ |
| L. J Lindsey ..... | Prohibition | ☐ |
| Benjamin Careathers ..... | Communist | ☐ |
| Mary Gesenway ..... | Industrial Government | ☐ |

### AUDITOR GENERAL

(Vote for One)

| | | |
|---|---|---|
| F Clair Ross ..... | Democratic | ☐ |
| Frederick T. Gelder ..... | Republican | ☐ |
| William P. Miller ..... | Prohibition | ☐ |
| Peter Joseph Paul ..... | Communist | ☐ |
| George S. Taylor ..... | Industrial Government | ☐ |

### REPRESENTATIVE IN CONGRESS

(Vote for One)

| | | |
|---|---|---|
| Francis E Walter ..... | Democratic | ☐ |
| T Fred Woodley ..... | Republican | ☐ |
| Walter M. Trumbull ..... | Communist | ☐ |

### REPRESENTATIVE IN THE GENERAL ASSEMBLY

**Second Legislative District**

(Vote for Three)

| | | |
|---|---|---|
| Carleton T Woodring ..... | Democratic | ☐ |
| Charles McFall ..... | Democratic | ☐ |
| D Miller Early ..... | Democratic | ☐ |
| John N Hoffman ..... | Republican | ☐ |
| Herbert H Roseberry ..... | Republican | ☐ |
| Harry P Kuchen ..... | Republican | ☐ |

PENNSYLVANIA OFFICE-BLOCK BALLOT WITH PARTY SQUARES

subservient voter *does* split it. Of course he could fool the watcher by voting the whole opposition ticket, but in any case he is limited to that alternative. Arrangements that take about the same time no matter how the ballot is marked are clearly preferable.

**The Question of the Party Emblem.** Another problem concerning independent voting lies in the use or disuse of the party emblem. New York is alone in the office-block group in placing a party emblem at the left of the voting square opposite every name on the ballot. It is thus possible for the campaign manager to put out publicity matter urging: "Vote every eagle!" (Republican emblem) or "Vote every star!" (Democratic emblem). Of the party-column states, about half display emblems in[1] or above each party circle or square. These, of course, permit of voting without the ability to read a single word and are hardly consistent with advanced literacy requirements such as exist in New York State. Clearly a voter who needs to be guided by a sign on his ballot is unfit for the suffrage, and provisions should be made to prevent, rather than to facilitate, the exercise of the suffrage by such persons.

## V. MODERN ELECTION PROCEDURE

### A. ELECTION BOARDS AND REGISTRATION

**Bipartisan Boards.** Ordinarily the supervision and control of elections have been put on a bipartisan basis. The city or

[1] In Indiana, for example, straight ticket voters are apparently expected to make their cross right through the party insignia. These emblems are rarely the elephant and donkey of the newspaper cartoons, though the Prohibition Party has used the camel in Missouri and the Roosevelt Progressives used the bull moose in ten states. At present the Republicans use the eagle in eight, and the Democrats the rooster in six states. The Socialists ordinarily use the clasped-hands-across-the-globe but in New York the American Labor Party has preempted this symbol. Socialist Laborites employ the arm-and-hammer and the Communists used the hammer-and-sickle until their alleged severance from the Internationale forced them to adopt other insignia. The most miscellaneous variety prevails, including even the use of national symbols like the eagle, the Statue of Liberty, and the flag. The first has been used by the Republicans in New York, the second by the Democrats in Missouri, and the third by the Republicans in New Mexico.

county election commission and the town or precinct election board alike have been equally divided between the two major parties.[1] All this goes on the theory of "setting a thief to catch a thief," ignoring the possibility that thieves may unite to defraud the public. In substantially one-party cities like New York and Philadelphia the alleged bipartisan board (like all officially bipartisan arrangements) has been a joke a large part of the time, and even in closely contested areas a deal between the local bosses may result in "crooked counting."

**Civil Service Boards.** A far better arrangement than the present usual one (which, incidentally, generally results in incompetents of both parties being appointed in a division of the spoils), is to put the election machinery of a whole city or county under a single responsible commissioner and to have all his subordinates selected by the ordinary procedure of civil service. No requirement of residence should be made. This is especially necessary in the case of precinct officers in large cities, where residence requirements make it at times almost impossible to procure competent and reliable men in the "tougher" wards. Any distrust that the parties may have of civil service employees may be quieted by an ample allowance of party watchers to observe the whole process, though experience in such cities as Los Angeles, Omaha, and Detroit shows that such distrust is quite unjustified.

Watchers and challengers of each party are in fact already provided for by the election laws, and the consensus of informed opinion appears to be that they are of very little use. This is at least partly because they may be selected by the same precinct leaders who select the bipartisan election boards, in which case, if the election officers planned a fraud it would be surprising to find a watcher opposing it. Improvement is sometimes sought by allowing Good Government organizations to appoint watchers, but it is probable that a

[1] This bipartisan board is sometimes augmented ex officio by holders of other positions. Thus in Maine the town election boards include the selectmen and the town clerk besides an equal number of clerks from each major party.

few carefully selected roving inspectors appointed by the central election board would be worth more than any number of watchers in keeping the precinct officers straight. It is notable that outside of the larger cities the use of watchers and challengers is on the wane, the watcher tending to become a mere party checker who takes down a list of those who have voted for the precinct committeeman's use.

**Registration.** One prime necessity at elections is to see that none vote but qualified voters. In practice this means in the main that care must be taken to see that none vote but residents in the precinct. Before the growth of cities and the rise of rapid transportation there was little question of this, as every voter in a locality was known and travel from one polling place to another with time to vote in both was not readily possible. Then came the railroad and the rise of the metropolis and something had to be done to prevent the local voter from being drowned in a flood of imported "floaters." [1] The device adopted is known as registration.

In its most primitive form, registration is simply the preparation of a list of eligible voters by the election authorities with opportunity for qualified persons omitted to prove their right to be put on the list. The next step is to require *personal registration*, that is, that each voter obtain his right by appearing before established registration authorities. It is possible to require him to do this before every election or at other regular intervals (*periodic registration*) and that he give detailed evidence of his right to vote in the form of an affidavit to which his signature must be affixed. The last is a valuable precaution, as the affidavit can be kept at the polling place ready for comparison with another signature to be made by the voter when he comes to vote.

[1] In the 1840's when the city of New York was constructing the Croton Reservoir and beginning the municipal supply of water, great crowds of thugs were imported over the new railroad from Philadelphia to carry the city elections. The explanation given by these worthies when their right to vote was challenged was that they were "pipe-layers" who had just arrived to work on the municipal water system. Hence "pipe-laying" became for long thereafter a general term for political skullduggery.

*Permanent registration* is now preferred over periodic registration as being both less expensive and more reliable. Periodic registration is a great hardship to the voter and presumes registration boards in every precinct, some of whom will not be trustworthy and not all of whom can be watched. Permanent registration facilitates voting and can be performed by one central board in each locality, which should be selected under civil service rules and whose business it is to purge the names of deceased and otherwise departed voters from the rolls.

Various governmental agencies may be required to assist. To the registry of voters the health authorities must send all reports of deaths, the police authorities all reports of imprisonment, and the water department all reports of shut-offs. Above all the registry is required to conduct periodic house-to-house check-ups either by itself or with the aid of the police. Of course the prime necessity is that the purging be honestly and efficiently conducted, else empty names will accumulate which may be used by fraudulent voters.[1]

### B. ELECTION DAY PROCEDURE

On election day the actual voting is surrounded by safeguards, the products of long and sad experience with election fraud and chicanery. As the voter approaches the polls (either in some public building or on premises leased for the day)[2] he finds that party canvassing has been forbidden within a certain distance. Entering the building, he finds a railed-off voting enclosure outside which are various instructions to voters and sample ballots and inside which he can enter only by declaring his name, which is then checked off on a voting list. In the most advanced states he will be re-

[1] No small part of Hague's strength in northern New Jersey is said to rest on negligent administration of the permanent registration law.

[2] Schoolhouses make ideal polling places if elections are made the occasion for school holidays. Portable structures have been used for voting places in Cambridge, Mass., Rochester, N. Y., New York City, Baltimore, Cleveland, Detroit, Milwaukee, and quite generally in California. Rent of properties for polling places was formerly a valuable political perquisite but has become less so as statutory rates were set according to a long-extinct scale of values.

quired to sign a voter's certificate for comparison with the signature he has already made at registration, and in the larger cities a pair of party challengers may be standing by to make sure that he is "the real McCoy."

**The Use of Numbered Stubs.** Passing into the enclosure, the voter is handed one or more ballots [1] which he must take into an unoccupied voting booth before marking. There he marks each ballot and refolds it so that his choices cannot be seen. It may be that the ballot given him has a numbered detachable stub. If so, the election officer who gave it to him should have noted the number and the one at the ballot box should make sure that the same number is on the ballot offered there and that it is then torn off before the ballot goes in.

This is to prevent "chain voting," a scheme whereby a party worker has one of his "floaters" smuggle out an official ballot, casting a blank paper in its place. The worker marks the stolen official ballot as he pleases and gives it to another floater with instructions to cast it and bring out the blank ballot he is given. At the cost of one vote wasted the worker has started a chain which can be kept going all day, or until he runs out of either floaters or money.

Against this device, otherwise known as "the Tasmanian dodge," numbered detachable stubs, if properly looked to, are effective. So is the simpler method of having the election officer who gives the ballot initial it on the outside and the officer at the box note the initials before the ballot goes in. If not properly looked to, both become worse than useless for then ballots get in the box with the stub still on or without the initials and the voter's choice may be invalidated through no fault of his own.[2] These precautions are hardly worth this

[1] Some states use several ballots at one election, though the better practice is otherwise. The great number of candidates and propositions to be voted upon sometimes makes the use of several ballots practically unavoidable.

[2] This is necessarily so if the numbered stub is left on, for the latter constitutes an identifying mark. In case initials are used, the effect of their omission turns on whether the statutory requirement of them is construed as directory or as mandatory. If the former, the ballot is not invalidated. England and Colorado have schemes whereby the ballot is permanently numbered but not identifiable

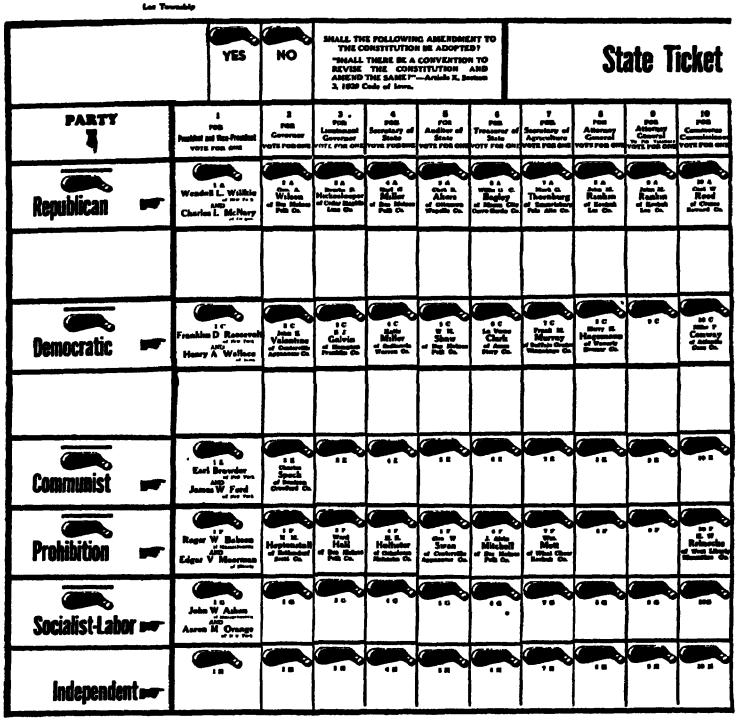
risk except in areas where the "dodge" is actually known to have been worked. The use of stubs in the few largest cities in a state will usually meet this requirement.

**Assistance to Voters.** The occasional blind or semi-paralyzed voter raises a question as to the secrecy of the ballot. He is qualified to vote but obviously cannot do so without assistance. This is generally provided for by statutes, but often without the proper safeguards. Where no literacy requirement exists illiterates must be helped also, but often (in practice at least) no necessity of any kind need be proved. The habitual compulsion of subservient voters to accept assistance from election officials was for long a crying scandal in Philadelphia and Pittsburgh. The Pennsylvania law now requires a recorded affidavit of disability and permits the afflicted person to avail himself of the help of any other registered voter. These provisions, if fully lived up to, furnish a perfect remedy for the abuse and offer a model which may well be copied in other states.

**Voting Hours.** The traditional hours for American elections have provided for early opening in the morning to accommodate laborers on their way to work, and for early closing in the evening to let the farmers go home to their chores after working at the polls. The polls often opened at six and never later than eight; they sometimes closed at four and never later than seven. The rise of modern conditions has rendered these hours obsolete but has not always resulted in changing them. At the present time the early opening is more of a nuisance to the election officials than a help to the voters, while a much later closing hour is a great convenience in all but the most rural districts.

**Counting the Ballots.** The usual method of counting the ballots is for the same officers who have worked all through the election day to "pitch in and stick at it," often counting far into the night before finally determining the precinct result. These men have already put in the period of an ordi-

by the counting board. In case of a contested election particular controverted votes may then be discovered from data otherwise kept secret from the counters.

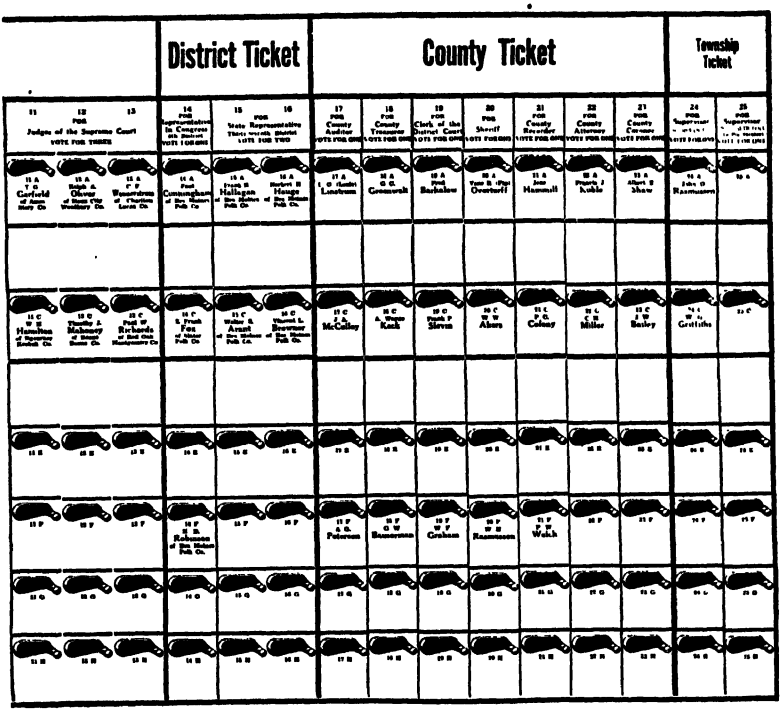



FACE OF VOTING MACHINE,

nary full day's work at the polls and they are thoroughly exhausted long before the counting is finished. This results in errors in counting and is therefore highly undesirable.

The alternatives to this are either a separate central counting board for a whole area or additional or separate groups of counters for every precinct. Distance renders the first impractical except in cities, and even there it is safe only if very great pains are taken to prevent tampering with the ballot boxes on the way to the place of central deposit. In any case it holds up the counting and so is unpopular because the public wants final election results in its morning newspaper.

The best idea is probably to have a new and larger crew of poll workers come on duty, either when the voting is over or, perhaps preferably, two or three hours before the end, in




POLK COUNTY, IOWA

which period there is likely to be a rush. After helping with this they can proceed to the counting with or without the help of the officers who have served through the day. Experiments with counting begun by a separate board while the voting continues have proved unsatisfactory as the results of the early counting generally leak out immediately.[1]

**Voting Machines.** There is of course a complete alternative to the whole process of casting and counting ballots as above described, and that is the use of the voting machine at elections. This machine strongly resembles the cash register in principle in that it records totals regularly as the result of pressing down certain keys, and these totals remain secret

[1] The experience of the city of Omaha is almost the sole exception to this general statement.

until it is opened at the close of the day. The voter enters the booth and pulls a lever which in one motion closes the curtains around him and unlocks the machine. He then pulls down the keys under the names of the candidates for whom he wishes to vote. If he makes a mistake by pulling down the wrong key no harm is done, for the vote is not yet recorded. He can push up any key he has pulled down, and he cannot pull down more keys than there are officers to be voted for the machine locks the keys still up under each office label as soon as the proper quota there has been voted. No more keys can be pulled down until one of the others has been raised. When all the keys have been set in the desired positions another pull on the lever opens the curtain, records the vote, puts all keys back in position, and locks the machine ready for the next voter. In a party-column state it will carry a row of party keys or levers on its left side, allowing the whole list to be voted "straight" in one motion.[1]

The great merit of the voting machine lies in its accuracy and its prevention of fraud. Honest mistakes in counting are an impossibility, and deliberate fraud is the next thing to it. The election officers at the close of the polls have only to open the machine and copy its figures. Delay and falsification are practically impossible. Unsubstantiated theories as to how the machine itself might be tampered with are best answered by the facts that corrupt politicians everywhere have fought its introduction tooth and nail and that in every place where suspicion rested on the count of paper ballots its use has produced complete satisfaction.

*The alleged economy of the machines* must be set down as debatable.[2] It is argued that they require fewer election precincts and a smaller number of officials. To this it is answered that even with paper ballots the precincts might easily be enlarged and the number of officials reduced except during the count. Contentions as to speed come down to about this:

[1] This is the case with the Iowa ballot illustrated on pp. 520–521.

[2] There is, of course, a great initial outlay. The average price of each voting machine is about $1000.

Although an individual can vote more quickly on a machine and the results are computed automatically, the voting as a whole is slow because only one or at most two voters[1] at a time can be accommodated. It seems to take more time than formerly to instruct the voters, but this may be simply because the method is new. The voting machine destroys the chief value of the office-block system because the candidates of each party are in a horizontal row across the ballot.[2] Election workers can instruct the voters to vote straight with one sweep across the party keys.

All these factors, however, are not to be thought of as outweighing the assurance of greater honesty and accuracy. The machine is now authorized in twenty-six states and is in some actual use in all but four of them. In about half the states using the machine it is now the principal method, being almost exclusively employed in Connecticut and New York and in all the chief cities of California, Florida, Indiana, Iowa, Pennsylvania, and Washington. Bad experiences with early machines and political skullduggery combined have served to prevent general adoption in Illinois and Wisconsin.[3]

**Canvassing the Results.** Once the count has been made, or the figures on the voting machines copied, nothing remains but to send the returns to the city or county canvassing board.[4]

[1] The largest number of voting machines in any one precinct. A larger number is out of the question because of the expense.

[2] This is true of the voting machines in actual use but a different arrangement is quite possible. The face of the machine can be set up in office-block form without necessitating any mechanical change to make it effective. A proposal to this effect was embodied in the Coudert-Darling Bill before the New York Legislature in 1939. See *Thirty-Fifth Annual Report of the Committee on Legislation of the Citizens Union of the City of New York* (1940), p. 22.

[3] The chicanery was not apparently all on one side, as it was alleged that $200,000 in bribes was used in Chicago for the adoption of a particular machine. Two methods have in general been fatal to the use of the machine: (1) overloading it with more than it can carry, either by an elongated list of offices or the manufacture under loose election laws of spurious parties; and (2) requiring along with, or permitting as an alternative, the use of another ballot. The machine persists in New York City, however, despite the use with it of the ballot for proportional representation in the City Council.

[4] It may be wise as a precaution against tampering to require (as is done in Pennsylvania) that the returns be posted outside the polling place as soon as the count has been completed.

As this body has authority merely to compute the results as received, any question as to the validity of the returns will have to be carried further. The case may go to some state election authority or to the courts, while the legislatures and Congress take a hand as final judges of the elections and returns of their own members.[1] Recounts should be made readily possible on posting a reasonable forfeit to cover the expense if no substantial error is found. The not uncommon requirement of proof of fraud before a recount can be had is a most disastrous encouragement to crooked election officials.[2]

## VI. SHORTENING THE BALLOT

The typical ballots printed in this chapter show that in most American elections a minimum of from ten to fifteen persons are to be elected, which means a choice among candidates of at least two parties for some or all of these offices. Maximum figures reach incredible heights with fifty or more offices to be filled and nine or ten parties advancing candidates.

**The Area of the Voter's Ignorance.** It must be plain that under these circumstances the voter can be only partially informed as to what he is doing. The first one or two offices at the head of the ticket may be sought by candidates about whom he knows, because these are prominent positions and he has read about the aspirants in the newspapers. He may know some candidates near the bottom of the list because they live in his neighborhood. About the large group in and around the middle of the ballot he is almost necessarily in dense ignorance. From the time that he starts out from the generally known ground of Senator and/or Governor until he arrives at the individually known area of County Commissioner or Representative in the Legislature the voter is treading an

[1] In Maine the Governor and his Council pass on the returns for state offices, including the Legislature.

[2] This is doubly true where the corrupt machine also controls the courts. A direct steal of the governorship of New Jersey appears to have been covered by court decision in 1937.

unknown morass in which lie such offices as Secretary of State, Superintendent of Public Instruction, Clerk of Courts, County Surveyor, Coroner, and even Constable and Justice of the Peace.

The extent of knowledge available varies sharply with the type of locality. Where in a large city the average voter may know nothing of any candidates save those for one or two offices near the top, in the country he is pretty sure to know the candidates for the lower house of the legislature, along with two or three men running for county offices who come from his own neighborhood. Furthermore the country voter, if particularly conscientious, stands some chance of learning by inquiry something about the various candidates for county office, while the city voter finds any attempt to gain such information quite impracticable. For each, however, there is a blank unknown region which invariably covers the state-wide offices just below those mentioned as heading the ticket.

**The Short-Ballot Movement.** This obviously is an absurd situation. If the average voter does not know anything about the candidates for a given office when he is called upon to vote, clearly that office ought not to be on the ballot. With this in mind, the National Short Ballot Organization was formed in 1909 with Woodrow Wilson as its President. It then seemed a most promising reform, receiving within its first three years the endorsements of Theodore Roosevelt, William Howard Taft, Governor Hiram Johnson of California, Governor Charles Evans Hughes of New York, Judge Ben Lindsey of Colorado, and President Charles W. Eliot of Harvard University. Then came the World War and public interest was diverted. The short ballot as a separate movement ceased to flourish, and it consolidated with the National Municipal League in 1921.

The short-ballot reform is opposed by the politicians, who are able through the long ballot to control the minor offices. Since the average voter does not know for whom he is voting it is easy for the party managers to "slip something over on him." Even when competent governors are selected they

frequently find themselves surrounded by elected subordinates who are "machine made" and to whom they can look for no help in securing good government for the state. Furthermore, since voters often stop reading the ballot as soon as they come to candidates of whom they know nothing, voting the rest straight, even necessarily elective officers like representatives in Congress and the state legislature are often voted blindly. The short-ballot plan is briefly to reduce the ballot until it contains only the few offices necessarily elective to enable the people to control, and to separate the elections so that the people concentrate at each particular time on one particular organ of their government. The officers thus elected are responsible for the selection of the others, as in the federal government and in those of the states prior to the Jacksonian Revolution.[1]

**Its Present Extent.** Some states have begun to put the reform into practice to the extent of making the governor's immediate subordinates appointive by him, so that he has about him a personal cabinet somewhat like the President's.[2] Many cities have adopted it as an incident of either the Commission or the City Manager plan of government, both of which greatly diminish the number of elective offices by increasing the appointing power. Counties alone have done practically nothing to approach the short-ballot ideal.

**Separation of Elections.** Some states, like Illinois and Pennsylvania, that have done nothing toward reducing the number of elective offices have done much to separate elections. If, as in Illinois, this results in several elections in one year, little is gained because the voter is still overburdened, although in a slightly different way. If, as in Pennsylvania, state and county elections are made to fall in different years, an obvious benefit accrues as the county candidates cannot "ride in on the Governor's coattails." Without reduction, however, there will always be too many offices on the ballot

[1] Shrewd old Martin Van Buren told the New York Constitutional Convention when it was about to increase greatly the number of elective offices that they "were swamping the right they pretended to exalt."

[2] A good example of this is to be found in the government of New York.

for intelligent voting. It may be noted that outside the United States voting for more than one position or related group of positions[1] at one election is practically unheard of.

**A Model Election Setup.** Because of the constitutional recurrence of congressional elections at two-year intervals, complete separation of elections is not possible. But partial separation (if combined with a resolute reduction of elective offices) makes possible a ballot often devoted to some one organ of government and of a brevity tending to bring adequate information to every voter. Operating on a four-year schedule the first election (in 1944, let us say) would be for President, Vice President, Senator, and Congressman (four offices on each voter's ballot); (in 1945) Governor, State Senator, State Representative in the Legislature (three offices); (in 1946) Congressman and three County Commissioners (four offices); (in 1947) municipal elections: Mayor and/or city or township board or council (variable, but no voter need be asked to vote for more than five or six persons).[2] Such a setup gives the people choice of all legislative bodies and of the chief executives in every organ of government and does not omit a single office about the qualifications for which the voters could be expected to know. It reduces the voter's task to a point where any moderately educated person would seem competent to handle it.

## VII. MINORITY REPRESENTATION

### A. THE PROBLEM

So far in our discussion we have assumed that the candidate elected is to be chosen by plurality vote.[3] This means that in

[1] E.g., the election of several members of a legislative body from one district.

[2] Judges are omitted from the elective list as they should be appointed by the governor or elected by the bar. The State Auditor should be chosen by the legislature.

[3] The requirement of a majority vote to elect was fairly common in the earlier days of the Republic but was gradually abandoned because it so frequently entailed a failure of choice, followed either by a new election or by selection by some body other than the voters. Maine was perhaps the last state to abandon the majority requirement, doing so only after it had almost provoked armed violence in the election of 1879.

each instance the candidate receiving the greatest number of votes is chosen regardless of the fact that there may be several others receiving almost as many and that the person elected is therefore the representative of a distinct minority. Particularly in legislative bodies, ranging from Congress to the city council, this method of election permits of abuse. By the device known as the "gerrymander" [1] legislative districts are so drawn as to crowd the greatest number of opposition votes into the fewest possible districts, thereby allowing the party doing the districting to carry a maximum number of seats by small margins. This is slightly risky, as any considerable shift of votes will reverse the majorities, but it is sufficiently reliable under ordinary conditions to be attempted to a greater or less degree in nearly all legislative apportionments. It is obvious that the gerrymander flourishes because the minority in each district is not represented.

### B. SOLUTIONS

#### *1. Cumulative and Preferential Voting*

**The Cumulative Vote.** One state, Illinois, has in a limited way adopted minority representation. This it does by electing three representatives to its lower house from each of the state senatorial election districts and allowing every voter to cast three votes for one candidate, one and a half each for two candidates, or one each for three candidates, depending on the number of names he marks. This generally results in the election of one minority member from each district through concentration of votes on one candidate and produces a sizable opposition in the House, a thing not every state possesses. It is apparently not highly valued as it was nearly repealed when

[1] Elbridge Gerry, for whom it was named, was Governor of Massachusetts in 1812 at the time when the Jeffersonian Republicans divided the state senatorial districts in such a way that with less than a majority vote they carried nearly three-fourths of the seats. Gerry may not have been responsible, but he got nearly all the blame when an artist found that a coastal district in Essex County could (by the addition of wings, teeth, and claws) be made to look like some fabulous monster. "How's that for a salamander?" he said, pausing to admire his completed work. "Better call it a gerrymander," said a bystander. And so the trick was named.

omitted from a new state constitution proposed in 1922. The constitution was defeated, but upon wholly different grounds.

**Preferential Voting.** We must go to the cities or abroad in order to find more thorough instances of minority representation.[1] All these systems involve an expression of the voter's will by marking the names on the ballot according to his order of preference.[2] They are all correctly described therefore as preferential voting, although in ordinary use the term is limited to exclude its most advanced form.[3]

Preferential voting was first introduced to America in 1909 when the so-called Bucklin Plan was adopted for the municipal elections of Grand Junction, Colorado. Thereafter it was widely used in state primaries and city elections. It is now wholly disused in the former field and somewhat so in the latter. Grand Junction itself has abandoned it, as did Cleveland and Duluth after a rather extensive trial.

In the Bucklin system the ballot is arranged with three spaces opposite the candidates' names, marked: First Choice, Second Choice, and Other Choices. The voter may mark with crosses one first choice, one second choice, and as many other choices as he pleases. The first choices are counted first; then, if no majority appears, the second choices; and finally, if there is still no majority, the others.

**Merits and Demerits.** This permits the expression of choice between candidates freely without danger of "wasting" the vote if the first choice is hopelessly defeated. On the other hand, it imperils the first choice if he has a fighting chance, because the second and other choices will be counted against

[1] Pennsylvania uses a method of allowing the voter fewer votes than the number of offices to be filled in the selection of Supreme Court judges, county commissioners, and Philadelphia magistrates. Its results are much like those of the Illinois system and it is known as *the limited-vote plan.*

[2] Thus if Smith, Jones, Robinson, Beers, Satterthwaite, and Muldoon were running for any office, a typical ballot might be marked with the following choices: Beers first, Satterthwaite second, Jones third, Smith fourth, and Robinson fifth. Various methods of marking and counting are used, but in all the order of preferences is the basis of the system.

[3] I.e., proportional representation.

him. The voter soon comes to realize this and refuses to vote for more than one candidate. There are ways of weighting the choices so this danger will not exist, but these make for complicated counting and have no especial advantage, being on the whole less satisfactory than the more advanced form of preferential voting next to be considered.

### 2. *Proportional Representation*

**The Quota.** In this, which is known as proportional representation, the ballot is not marked with crosses but with numerals: 1, 2, 3, 4, and so on in order of the voter's preference among the candidates. Then in the count the first step is to determine the quota. There are two methods of doing this. In one, a quota is fixed before the election. Thus in elections for the New York City Council a member is elected for every 75,000 votes cast. This has the advantage of settling the apportionment fairly, a problem prolific of abuses hardly second to the gerrymander.[1] Otherwise the quota is found by taking the total number of valid ballots and dividing it by the number of seats plus one.[2]

**The Count.** Having determined the quota the polling clerks then proceed to count the ballots for first choices. If while this is being done any of the aspirants attain the quota, ballots for them appearing thereafter will be counted for the second choice.[3] If none attains the quota or if this distribution of surpluses does not elect to all the seats to be filled, then the candidate having the smallest vote is dropped out and his ballots distributed according to their second choices.[4] If this

[1] Many state legislatures are "loaded" in favor of the rural districts by constitutional provisions calling for a representative from every county or, in New England, from every town. Provisions making representation depend on the vote cast would obviate all this.

[2] The resulting quota will be the lowest number which not more than the number of persons to be elected can possibly attain.

[3] All ballots may be counted for their first choices and then those candidates over quota may have their surplus ballots counted for second choices and distributed proportionally to them. This only slightly improves the accuracy of the result, however, and is probably not worth the additional trouble.

[4] Or all votes below a minimum number may be dropped at once. See *infra*, p. 532, n. 1.

brings no final result the process continues, the lowest man dropping out at the end of every count and a surplus being distributed as soon as it appears, and so on and on until the prescribed number of persons is declared elected. For filling a single office the quota is a majority and there can be no surplus. Hence the method works simply by successive distributions of the votes of the lowest candidates.

The great advantage of this method is that a minimum number of votes are wasted. Knowing this, voters feel free to support their real preferences regardless of their chance to win, in the certainty that if the first choice loses, their votes will still affect the result. A considerable percentage of spoiled ballots is likely to be found at first under proportional representation, as the voter has to be trained to use numerals instead of crosses in marking his vote.[1]

In counting votes under P.R. (as the method is commonly called) there is apparently no greater danger of fraud than with any type of paper ballot, but the count necessarily takes longer. How long it does take apparently varies with the circumstances. When P.R. was first used for the New York City Council in 1937 a Tammany-selected counting board paid $30.00 a day took nearly a month to complete the count. Several attempts at fraud by the canvassers were detected during the process. Two years later, with a somewhat smaller vote and a much better group of canvassers paid a lump sum for their work, the job was completed in ten days without complaint as to the accuracy of the results. By 1941 the required time had been reduced to a single week in spite of a considerable increase in the vote cast.[2]

**Foreign Experience with Proportional Representation.** P.R. has been attacked on various grounds. One major contention has been that it tends to destroy the two-party system

[1] Great differences may occur, however, even in localities nearly adjacent Thus in the second proportional representation election in New York City on Nov. 8, 1939, over 12 per cent of the ballots cast were either void or blank, while in the neighboring city of Yonkers its first such election held on the same day showed only 3 per cent.

[2] In this election the void or blank votes increased nearly 16½ per cent.

by encouraging the formation of smaller groups of every description. This appears to be disproved by the experience of the Irish Free State (Eire), in which the adoption of the American form of proportional representation (commonly called the "Hare system") has resulted in the gradual strengthening of the two major parties while the minor groups have greatly decreased.

Eire is the only nation ever to use in general elections a form of P.R. in which the voter is wholly free to select his own candidates. All others used the so-called *list system*, whereby the voter is compelled to choose the list of a particular party and the parties are represented in proportion to their votes. This encourages minor groups, as each party's list is designated by its leaders and those not agreeing with their own leadership can get on the ballot only by forming a new party.

**Nominations under P.R.** Under the Hare system the ballot is attained by a petition with a minimum number of signatures.[1] By this means a party may retain its unity with official leadership counting for as much as the voters may wish. Any party member may run by petition, but the leaders may call for the election of a slate of their own. Party voters can freely choose between candidates, knowing that by indicating a sufficient number of choices they are almost certain to elect some one.[2]

**Present Use and Future Possibilities.** Proportional representation is used in the municipal elections of New York, Cincinnati, Toledo, Wheeling, Yonkers, Hamilton, Ohio, Cambridge, Massachusetts, and Boulder, Colorado.[3] Its

[1] The same number is frequently used to facilitate the count. Those candidates whose first choice votes do not equal the number of signatures required for nomination are dropped at the end of the first ballot. See *supra*, p. 530, n. 4. This minimum number varies with the place. New York requires 2000, Cincinnati 500, and Yonkers 300.

[2] Witness the rhyme in *Punch* on the Irish elections of 1923:

"Ye'd wonder what's wrong wid the nation
The way the elections was done.
'Twas proportional riprisintation
An' in consequince iverywan won!"

[3] It was also used in Sacramento, Kalamazoo, and West Hartford, Conn., until forbidden by state action. In the two places first named this came by

adoption for county government has been frequently urged but so far without result. Its use in the choice of legislatures might well tend to supply the criticism which is lacking in the nearly one-party bodies of many states and to furnish the continuity of experience which is now often prevented when a "landslide" changes the political control.[1] Its use for congressional elections would allow regional minorities the voice they are now denied in national affairs, and its application to the electoral college would also give them a say in the Presidency. Representative Lea of California has for long urged an amendment to this end.

## VIII. THE PROBLEM OF NONVOTING

### A. ITS HISTORY

After this long consideration of who may vote and how he may do it, one might suppose that the suffrage was an American's most valued privilege, the exercise of which he would not forego on any possible occasion. This was for long the common conception. Then about the year 1924 came a sudden awakening. It was learned that in the preceding presidential election — Wilson's "solemn referendum" on the League of Nations — the total vote cast had fallen to almost one-half the number of the qualified voters. This contrasted with votes of about 85 per cent of possibility in the critical elections of the period of the Civil War and Reconstruction. Since then the vote had gradually dwindled, falling finally below 80 per cent in 1900 and below 70 per cent in 1904. The sudden introduction of nation-wide woman suffrage on

court decision, in the last by vote of the state legislature. Cleveland repealed P.R. incidentally, in departing from the city manager plan, and Ashtabula in the same state abandoned it after a ten-year trial. It is said that Ashtabula did this to oust anti-Catholic elements from the council and that the unexpected result was the control of the new majority-elected council by the Ku Klux Klan. New York City in 1940 defeated a referendum proposal for the repeal of P.R. by 565,879 to 782,774. This proposal will probably be renewed in view of the election of a Communist to the City Council in 1941.

[1] A notable instance of this occurred when the Democrats swept Michigan in 1932. The resulting totally inexperienced legislature did very badly and was thrown out of office at the next election.

the eve of the election of 1920 dropped it with a bang almost to the level of 50 per cent.

A kind of panic followed. A National Get-out-the-vote Club was formed, and with the cooperation of various kinds of non-partisan groups a great campaign was staged. The slogan was: "Vote as you please, but vote." In spite of this, the vote in 1924 increased little if any in its ratio to possibility. The elections of 1928 and 1932 sent the percentage back into the upper sixties, where it has since remained.[1]

### B. REASONS AND REMEDIES

The best systematic studies of nonvoting are those made by Professors Merriam and Gosnell in connection with the Chicago elections of 1923, 1924, and 1925.[2] From them it would appear that the reasons for nonvoting can be roughly classified in order of their importance as: lack of interest, difficulty with the mechanics of the voting system, disbelief in voting, and lack of knowledge regarding it. Taking Professor Gosnell's figures for the presidential election of 1924 as a basis, these causes may be distributed as shown in Table 53.

**Lack of Interest.** To remedy a lack of interest two expedients seem possible: either some kind of adult education for nonvoters or the development of politics along lines which will make it seem more vital. The former suggestion possesses considerable difficulties and has never been grappled with adequately. It is not satisfied by merely urging or compelling

[1] It is possible to speak with a good deal of confidence of the percentage prior to 1924 because of the very careful study made by Schlesinger and Erikson in "The Vanishing Voter," *New Republic*, Vol. XL, No. 162, p. 167. The very complicated factors necessary for consideration in figuring the total number of qualified voters are fully set forth therein. No similar effort has since been made, and for later elections the only resource is a kind of average of expert estimates. How widely these can vary for the same election may be seen by consulting a table of them in Edward McChesney Sait's *American Parties and Elections* (New York, D. Appleton-Century Co., 1939), p. 700. The figures given above are those of presidential elections. Local and state elections often show considerably lower percentages than these.

[2] See Charles Edward Merriam and Harold Foote Gosnell's *Non-Voting* (Chicago, University of Chicago Press, 1924), and Harold Foote Gosnell's *Getting Out the Vote* (Chicago, University of Chicago Press, 1927). Cf. C. H. Woody's *Chicago Primary of 1926* (Chicago, Univeristy of Chicago Press, 1926).

people to vote.[1] The latter possibility has to some extent taken place since 1924 with a resultant increase in voting. The prohibition and religious questions in 1928, the economic questions of 1932, 1936, and 1940 have served to swell the percentage of actual voters, and it is now likely that politics will continue to follow lines which will arouse real concern.

TABLE 53. CAUSES OF NONVOTING IN CHICAGO IN THE PRESIDENTIAL ELECTION OF 1924

| | *Per Cent* | | *Per Cent* |
|---|---|---|---|
| Lack of interest | 40.6 | General indifference | 33.8 |
| | | Disgust with politics | 6.0 |
| | | Failure of party workers * | .5 |
| | | Indifference to particular election | .3 |
| Difficulty with the mechanics of the voting system | 32.0 | Inability to attend polls | 20.9 |
| | | Lack of legal residence | 6.6 |
| | | Failure to register | 2.9 |
| | | Inconvenience in voting | 1.6 |
| Disbelief in voting | 17.4 | Disbelief in women voting | 15.2 |
| | | By woman herself 13.4 | |
| | | By husband 1.8 | |
| | | Belief that one vote does not count | 2.2 |
| Lack of knowledge regarding voting | 10.0 | | 10.0 |
| Total | 100.0 | | 100.0 |

* Obviously if the voter had a genuine interest in voting he would not depend on party workers to get him to the polls.

**Inability to Attend the Polls.** The major difficulty with the mechanics of the voting system lies in the necessity of

[1] Several of the American colonies levied fines on voters who failed to appear at elections, and in 1788 Virginia applied this measure to elections for Congress. Illinois at one time rendered nonvoters primarily liable to jury duty. An attempt to exempt persons from poll taxes provided they voted was held unconstitutional by the Supreme Court of Missouri (Kansas City *v.* Whipple, 136 Mo. 475, 38 S.W. 295, 35 L.R.A. 747, 1896). The case concerned a provision of the charter of Kansas City. Compulsory voting legislation is authorized by the constitutions of Massachusetts and North Dakota, but nothing has been done to carry it into effect. An amendment to the Oregon constitution authorizing it was heavily defeated in a referendum in 1920.

actually attending the polls. Over 20 per cent of all non-voters in Chicago alleged this reason. Twelve and three-tenths per cent were ill, 4.2 per cent were absent from the city, 3.3 per cent feared loss of business or wages, and 1.1 per cent were caring for a helpless member of the family. An adequate absent voting law (some form of which exists in forty-two states),[1] adequately publicized, would seem to be the remedy. Existing laws too frequently apply only to those absent from the city and are not generally known. Liberal extension of, and wide publicity for, the absent-voting laws might do more than any one thing to increase the percentage of actual voters.[2]

**Other Mechanical Difficulties.** As to the remaining difficulties with the mechanics of the voting system, lack of legal residence is not wholly remediable as long as any steps are taken to prevent elections from being fraudulently carried by outsiders. Something may be done by reducing excessive time limits for residence, but some disqualification for voting there will necessarily be. Failure to register ran comparatively high as a cause in Chicago because of a requirement of registration

[1] Three other states (Maryland, New Jersey, and Pennsylvania), have laws solely applicable to persons in military service. Kentucky, Mississippi, and New Mexico have no absent voting laws whatever.

[2] The ordinary procedure of absent voting is to apply to an election official in the voter's own district, who supplies him with a form wherein he is to state his necessary absence on election day for causes recognized by the local statutes. Having filled this out, he returns it to the election official and receives from him an absent voting ballot and two official envelopes. The voter goes before a notary, marks the ballot in his presence but without his seeing how it is voted, places it in the smaller envelope and seals it up therein. He next signs an affidavit on that envelope, stating what he has done, to which the notary public attests. It is then sealed up in the larger envelope and returned to the election official by mail or otherwise.

On election day, when the polls have closed, the voting lists are checked to see if those who sent in absent ballots have voted during the day. If not, the affidavits on the inner envelopes are examined. If these are found to comply with the law the envelopes are discarded, leaving the ballots without distinguishing marks. They are then put in the box and counted with the other votes. Such ballots are usually of a distinctive color to prevent their being used to facilitate the "chain-voting" fraud. The number of absent voters is always very small, amounting in almost every case to a mere fractional percentage of the vote cast. The absent-voting privilege is almost exclusively the resort of the better informed voters, enabling them in many instances to make their opinions felt at the polls when otherwise they would go unrecorded.

for each election. With permanent registration this should not be important. Inconvenience in voting included 1.1 per cent for poor location of the voting place and .5 per cent for congestion at the polls. Both causes are remediable by ampler and better located facilities.

**Skepticism and Ignorance.** Disbelief in voting appeared to be important only in its specialized form of disbelief in voting by women and has doubtless at the present day very largely disappeared. Lack of knowledge of voting is obviously remediable. In fact, the practical outcome of the Merriam and Gosnell studies was that assistance and information were given to those voters in Chicago who needed them in connection with voting and registration. Government might well sponsor services of this kind, which were in this instance supplied by nonpartisan private agencies.

**The Relative Importance of Nonvoting.** It can be seen that the Chicago survey of nonvoting shows no cause for hopeless despair but rather that all of its causes are subject to remedy and improvement. Of course it is true that a high percentage of nonvoters still exists and that some particular regions of the country (notably the South) have their own peculiar problems.[1] But it is submitted that the present percentage of nonvoting is not the worst thing that can happen to an electorate. Far worse than the vote that is not cast is the ignorant vote, the prejudiced vote, the unthinking vote. These we should try to eradicate far more than nonvoting because they do positive harm, while the nonvoter at most fails to do good.

**Is Nonvoting Ever Justified?** It seems at least doubtful whether one should advocate voting as such regardless of the voter's degree of knowledge or information. That all literate adults should be allowed to vote is necessary to permit every person to guard his own interest. That they should be urged to vote regardless of their own wishes or abilities is quite another proposition. A poorly educated scrubwoman who says

[1] Particularly the problems of the Negro vote and of white disenfranchisement by means of poll-tax requirements. See *supra*, pp. 501–502.

she leaves voting to those who know more about it takes a position worthy of respect. It is doubtless deplorable that she is not better informed, but to urge her to act regardless of her lack of information is little more than ridiculous. It is rather to be wished that better educated persons possessed her degree of conscientiousness and always refrained from voting when they did not know what they were about. The blind voting which is common in large sections of the long ballot has nothing to commend it. It is far better to fail to vote where the effect of one's action in voting would be unknown. What is really necessary is short-ballot reform, reducing the number of decisions at each election within manageable limits, supplemented perhaps by some information pamphlet such as is regularly furnished the voters in Oregon.[1] With these changes and the regular growth of public education, the time would soon come when nonvoting need require no public concern.

## *AUTHORITIES AND EVALUATIONS*

The description given of English suffrage requirements and voting methods before the settlement of America is based rather on general reading in the field of English history than on any particular authorities. Reference may be had, however, to Green's *Short History of the English People* (1874) for factual development and to Macaulay's *History of England* (1859) for an actual picture of how English electoral institutions were functioning at the close of the seventeenth century. The English statutes restricting the suffrage may be found in the *Statutes of the Realm*.

Colonial suffrage requirements and voting are described in Bishop's *History of Elections in the American Colonies* (1893) and in McKinley's *Suffrage Franchise in the Thirteen English Colonies* (1905). For a single important colony see Haynes' *Representation and Suffrage in Massachusetts, 1620–1691* (1894), a Johns Hopkins University Study. Subsequent developments almost down to the Nineteenth Amendment are described in Porter's *History of Suffrage in the United States* (1918). On Negro suffrage see especially Stone's *Studies in the American Race Problem* (1908), supplemented by Lewinson's *Race, Class and Party* (1932). The early history of woman suffrage will be found in Stanton and others, *History of Woman Suffrage* (1881–1902), and subsequent developments until after the national amendment in Catt

[1] See Chap. XII.

and Shuler, *Woman Suffrage and Politics* (1923). Some of its results are considered in Thompson's "A Decade of Women's Suffrage," *Current History*, XXXIII (1930), 14, and *A Survey of Women in Public Office* (National League of Women Voters, 1937), but the conclusions in the text are mainly the writer's own. All authorities named, with the exception of the *Current History* article, are written with a pro-suffrage bias.

Residence requirements of the several states will be found in the current *World Almanac*, which formerly also carried the other qualifications and disqualifications for the suffrage. All these are now most readily available in *Voting in the United States*, a pamphlet published in August, 1940, by the Council of State Governments. For complete details of the law of a particular state reference should be had to its election laws. The literacy test is separately discussed in Bromage's "Literacy and the Electorate," *American Political Science Review*, XXIV (1930), 960, and in Crawford's "Operation of the Literacy Test in New York," *ibid.*, XXV (1931), 343.

A complete account of voting methods in America down to the date of its publication is to be found in Evans' *History of the Australian Ballot System in the United States* (1917). Subsequent developments can be gleaned from the election laws. Actual samples of ballots of all types now in use are to be found in Smith's *Book of Ballots* (1938). The origin of the Australian system and its development in other countries may be traced in Seymour and Frary's *How the World Votes* (1918).

The conduct of elections is described and criticized in Harris' *Election Administration in the United States* (1934), a Brookings Institution Study, while a cognate subject is ably treated in the same author's *Registration of Voters in the United States* (1929). The short ballot thesis is well expounded in Childs' *Short Ballot Principles* (1911) and in Kales' *Unpopular Government in the United States* (1914). It is put in perhaps its most striking form by Elihu Root in an address before the New York Constitutional Convention of 1916; see his *Addresses on Government and Citizenship* (1916). For a discussion of the gerrymander see Griffith's *Rise and Development of the Gerrymander* (1907), supplemented by the same author's "The Gerrymander" in *Outlook* XCVII (1911), 186. Good examples of gerrymandered districts are given in Andrew's "Grip of the Gerrymander," *Independent*, LXX (1911), 1002, and the student can find plenty of modern instances for himself by consulting the maps in the current *Congressional Directory*.

As to minority representation, a complete discussion will be found in Hoag and Hallett's *Proportional Representation* (1926) and a lively argument for its adoption in the latter's *Proportional Representation*

(1937; 2nd ed., 1940). The case against it is to be found in Horwill's *Proportional Representation* (1926), and in Hermens's *Democracy or Anarchy* (1941), the latter constituting Volume One of "Modern Politics," a series of studies in politics and political philosophy sponsored by the *Review of Politics* of the University of Notre Dame. See also Mott's "Invalid Ballots under the Hare System," *American Political Science Review*, XX (1926), 874; Harris' "Practical Workings of Proportional Representation in the United States and Canada," *National Municipal Review*, XIX (1930), 337; and McGoldrick's "Proportional Representation Critically Analyzed," *American City*, XIII (1930), 96. The experiences of New York and Yonkers are best traced through the *New York Times Index*.

For nonvoting in America see Merriam and Gosnell's *Non-Voting* (1924) and Gosnell's *Getting Out the Vote* (1926), and compare with them the foreign election statistics in Tingsten's *Political Behavior* (1937). The whole problem is discussed in Schlesinger and Erikson's "Vanishing Voter," *New Republic*, XL (1924), 162, and in Munroe's "Is the Slacker Vote a Menace?" *National Municipal Review*, XVII (1928), 80. Tingsten, *op. cit.*, devotes a chapter to compulsory voting, and good discussions of it are to be found in Hart's "Exercise of the Suffrage," *Political Science Quarterly*, VII (1892), 307, and in Robson's "Compulsory Voting," *ibid.*, XXXVIII (1923), 569. For absent voting see Rocca's *Brief Digest of Laws Relating to Absentee Voting* (1928), supplemented by Steinbicker's "Absentee Voting in the United States," *American Political Science Review*, XXXII (1938), 898, and by a "Summary of State Laws on Absent Voting" in *Voting in the United States* cited above, which also contains a detailed statement of "Voting Rights of Persons in Military Service."

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# DEMOCRATIC PLATFORM, 1940

## PREAMBLE

The world is undergoing violent change. Humanity, uneasy in this machine age, is demanding a sense of security and dignity based on human values.

No democratic government which fails to recognize this trend — and take appropriate action — can survive.

That is why the Government of this Nation has moved to keep ahead of this trend; has moved with speed inexplicable to those who do not see this trend.

Outside the Americas, established institutions are being overthrown and democratic philosophies are being repudiated by those whose creed recognizes no power higher than military force, no values other than a false efficiency.

What the founding fathers realized upon this continent was a daring dream, that men could have not only physical security, not only efficiency, but something else in addition that men had never had before — the security of the heart that comes with freedom, the peace of mind that comes from a sense of justice.

To this generation of Americans it is given to defend this democratic faith as it is challenged by social maladjustment within and totalitarian greed without. The world revolution against which we prepare our defense is so threatening that not until it has burned itself out in the last corner of the earth will our democracy be able to relax its guard.

In this world crisis, the purpose of the Democratic Party is to defend against external attack and justify by internal progress the system of government and way of life from which the Democratic Party takes its name.

Toward the modern fulfillment of the American ideal, the Democratic Party, during the last seven years, has labored successfully —

1. To strengthen democracy by defensive preparedness against aggression, whether by open attack or secret infiltration;

2. To strengthen democracy by increasing our economic efficiency; and
3. To strengthen democracy by improving the welfare of the people.

These three objectives are one and inseparable. No nation can be strong by armaments alone. It must possess and use all the necessary resources for producing goods plentifully and distributing them effectively. It must add to these factors of material strength the unconquerable spirit and energy of a contented people, convinced that there are no boundaries to human progress and happiness in a land of liberty.

Our faith that these objectives can be attained is made unshakable by what has already been done by the present Administration — in stopping the waste and exploitation of our human and natural resources, in restoring to the average man and woman a stake in the preservation of our democracy, in enlarging our national armaments, and in achieving national unity.

We shall hold fast to these gains. We are proud of our record. Therefore the Party in convention assembled endorses wholeheartedly the brilliant and courageous leadership of President Franklin D. Roosevelt and his statesmanship and that of the Congress for the past seven trying years. And to our President and great leader we send our cordial greetings.

## WE MUST STRENGTHEN DEMOCRACY • AGAINST AGGRESSION

The American people are determined that war, raging in Europe, Asia and Africa, shall not come to America.

We will not participate in foreign wars, and we will not send our army, naval or air forces to fight in foreign lands outside of the Americas, except in case of attack. We favor and shall rigorously enforce and defend the Monroe Doctrine.

The direction and aim of our foreign policy has been, and will continue to be, the security and defense of our own land and the maintenance of its peace.

For years our President has warned the Nation that organized assaults against religion, democracy and international good faith threatened our own peace and security. Men blinded by partisanship brushed aside these warnings as war-mongering and officious

inter-meddling. The fall of twelve nations was necessary to bring their belated approval of legislative and executive action that the President had urged and undertaken with the full support of the people. It is a tribute to the President's foresight and action that our defense forces are today at the peak of their peacetime effectiveness.

Weakness and unpreparedness invite aggression. We must be so strong that no possible combination of powers would dare to attack us. We propose to provide America with an invincible air force, a navy strong enough to protect all our seacoasts and our national interests, and a fully-equipped and mechanized army. We shall continue to coordinate these implements of defense with the necessary expansion of industrial productive capacity and with the training of appropriate personnel. Outstanding leaders of industry and labor have already been enlisted by the Government to harness our mighty economic forces for national defense.

Experience of other nations gives warning that total defense is necessary to repel attack, and that partial defense is no defense.

We have seen the downfall of nations accomplished through internal dissension provoked from without. We denounce and will do all in our power to destroy the treasonable activities of disguised anti-democratic and un-American agencies which would sap our strength, paralyze our will to defend ourselves, and destroy our unity by inciting race against race, class against class, religion against religion, and the people against their free institutions.

To make America strong, and to keep America free, every American must give of his talents and treasure in accordance with his ability and his country's needs. We must have democracy of sacrifice as well as democracy of opportunity.

To insure that our armaments shall be implements of peace rather than war, we shall continue our traditional policies of the Good Neighbor; observe and advocate international respect for the rights of others and for treaty obligations; cultivate foreign trade through desirable trade agreements; and foster economic collaboration with the Republics of the Western Hemisphere.

In self-defense and in good conscience, the world's greatest democracy cannot afford heartlessly or in a spirit of appeasement to ignore the peace-loving and liberty-loving peoples wantonly attacked by ruthless aggressors. We pledge to extend to these peoples all the material aid at our command, consistent with law and not inconsist-

ent with the interests of our own national self-defense — all to the end that peace and international good faith may yet emerge triumphant.

We do not regard the need for preparedness a warrant for infringement upon our civil liberties, but on the contrary we shall continue to protect them, in the keen realization that the vivid contrast between the freedom we enjoy and the dark repression which prevails in the lands where liberty is dead, affords warning and example to our people to confirm their faith in democracy.

## WE MUST STRENGTHEN DEMOCRACY BY INCREASING OUR ECONOMIC EFFICIENCY

### THE LAND AND THE FARMER

The well-being of the land and those who work upon it is basic to the real defense and security of America.

The Republican Party gives its promises to the farmer and its allegiance to those who exploit him.

Since 1932, farm income has been doubled; six million farmers, representing more than 80 per cent of all farm families, have participated in an effective soil conservation program; the farm debt and the interest rate on farm debt have been reduced, and farm foreclosures have been drastically curtailed; rural highways and farm-to-market roads have been vastly improved and extended; the surpluses on the farms have been used to feed the needy; low-cost electricity has been brought to five million farm people as a result of the rural electrification program; thousands of impoverished farm families have been rehabilitated; and steps have been taken to stop the alarming growth of farm tenancy, to increase land ownership, and to mitigate the hardships of migratory farm labor.

We pledge ourselves:

To make parity as well as soil conservation payments until such time as the goal of parity income for agriculture is realized.

To extend and enlarge the tenant-purchase program until every deserving tenant farmer has a real opportunity to have a farm of his own.

To refinance existing farm debts at lower interest rates and on longer and more flexible terms.

To continue to provide for adjustment of production through democratic processes to the extent that excess surpluses are capable of control.

To continue the program of rehabilitation of farmers who need and merit aid.

To preserve and strengthen the Ever-Normal Granary on behalf of the national defense, the consumer at home and abroad, and the American farmer.

To continue to make commodity loans to maintain the Ever-Normal Granary and to prevent destructively low prices.

To expand the domestic consumption of our surpluses by the food and cotton stamp plan, the free school lunch, low-cost milk and other plans for bringing surplus farm commodities to needy consumers.

To continue our substantially increased appropriations for research and extension work through the land-grant colleges, and for research laboratories established to develop new outlets for farm products.

To conserve the soil and water resources for the benefit of farmers and the Nation. In such conservation programs we shall, so far as practicable, bring about that development in forests and other permanent crops as will not unduly expand livestock and dairy production.

To safeguard the farmer's foreign markets and expand his domestic market for all domestic crops.

To enlarge the rural electrification program.

To encourage farmer-owned and controlled cooperatives.

To continue the broad program launched by this Administration for the coordinated development of our river basins through reclamation and irrigation, flood control, reforestation and soil conservation, stream purification, recreation, fish and game protection, low-cost power, and rural industry.

To encourage marketing agreements in aid of producers of dairy products, vegetables, fruits and specialty crops for the purpose of orderly marketing and the avoidance of unfair and wasteful practices.

To extend crop insurance from wheat to other crops as rapidly as experience justifies such extension.

To safeguard the family-sized farm in all our programs.

To finance these programs adequately in order that they may be effective.

In settling new lands reclaimed from desert by projects like Grand Coulee, we shall give priority to homeless families who have lost their farms. As these new lands are brought into use, we shall con-

tinue by Federal purchase to retire from the plow submarginal lands so that an increased percentage of our farmers may be able to live and work on good land.

These programs will continue to be in the hands of locally-elected farmer committees to the largest extent possible. In this truly democratic way, we will continue to bring economic security to the farmer and his family, while recognizing the dignity and freedom of American farm life.

## INDUSTRY AND THE WORKER

Under Democratic auspices, more has been done in the last seven years to foster the essential freedom, dignity and opportunity of the American worker than in any other administration in the Nation's history. In consequence, labor is today taking its rightful place as a partner of management in the common cause of higher earnings, industrial efficiency, national unity and national defense.

A far-flung system of employment exchanges has brought together millions of idle workers and available jobs. The workers' right to organize and bargain collectively through representatives of their own choosing is being enforced. We have enlarged the Federal machinery for the mediation of labor disputes. We have enacted an effective wage and hour law. Child labor in factories has been outlawed. Prevailing wages to workers employed on government contracts have been assured.

We pledge to continue to enforce fair labor standards; to maintain the principles of the National Labor Relations Act; to expand employment training and opportunity for our youth, older workers, and workers displaced by technological changes; to strengthen the orderly processes of collective bargaining and peaceful settlement of labor disputes; and to work always for a just distribution of our national income among those who labor.

We will continue our efforts to achieve equality of opportunity for men and women without impairing the social legislation which promotes true equality by safeguarding the health, safety and economic welfare of women workers. The right to work for compensation in both public and private employment is an inalienable privilege of women as well as men, without distinction as to marital status.

The production of coal is one of our most important basic industries. Stability of production, employment, distribution and price

are indispensable to the public welfare. We pledge continuation of the Federal Bituminous Coal Stabilization Act, and sympathetic consideration of the application of similar legislation to the anthracite coal industry, in order to provide additional protection for the owners, miners and consumers of hard coal.

We shall continue to emphasize the human element in industry and strive toward increasingly wholehearted cooperation between labor and industrial management.

## CAPITAL AND THE BUSINESS MAN

To make democracy strong, our system of business enterprise and individual initiative must be free to gear its tremendous productive capacity to serve the greatest good of the greatest number.

We have defended and will continue to defend all legitimate business.

We have attacked and will continue to attack unbridled concentration of economic power and the exploitation of the consumer and the investor.

We have attacked the kind of banking which treated America as a colonial empire to exploit; the kind of securities business which regarded the Stock Exchange as a private gambling club for wagering other people's money; the kind of public utility holding companies which used consumers' and investors' money to suborn a free press, bludgeon legislatures and political conventions, and control elections against the interest of their customers and their security holders.

We have attacked the kind of business which levied tribute on all the rest of American business by the extortionate methods of monopoly.

We did not stop with attack — we followed through with the remedy. The American people found in themselves, through the democratic process, ability to meet the economic problems of average American business where concentrated power had failed.

We found a broken and prostrate banking and financial system. We restored it to health by strengthening banks, insurance companies and other financial institutions. We have insured 62 million bank accounts, and protected millions of small investors in the security and commodity markets. We have thus revived confidence, safeguarded thrift, and opened the road to all honorable business.

We have made credit at low interest rates available to small-business men, thus unfastening the oppressive yoke of a money mo-

nopoly, and giving the ordinary citizen a chance to go into business and stay in business.

We recognize the importance of small business concerns and new enterprises in our national economy, and favor the enactment of constructive legislation to safeguard the welfare of small business. Independent small-scale enterprise, no less than big business, should be adequately represented on appropriate governmental boards and commissions, and its interests should be examined and fostered by a continuous research program.

We have provided an important outlet for private capital by stimulating home building and low-rent housing projects. More new homes were built throughout the Nation last year than in any year since 1929.

We have fostered a well-balanced American merchant marine and the world's finest system of civil aeronautics, to promote our commerce and our national defense.

We have steered a steady course between a bankruptcy-producing deflation and a thrift-destroying inflation, so that today the dollar is the most stable and sought-after currency in the world — a factor of immeasurable benefit in our foreign and domestic commerce.

We shall continue to oppose barriers which impede trade among the several States. We pledge our best efforts in strengthening our home markets, and to this end we favor the adjustment of freight rates so that no section or State will have undue advantage over any other.

To encourage investment in productive enterprise, the tax-exempt privileges of future Federal, State and local bonds should be removed.

We have enforced the anti-trust laws more vigorously than at any time in our history, thus affording the maximum protection to the competitive system.

We favor strict supervision of all forms of the insurance business by the several States for the protection of policy-holders and the public.

The full force of our policies, by raising the national income by thirty billion dollars from the low of 1932, by encouraging vast re-employment, and by elevating the level of consumer demand, has quickened the flow of buying and selling through every artery of industry and trade.

With mass purchasing power restored and many abuses eliminated,

American business stands at the threshold of a great new era, richer in promise than any we have witnessed — an era of pioneering and progress beyond the present frontiers of economic activity — in transportation, in housing, in industrial expansion, and in the new utilization of the products of the farm and the factory.

We shall aid business in redeeming America's promise.

## ELECTRIC POWER

During the past seven years the Democratic Party has won the first major victories for the people of the Nation in their generation-old contest with the Power Monopoly.

These victories have resulted in the recognition of certain self-evident principles and the realization of vast benefits by the people. These principles, long opposed by the Republican Party, are:

That the power of falling water is a gift from God, and consequently belongs not to a privileged few, but to all the people, who are entitled to enjoy its benefits;

That the people have the right through their Government to develop their own power sites and bring low-cost electricity to their homes, farms and factories;

That public utility holding companies must not be permitted to serve as the means by which a few men can pyramid stocks upon stocks for the sole purpose of controlling vast power empires.

We condemn the Republican policies which permitted the victimizing of investors in the securities of private power corporations, and the exploitation of the people by unnecessarily high utility costs.

We condemn the opposition of utility power interests which delayed for years the development of national defense projects in the Tennessee Valley, and which obstructed river basin improvements and other public projects bringing low-cost electric power to the people. The successful power developments in the Tennessee and Columbia River basins show the wisdom of the Democratic Party in establishing government-owned and operated hydro-electric plants in the interests of power and light consumers.

Through these Democratic victories, whole regions have been revived and restored to prosperous habitation. Production costs have been reduced. Industries have been established which employ men and capital. Cheaper electricity has brought vast economic benefits to thousands of homes and communities.

These victories of the people must be safeguarded. They will be turned to defeat if the Republican Party should be returned to power. We pledge our Party militantly to oppose every effort to encroach upon the inherent right of our people to be provided with this primary essential of life at the lowest possible cost.

The nomination of an utility executive by the Republican Party as its Presidential candidate raises squarely the issue, whether the Nation's water power shall be used for all the people or for the selfish interests of a few. We accept that issue.

### DEVELOPMENT OF WESTERN RESOURCES

We take satisfaction in pointing out the incomparable development of the public land States under the wise and constructive legislation of this Administration. Mining has been revived, agriculture fostered, reclamation extended and natural resources developed as never before in a similar period. We pledge the continuance of such policies, based primarily on the expansion of opportunity for the people, as will encourage the full development, free from financial exploitation, of the great resources — mineral, agricultural, livestock, fishing and lumber — which the West affords.

### RADIO

Radio has become an integral part of the democratically accepted doctrine of freedom of speech, press, assembly and religion. We urge such legislative steps as may be required to afford the same protection from censorship that is now afforded the press under the Constitution of the United States.

## WE MUST STRENGTHEN DEMOCRACY BY IMPROVING THE WELFARE OF THE PEOPLE

We place human resources first among the assets of a democratic society.

### UNEMPLOYMENT

The Democratic Party wages war on unemployment, one of the gravest problems of our times, inherited at its worst from the last Republican administration. Since we assumed office, nine million additional persons have gained regular employment in normal private enterprise. All our policies — financial, industrial and agricultural — will continue to accelerate the rate of this progress.

By public action, where necessary to supplement private reemployment, we have rescued millions from idleness that breeds weakness, and given them a real stake in their country's well-being. We shall continue to recognize the obligation of government to provide work for deserving workers who cannot be absorbed by private industry.

We are opposed to vesting in the States and local authorities the control of Federally-financed work relief. We believe that this Republican proposal is a thinly disguised plan to put the unemployed back on the dole.

We will continue energetically to direct our efforts toward the employment in private industry of all those willing to work, as well as the fullest employment of money and machines. This we pledge as our primary objective. To further implement this objective, we favor calling, under the direction of the President, a national unemployment conference of leaders of government, industry, labor and farm groups.

There is work in our factories, mines, fields, forests and river basins, on our coasts, highways, railroads and inland waterways. There are houses to be built to shelter our people. Building a better America means work and a higher standard of living for every family, and a richer and more secure heritage for every American.

## SOCIAL SECURITY

The Democratic Party, which established social security for the Nation, is dedicated to its extension. We pledge to make the Social Security Act increasingly effective, by covering millions of persons not now protected under its terms; by strengthening our unemployment insurance system and establishing more adequate and uniform benefits, through the Federal equalization fund principle; by progressively extending and increasing the benefits of the old-age and survivors insurance system, including protection of the permanently disabled; and by the early realization of a minimum pension for all who have reached the age of retirement and are not gainfully employed.

## HEALTH

Good health for all the people is a prime requisite of national preparedness in its broadest sense. We have advanced public health, industrial hygiene, and maternal and child care. We are coordinat-

ing the health functions of the Federal Government. We pledge to expand these efforts, and to provide more hospitals and health centres and better health protection wherever the need exists, in rural and urban areas, all through the cooperative efforts of the Federal, State and local governments, the medical, dental, nursing and other scientific professions, and the voluntary agencies.

## YOUTH AND EDUCATION

Today, when the youth of other lands is being sacrificed in war, this Nation recognizes the full value of the sound youth program established by the Administration. The National Youth Administration and Civilian Conservation Corps have enabled our youths to complete their education, have maintained their health, trained them for useful citizenship, and aided them to secure employment.

Our public works have modernized and greatly expanded the Nation's schools. We have increased Federal aid for vocational education and rehabilitation, and undertaken a comprehensive program of defense-industry training. We shall continue to bring to millions of children, youths and adults, the educational and economic opportunities otherwise beyond their reach.

## SLUM CLEARANCE AND LOW-RENT HOUSING

We have launched a soundly conceived plan of loans and contributions to rid America of overcrowded slum dwellings that breed disease and crime, and to replace them by low-cost housing projects within the means of low-income families. We will extend and accelerate this plan not only in the congested city districts but also in the small towns and farm areas, and we will make it a powerful arm of national defense by supplying housing for the families of enlisted personnel and for workers in areas where industry is expanding to meet defense needs.

## CONSUMERS

We are taking effective steps to insure that, in this period of stress, the cost of living shall not be increased by speculation and unjustified price rises.

## NEGROES

Our Negro citizens have participated actively in the economic and social advances launched by this Administration, including fair labor standards, social security benefits, health protection, work relief projects, decent housing, aid to education, and the rehabilitation of low-income farm families. We have aided more than half a million Negro youths in vocational training, education and employment. We shall continue to strive for complete legislative safeguards against discrimination in government service and benefits, and in the national defense forces. We pledge to uphold due process and the equal protection of the laws for every citizen, regardless of race, creed or color.

## VETERANS

We pledge to continue our policy of fair treatment of America's war veterans and their dependents, in just tribute to their sacrifices and their devotion to the cause of liberty.

## INDIANS

We favor and pledge the enactment of legislation creating an Indian Claims Commission for the special purpose of entertaining and investigating claims presented by Indian groups, bands and tribes, in order that our Indian citizens may have their claims against the Government considered, adjusted, and finally settled at the earliest possible date.

## CIVIL SERVICE

We pledge the immediate extension of a genuine system of merit to all positions in the executive branch of the Federal Government except actual bona fide policy-making positions. The competitive method of selecting employees shall be improved until experience and qualification shall be the sole test in determining fitness for employment in the Federal service. Promotion and tenure in Federal service shall likewise depend upon fitness, experience and qualification. Arbitrary and unreasonable rules as to academic training shall be abolished, all to the end that a genuine system of efficiency and merit shall prevail throughout the entire Federal service.

## TERRITORIES AND DISTRICT OF COLUMBIA

We favor a larger measure of self-government leading to Statehood, for Alaska, Hawaii and Puerto Rico. We favor the appointment of residents to office, and equal treatment of the citizens of each of these three Territories. We favor the prompt determination and payment of any just claims by Indian and Eskimo citizens of Alaska against the United States.

We also favor the extension of the right of suffrage to the people of the District of Columbia.

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We pledge to continue to stand guard on our true first line of defense — the security and welfare of the men, women and children of America.

## OUR DEMOCRATIC FAITH

Democracy is more than a political system for the government of a people. It is the expression of a people's faith in themselves as human beings. If this faith is permitted to die, human progress will die with it. We believe that a mechanized existence, lacking the spiritual quality of democracy, is intolerable to the free people of this country.

We therefore pledge ourselves to fight, as our fathers fought, for the right of every American to enjoy freedom of religion, speech, press, assembly, petition, and security in his home.

It is America's destiny, in these days of rampant despotism, to be the guardian of the world heritage of liberty and to hold aloft and aflame the torch of Western civilization.

The Democratic Party rededicates itself to this faith in democracy, to the defense of the American system of government, the only system under which men are masters of their own souls, the only system under which the American people, composed of many races and creeds, can live and work, play and worship in peace, security and freedom.

Firmly relying upon a continuation of the blessings of Divine Providence upon all our righteous endeavors to preserve forever the priceless heritage of American liberty and peace, we appeal to all the liberal-minded men and women of the Nation to approve this platform and to go forward with us by wholeheartedly supporting the candidates who subscribe to the principles which it proclaims.

# REPUBLICAN PLATFORM, 1940

## INTRODUCTION

The Republican Party, in representative Convention assembled, submits to the people of the United States the following declaration of its principles and purposes:

We state our general objectives in the simple and comprehensive words of the Preamble to the Constitution of the United States.

Those objectives as there stated are these:

> "To form a more perfect Union; establish justice; insure domestic tranquility; provide for the common defense, promote the general welfare and secure the blessings of liberty to ourselves and our posterity."

Meeting within the shadow of Independence Hall where those words were written we solemnly reaffirm them as a perfect statement of the ends for which we as a party propose to plan and to labor.

The record of the Roosevelt Administration is a record of failure to attain any one of those essential objectives.

Instead of leading us into More Perfect Union the Administration has deliberately fanned the flames of class hatred.

Instead of the Establishment of Justice the Administration has sought the subjection of the Judiciary to Executive discipline and domination.

Instead of insuring Domestic Tranquility the Administration has made impossible the normal friendly relation between employers and employees and has even succeeded in alienating both the great divisions of Organized Labor.

Instead of Providing for the Common Defense the Administration, notwithstanding the expenditure of billions of our dollars, has left the Nation unprepared to resist foreign attack.

Instead of promoting the General Welfare the Administration has Domesticated the Deficit, Doubled the Debt, Imposed Taxes where they do the greatest economic harm, and used public money for partisan political advantage.

Instead of the Blessings of Liberty the Administration has imposed

upon us a Regime of Regimentation which has deprived the individual of his freedom and has made of America a shackled giant.

Wholly ignoring these great objectives, as solemnly declared by the people of the United States, the New Deal Administration has for seven long years whirled in a turmoil of shifting, contradictory and overlapping administrations and policies. Confusion has reigned supreme. The only steady undeviating characteristic has been the relentless expansion of the power of the Federal Government over the everyday life of the farmer, the industrial worker and the business man. The emergency demands organization — not confusion. It demands free and intelligent cooperation — not incompetent domination. It demands a change.

The New Deal Administration has failed America.

It has failed by seducing our people to become continuously dependent upon government, thus weakening their morale and quenching the traditional American spirit.

It has failed by viciously attacking our industrial system and sapping its strength and vigor.

It has failed by attempting to send our Congress home during the world's most tragic hour, so that we might be eased into the war by word or deed during the absence of our elected representatives from Washington.

It has failed by disclosing military details of our equipment to foreign powers over protests by the heads of our armed defense.

It has failed by ignoring the lessons of fact concerning modern, mechanized, armed defense.

In these and countless other ways the New Deal Administration has either deliberately deceived the American people or proved itself incompetent longer to handle the affairs of our Government.

The zero hour is here. America must prepare at once to defend our shores, our homes, our lives and our most cherished ideals.

To establish a first line of defense we must place in official positions men of faith who put America first and who are determined that her governmental and economic system be kept unimpaired.

Our national defense must be so strong that no unfriendly power shall ever set foot on American soil. To assure this strength our national economy, the true basis of America's defense, must be free of unwarranted government interference.

Only a strong and sufficiently prepared America can speak words of reassurance and hope to the liberty-loving peoples of the world.

## NATIONAL DEFENSE

The Republican Party is firmly opposed to involving this Nation in foreign war.

We are still suffering from the ill effects of the last World War: a war which cost us a twenty-four billion dollar increase in our national debt, billions of uncollectible foreign debts, and the complete upset of our economic system, in addition to the loss of human life and irreparable damage to the health of thousands of our boys.

The present National Administration has already spent for all purposes more than fifty-four billion dollars; has boosted the national debt and current Federal taxes to an all-time high, and yet by the President's own admission we are still wholly unprepared to defend our country, its institutions and our individual liberties in a war that threatens to engulf the whole world; and this in spite of the fact that foreign wars have been in progress for two years or more and that military information concerning these wars and the rearmament programs of the warring nations has been at all times available to the National Administration through its diplomatic and other channels.

The Republican Party stands for Americanism, preparedness and peace. We accordingly fasten upon the New Deal full responsibility for our unpreparedness and for the consequent danger of involvement in war.

We declare for the prompt, orderly and realistic building of our national defense to the point at which we shall be able not only to defend the United States, its possessions, and essential outposts from foreign attack, but also efficiently to uphold in war the Monroe Doctrine. To this task the Republican Party pledges itself when entrusted with national authority. In the meantime we shall support all necessary and proper defense measures proposed by the Administration in its belated effort to make up for lost time; but we deplore explosive utterances by the President directed at other governments which serve to imperil our peace; and we condemn all executive acts and proceedings which might lead to war without the authorization of the Congress of the United States.

Our sympathies have been profoundly stirred by invasion of unoffending countries and by disaster to nations whose ideals most closely resemble our own. We favor the extension to all peoples fighting for liberty, or whose liberty is threatened, of such aid as

shall not be in violation of international law or inconsistent with the requirements of our own national defense.

We believe that the spirit which should animate our entire defensive policy is determination to preserve not our material interests merely, but those liberties which are the priceless heritage of America.

## RE-EMPLOYMENT

The New Deal's failure to solve the problem of unemployment and revive opportunity for our youth presents a major challenge to representative government and free enterprise. We propose to recreate opportunity for the youth of America and put our idle millions back to work in private industry, business, and agriculture. We propose to eliminate needless administrative restrictions, thus restoring lost motion to the wheels of individual enterprise.

## RELIEF

We shall remove waste, discrimination, and politics from relief — through administration by the States with Federal grants-in-aid on a fair and non-political basis, thus giving the man and woman on relief a larger share of the funds appropriated.

## SOCIAL SECURITY

We favor the extension of necessary old age benefits on an earmarked pay-as-you-go basis to the extent that the revenues raised for this purpose will permit. We favor the extension of the unemployment compensation provisions of the Social Security Act, wherever practicable, to those groups and classes not now included. For such groups as may thus be covered we favor a system of unemployment compensation with experience rating provisions, aimed at protecting the worker in the regularity of his employment and providing adequate compensation for reasonable periods when that regularity of employment is interrupted. The administration should be left with the States with a minimum of Federal control.

## LABOR RELATIONS

The Republican Party has always protected the American worker.

We shall maintain labor's right of free organization and collective bargaining.

We believe that peace and prosperity at home require harmony, teamwork, and understanding in all relations between worker and employer. When differences arise, they should be settled directly and voluntarily across the table.

Recent disclosures respecting the administration of the National Labor Relations Act require that this Act be amended in fairness to employers and all groups of employees so as to provide true freedom for, and orderliness in self-organization and collective bargaining.

## AGRICULTURE

A prosperous and stable agriculture is the foundation of our economic structure. Its preservation is a national and non-political social problem not yet solved, despite many attempts. The farmer is entitled to a profit-price for his products. The Republican Party will put into effect such governmental policies, temporary and permanent, as will establish and maintain an equitable balance between labor, industry, and agriculture by expanding industrial and business activity, eliminating unemployment, lowering production costs, thereby creating increased consumer buying power for agricultural products.

Until this balance has been attained, we propose to provide benefit payments, based upon a widely-applied, constructive soil conservation program free from Government-dominated production control, but administered, as far as practicable, by farmers themselves; to restrict the major benefits of these payments to operators of family-type farms; to continue all present benefit payments until our program becomes operative; and to eliminate the present extensive and costly bureaucratic interference.

We shall provide incentive payments, when necessary, to encourage increased production of agricultural commodities, adaptable to our soil and climate, not now produced in sufficient quantities for our home markets, and will stimulate the use and processing of all farm products in industry as raw materials.

We shall promote a cooperative system of adequate farm credit, at lowest interest rates commensurate with the cost of money, supervised by an independent governmental agency, with ultimate farmer ownership and control; farm commodity loans to facilitate orderly marketing and stabilize farm income; the expansion of sound, farmer-owned and farmer-controlled cooperative associa-

tions; and the support of educational and extension programs to achieve more efficient production and marketing.

We shall foster Government refinancing, where necessary, of the heavy Federal farm debt load through an agency segregated from cooperative credit.

We shall promote a national land use program for Federal acquisition, without dislocation of local tax returns, of non-productive farm lands by voluntary sale or lease subject to approval of the States concerned; and the disposition of such lands to appropriate public uses including watershed protection and flood preventions reforestation, recreation, erosion control, and the conservation of wild life.

We advocate a foreign trade policy which will end one-man tariff making, afford effective protection to farm products, regain our export markets, and assure an American price level for the domestically consumed portion of our export crops.

We favor effective quarantine against imported livestock, dairy, and other farm products from countries which do not impose health and sanitary standards equal to our own domestic standards.

We approve the orderly development of reclamation and irrigation, project by project and as conditions justify.

We promise adequate assistance to rural communities suffering disasters from flood, drought, and other natural causes.

We shall promote stabilization of agricultural income through intelligent management of accumulated surpluses, and through the development of outlets by supplying those in need at home and abroad.

## TARIFF AND RECIPROCAL TRADE

We are threatened by unfair competition in world markets and by the invasion of our home markets, especially by the products of state-controlled foreign economies.

We believe in tariff protection for Agriculture, Labor, and Industry, as essential to our American standard of living. The measure of the protection shall be determined by scientific methods with due regard to the interest of the consumer.

We shall explore every possibility of reopening the channels of international trade through negotiations so conducted as to produce genuine reciprocity and expand our exports.

We condemn the manner in which the so-called reciprocal trade agreements of the New Deal have been put into effect without adequate hearings, with undue haste, without proper consideration of our domestic producers, and without Congressional approval. These defects we shall correct.

## MONEY

The Congress should reclaim its constitutional powers over money, and withdraw the President's arbitrary authority to manipulate the currency, establish bimetallism, issue irredeemable paper money, and debase the gold and silver coinage. We shall repeal the Thomas Inflation Amendment of 1933 and the (foreign) Silver Purchase Act of 1934, and take all possible steps to preserve the value of the Government's huge holdings of gold and re-introduce gold into circulation.

## JOBS AND IDLE MONEY

Believing it possible to keep the securities market clean without paralyzing it, we endorse the principle of truth in securities in the Securities Acts. To get billions of idle dollars and a multitude of idle men back to work and to promote national defense, these acts should be revised and the policies of the Commission changed to encourage the flow of private capital into industry.

## TAXATION

Public spending has trebled under the New Deal, while tax burdens have doubled. Huge taxes are necessary to pay for New Deal waste and for neglected national defense. We shall revise the tax system and remove those practices which impede recovery and shall apply policies which stimulate enterprise. We shall not use the taxing power as an instrument of punishment or to secure objectives not otherwise obtainable under existing law.

## PUBLIC CREDIT

With urgent need for adequate defense, the people are burdened by a direct and contingent debt exceeding fifty billion dollars. Twenty-nine billion of this debt has been created by New Deal borrowings during the past seven years. We pledge ourselves to con-

serve the public credit for all essential purposes by levying taxation sufficient to cover necessary civil expenditure, a substantial part of the defense cost, and the interest and retirement of the national debt.

## PUBLIC SPENDING

Millions of men and women still out of work after seven years of excessive spending refute the New Deal theory that "deficit spending" is the way to prosperity and jobs. Our American system of private enterprise, if permitted to go to work, can rapidly increase the wealth, income, and standard of living of all the people. We solemnly pledge that public expenditures, other than those required for full national defense and relief, shall be cut to levels necessary for the essential services of government.

## EQUAL RIGHTS

We favor submission by Congress to the States of an amendment to the Constitution providing for equal rights for men and women.

## NEGRO

We pledge that our American citizens of Negro descent shall be given a square deal in the economic and political life of this Nation. Discrimination in the civil service, the army, navy, and all other branches of the Government must cease. To enjoy the full benefits of life, liberty and pursuit of happiness universal suffrage must be made effective for the Negro citizen. Mob violence shocks the conscience of the Nation and legislation to curb this evil should be enacted.

## UN-AMERICAN ACTIVITIES

We vigorously condemn the New Deal encouragement of various groups that seek to change the American form of Government by means outside the Constitution. We condemn the appointment of members of such un-American groups to high positions of trust in the national Government. The development of the treacherous so-called Fifth Column, as it has operated in war-stricken countries, should be a solemn warning to America. We pledge the Republican Party to get rid of such borers from within.

## IMMIGRATION

We favor the strict enforcement of all laws controlling the entry of aliens. The activities of undesirable aliens should be investigated and those who seek to change by force and violence the American form of Government should be deported.

## VETERANS

We pledge adequate compensation and care for veterans disabled in the service of our country, and for their widows, orphans, and dependents.

## INDIANS

We pledge an immediate and final settlement of all Indian claims between the Government and the Indian citizenship of the Nation.

## HAWAII

Hawaii, sharing the Nation's obligations equally with the several States, is entitled to the fullest measure of home rule; and to equality with the several States in the rights of her citizens and in the application of our national laws.

## PUERTO RICO

Statehood is a logical aspiration of the people of Puerto Rico who were made citizens of the United States by Congress in 1917; legislation affecting Puerto Rico, in so far as feasible, should be in harmony with the realization of that aspiration.

## GOVERNMENT AND BUSINESS

We shall encourage a healthy, confident, and growing private enterprise, confine Government activity to essential public services, and regulate business only so as to protect consumer, employee, and investor and without restricting the production of more and better goods at lower prices.

## MONOPOLY

Since the passage of the Sherman Anti-trust Act by the Republican Party we have consistently fought to preserve free competition with regulation to prevent abuse. New Deal policy fosters

Government monopoly, restricts production, and fixes prices. We shall enforce anti-trust legislation without prejudice or discrimination. We condemn the use or threatened use of criminal indictments to obtain through consent decrees objectives not contemplated by law.

## GOVERNMENT COMPETITION

We promise to reduce to the minimum Federal competition with business. We pledge ourselves to establish honest accounting and reporting by every agency of the Federal Government and to continue only those enterprises whose maintenance is clearly in the public interest.

## FREE SPEECH

The principles of a free press and free speech, as established by the Constitution, should apply to the radio. Federal regulation of radio is necessary in view of the natural limitations of wave lengths, but this gives no excuse for censorship. We oppose the use of licensing to establish arbitrary controls. Licenses should be revocable only when, after public hearings, due cause for cancellation is shown.

## SMALL BUSINESS

The New Deal policy of interference and arbitrary regulation has injured all business, but especially small business. We promise to encourage the small business man by removing unnecessary bureaucratic regulation and interference.

## STOCK AND COMMODITY EXCHANGES

We favor regulation of stock and commodity exchanges. They should be accorded the fullest measure of self-control consistent with the discharge of their public trust and the prevention of abuse.

## INSURANCE

We condemn the New Deal attempts to destroy the confidence of our people in private insurance institutions. We favor continuance of regulation of insurance by the several States.

## GOVERNMENT REORGANIZATION

We shall re-establish in the Federal Civil Service a real merit system on a truly competitive basis and extend it to all non-policy-forming positions.

We pledge ourselves to enact legislation standardizing and simplifying quasi-judicial and administrative agencies to insure adequate notice and hearing, impartiality, adherence to the rules of evidence and full judicial review of all questions of law and fact.

Our greatest protection against totalitarian government is the American system of checks and balances. The constitutional distribution of legislative, executive, and judicial functions is essential to the preservation of this system. We pledge ourselves to make it the basis of all our policies affecting the organization and operation of our republican form of Government.

## THIRD TERM

To insure against the overthrow of our American system of Government we favor an Amendment to the Constitution providing that no person shall be President of the United States for more than two terms.

## A PLEDGE OF GOOD FAITH

The acceptance of the nominations made by this Convention carries with it, as a matter of private honor and public faith, an undertaking by each candidate to be true to the principles and program herein set forth.

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We earnestly urge all patriotic men and women, regardless of former affiliations, to unite with us in the support of our declaration of principles to the end that "government of the people, by the people and for the people shall not perish from this earth."

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